

The meeting was called to order by Supervisor Tyler at 3:00 p.m.

Members present on a roll call were:

Councilperson Brankman
Councilperson Kirkby
Councilperson Viens
Councilperson Morrison
Supervisor Tyler

Others present:

Dennie Westover, Highway Superintendent
Catherine L. Simmer, Town Clerk
David McNamara
Anne McKinley
Marilyn Trienens
Dan Schoonover
Liz Rapalee
Nancy Page

RESOLUTION #153
APPROVAL OF MINUTES

On a motion by Councilperson Viens, seconded by Councilperson Kirkby, and approved with an all in favor.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

RESOLVED to accept the minutes of the September 14, 2021 regular meeting as received.

PUBLIC COMMENT: There was no public comment.

SUPERVISOR TYLER welcomed all present. The Library Association is present to discuss funding.

David McNamara is the treasurer of the Westport Library and is present to explain the situation that the Westport and Wadhams libraries are facing. In 2018, when the school merger vote occurred, the Elizabethtown Library was a line item on that ballot to receive funding from the newly formed school district. The Elizabethtown Library had never been funded by the community (tax payers) prior to the merger. The Westport and Wadhams libraries had been supported by the community on the Westport Central School District taxes. When the merger occurred the Westport and Wadhams libraries have continued to receive funding from the newly formed Boquet Valley Central School District. The caveat is the tax payers of Westport/ Wadhams support the Westport Library, the Wadhams Library and the Elizabethtown Library while the tax payers of Elizabethtown and Lewis support the Elizabethtown Library only. The Westport and Wadhams libraries would like to take a vote on the school board budget ballot next spring to rectify the imbalance for Westport and Wadhams tax payers. The vote would include sharing the line item for libraries among the entire school district tax payers. They are deeply concerned if it should be voted down they would lose their current funding. They have been very unsuccessful in getting a straight answer as to whether or not that can happen. SUPERVISOR TYLER was able to contact an attorney on this matter. The attorney's opinion is that they would not lose current funding if the vote doesn't pass in the spring. The current situation would just continue. The State Department of Education has been contacted about this situation and has not offered any opinion.

The Westport and Wadhams libraries express their sincere gratitude to the Town for the yearly donations made to the libraries. The budget for the libraries is lean and every dollar counts. We genuinely appreciate the Town's support. The libraries are an important part of the community.

YOUTH COMMISSION: The soccer tournament went well. It was very successful. Mr. Maro and Mr. Morrisson flipped burgers. Everyone had a good time. It was a really great event.

SUPERVISOR TYLER has given the Tentative 2022 Budget to the Town Clerk on September 28, 2021. He distributed a copy to the Board Members. The Board will be meeting Friday, October 8, 2021 at 3:00pm to discuss the Tentative Budget in preparation for the Preliminary Budget. National Grid will be issuing a retroactive reimbursement. We did not see a decrease in our street lighting bill after the new LED lights were installed. National Grid is looking into it for us.

**RESOLUTION #154
APPROVAL OF BILLS**

On a motion by Councilperson Morrison, seconded by Councilperson Brankman, and approved with a roll call vote.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

RESOLVED to authorize the payment of bills on Abstract #24 in the amount of \$36,728.83 for Vouchers 504-535.

DISCUSSION: Supervisor Tyler explained that the Town needs to hold a contract for a place to house dangerous dogs. The North Country SPCA has updated their facility, so we can use their facility.

**RESOLUTION #155
NORTH COUNTRY SPCA CONTRACT**

On a motion by Councilperson Viens, seconded by Councilperson Morrison, and approved on an all in favor.

5 Ayes Brannman, Kirkby, Viens, Morrison, Tyler
0 Nays

RESOLVED to allow Supervisor Tyler to sign the dangerous dogs contract with the North Country SPCA for 2022, and

LET IT BE FURTHER RESOLVED to pay the yearly contract fee of \$250.00.

DISCUSSION: Supervisor Tyler explained that we had an issue with three separate residents with broken water meters. We need to adjust their bills accordingly. We will need a resolution for each bill.

**RESOLUTION #156
CERF WATER BILL ADJUSTMENT**

On a motion by Councilperson Brankman, seconded by Councilperson Morrison, and approved on an all in favor.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

RESOLVED to adjust the Cerf's water bill accordingly, due to a broken water meter.

RESOLUTION #157
DON VIENS WATER BILL ADJUSTMENT

On a motion by Councilperson Morrison, seconded by Councilperson Kirkby, and approved on an all in favor.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

RESOLVED to adjust the Don Viens' water bill accordingly, due to a broken water meter.

RESOLUTION #158
JIM CARROLL WATER BILL ADJUSTMENT

On a motion by Councilperson Viens, seconded by Councilperson Brankman, and approved on an all in favor.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

RESOLVED to adjust the Jim Carroll's water bill accordingly, due to a broken water meter.

RESOLUTION #159
CDBG # 1241HR117-20 DETERMINATION OF TYPE II ACTION

On a motion by Councilperson Kirkby, seconded by Councilperson Viens, and approved on an all in favor.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

RESOLVED that the determination has been made that the Environmental Review Record for the Town of Westport be classified as a Type II Action (6NYCRR Section 617.4 and 617.5) for the Town of Westport Housing Rehabilitation Program funded by the New York State Office of Community Renewal Community Development Block Grant project #1241HR117-20. Classification of Type II Action was determined based on review of <https://www.dec.ny.gov/permits/32521.html>.

