

Minutes of the Second Tuesday Regular Town Board Meeting on October 13, 2009

Supervisor Connell called the meeting to order at 7:00 p.m.

Members present on a roll call:

Councilman Tyler
Councilman Paquette
Councilman Sherman
Councilman Smith
Supervisor Connell

Others present:

Sheila Borden, Town Clerk
Jerrold Sherman, DPW Superintendent
Bruce Dunning, Matt Foley, Kathleen Cramer, James Westover Sr., James
Hermann, Courtney Fair

RESOLUTION #191 MINUTES

On a motion by Councilman Smith seconded by Councilman Paquette and approved on a roll call vote.

5 Ayes Tyler, Paquette, Sherman, Smith, Connell
0 Nays

RESOLVED to approve the minutes of the Regular Town Board Meeting of September 22, 2009.

PUBLIC COMMENT – Kathleen Cramer spoke to the Board about her concern over the choice of trees being planted along the fence line at the sewer plant and the plan for maintaining them.

Supervisor Connell replied that they were following the engineers design and that the pines could be removed once the cedars were grown.

COMMITTEE REPORTS

MUNICIPAL CENTER – The next meeting will be held on October 21, 2009 at 6:00 p.m. at the Town Hall. The plan is to put together a newsletter to get information out to people.

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YOUTH COMMISSION – Twelve youth attend the Pok-O-MacCready field trip. The basketball schedule is currently being discussed and there is a County meeting on 10/21 to finalize the program. The soccer program is going well with a tournament in Ticonderoga this weekend. They are gearing up for the ski program but they will not be having a ski swap this year.

Supervisor Connell requested that copies of the Youth Commission meeting minutes be emailed to the Town office.

The position of Youth Commission Director was discussed. Councilman Sherman will bring a copy of the job description in for the Board to review.

OLD BUSINESS

ASSESSMENT ISSUE – The committee has not met as yet.

WADHAMS WATER – Matt Foley and Courtney Fair spoke briefly on the project in Wadhams. They had met with Wayne Ryan from AES and discussed the possibility of a pressurized system similar to Saranac's and asked him for a cost estimate which came in at under \$1,300,000.00. The Committee's recommendation to the Board is to move forward with Option #2 which is the water storage in the basement.

RESOLUTION #192
WADHAMS WATER PROJECT

On a motion by Councilman Tyler seconded by Councilman Paquette and approved on a roll call vote.

5 Ayes Tyler, Paquette, Sherman, Smith, Connell
0 Nays

RESOLVED to authorize AES Engineers to move forward with Option #2 with modifications.

BLUE RIBBON – The RFP is out for the Planning Consultant and a Legal Consultant and is due back by November 10th at 4:00 p.m.

ARTICLE 78 – Nothing new.

ZONING – Tabled until next meeting.

BUDGET – Next meeting is Thursday, October 15, 2009 at 3:00 p.m.

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PLANNING BOARD RESIGNATION – The three-year position is being advertised and will be appointed in January at the Re-organizational meeting.

SHARED COURT FACILITY – The committee has had one meeting and has sent a request to Senator Little for assistance with grant funding with building costs.

NEW BUSINESS

BURN PERMIT – The NYS Department of Environmental Conservation has turned down the Towns application for a Burning Permit.

RESOLUTION #193
CLOSE BRUSH DUMP

On a motion by Councilman Smith seconded by Councilman Paquette and approved on a roll call vote.

5 Ayes Tyler, Paquette, Sherman, Smith, Connell
0 Nays

RESOLVED to close the brush dump due to the NYS DEC regulations.

PARKING BAN LOCAL LAW – There was a consensus of the Board to have the Attorney draw up a proposed local law.

RESOLUTION #194
BUDGET TRANSFERS

On a motion by Councilman Tyler seconded by Councilman Smith and approved on a roll call vote.

5 Ayes Tyler, Paquette, Sherman, Smith, Connell
0 Nays

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RESOLVED to approve the Budget Transfers as follows:

General Fund

\$200.00	From A19904.1 Contingency	To A1410.4 Town Clerk
\$1,000.00	A19904.1 Contingency	A14202.1 Attorney CE
\$50.00	A19904.1 Contingency	A1460.4 Records Mgmt
\$20,000.00	A5410.1 Sidewalk Imp	A5410.4 Sidewalk Impro
\$100.00	A19904.1 Contingency	A80104.1 Zoning CE
\$200.00	A19904.1 Contingency	A8020.14 Planning PS

Highway

\$2,500.00	From DA5110.1 Gen Repairs	To DA5148.1 Service to Others
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Sewer Three

\$50.00	From SS31990.4 Contingency	To SS38110.1 Administration
\$25.00	SS31990.4 Contingency	To SS39030.8 Social Security

Water One

\$1,000.00	From SW1 1900