**RESOLUTION #160
CDBG CERTIFIER OFFICER**

On a motion by Councilperson Brankman, seconded by Councilperson Morrison, and approved on an all in favor.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

WHEREAS, the Town of Westport was awarded a Community Development Block Grant from the US Department of Housing and Urban Development through the New York State Office of Community Renewal, as administered by the State of New York;

WHEREAS, The Town of Westport is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to the CDBG award; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Westport be hereby designated as the Town's environmental certifying officer for the purpose of signing correspondence and other required documents and forms.

**RESOLUTION #161
CDBG AUTHORIZATION FOR THE HAPEC TO ADMINISTER GRANT**

On a motion by Councilperson Viens, seconded by Councilperson Morrison, and approved on an all in favor.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

RESOLVED that the Town of Westport has received Community Development Block Grant funding for housing rehabilitation assistance to low/moderate income homeowners located in scattered sites, town-wide, and

NOW, THEREFORE, BE IT RESOLVED, that the Westport Town Council authorizes Supervisor Michael K. Tyler, to sign the Subrecipient Agreement with the Housing Assistance Program of Essex County, Inc. to perform administrative services for this grant as a subrecipient for the Town of Westport, and

BE IT FURTHER RESOLVED, that the Town of Westport is committed to affirmatively further fair housing within the town's jurisdiction, will substantially comply

with all Federal, State, and local laws, rules, and regulations applicable in the effort of furthering fair housing, and names Anna Reynolds, Director of Community Resources, Fair Housing Officer to be the primary point of contact for all fair housing related issues, and

BE IT FURTHER RESOLVED, that the Town of Westport names Angel Marvin, Community Development Director of HAPEC, Inc., Section 3 Coordinator and to be the primary point of contact for all HUD Section 3 related issues.

**RESOLUTION #162
TRAVEL UNITY SUMMIT**

On a motion by Councilperson Viens, seconded by Councilperson Kirkby, and approved on an all in favor.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

RESOLVED to allow Supervisor Tyler to attend the Travel Unit Summit, and

LET IT BE FURTHER RESOLVED to pay all associated expenses.

**RESOLUTION #163
NORTHERN UTILITIES CONTRACT**

On a motion by Councilperson Morrison, seconded by Councilperson Kirkby, and approved on an all in favor.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

RESOLVED to allow Supervisor Tyler to approve and sign a two-month contract between the Town of Westport and Northern Utilities, and

LET IT BE FURTHER RESOLVED that the Town will be compensated \$1500.00 per month, as per contract.

DPW SUPERINTENDANT REPORT: Dennie will be retiring on January 28, 2022. He will be turning his paperwork in around October 31, 2021. The Wadhams water situation is not getting any better. Morris Coolidge is a rural water person. He will be helping John locate a potential leak next week, upon his return from vacation. The water level in the well has been dropping continually and not replenishing. The situation is critical. Supervisor Tyler, we continue to work with the USDA to get emergency funding. We are hoping to secure this funding soon. The grader demonstrator is still with us. They don't

seem to be in a big hurry to get it back. We have \$52,999.00 left over from CHIPS, \$162,500.00 in reserves, \$70,000.00 in the budget for 2022 and \$16,00.00 offered on a trade. We can surplus the grader to see if we can get more money through Municibid. COUNCILPERSON BRANKMAN asked what year and if there were problems with the grader. The grader is a 1998 and it's getting difficult to find parts. The sand bid and the water and sewer truck bid went in the paper. We have projects winding down and are getting ready for winter. COUNCILPERSON BRANKMAN asked if anyone was interested in the DPW superintendent position. SUPERVISOR TYLER stated that it will need to go out for advertisement.

DISCUSSION: In 1998, the Town Board approved the Town's participation in NYSLRS Section 41(j); which allows employees to use up to 165 days of sick time as five and a half months of time worked toward retirement. This has been in the union contract since that time. The paperwork had never been filed with the State to enroll the Town in this program. We need to enroll in this program and pay appropriate fees to allow future retirements to take advantage of this program.

**RESOLUTION #164
PARTICIPATION IN NYSLRS SECTION 41J**

On a motion by Councilperson Viens, seconded by Councilperson Morrison, and approved on an all in favor.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler
0 Nays

BE IT RESOLVED that the Town Board of the Town of Westport does hereby elect to provide the pension benefit of Section 41(j) of the Retirement and Social Security Law, as presently or hereafter amended.

BE IT FURTHER RESOLVED: that the effective date of such shall be the 1st, day of January, 2022.

**RESOLUTION #165
GRADER TO SURPLUS**

On a motion by Councilperson Morrison, seconded by Councilperson Viens, and approved with a roll call vote.

5 Ayes Brankman, Kirkby Viens, Morrison, Tyler
0 Nays

RESOLVED to surplus the 1998 Grader with Municibid.

RESOLUTION #166

ADJOURNMENT

On a motion by Councilperson Morrison and seconded by Councilperson Brankman the meeting adjourned at 4:08 p.m.

5 Ayes Brankman, Kirkby, Viens, Morrison Tyler
0 Nays

Minutes respectfully submitted,

Catherine L. Simmer, Town Clerk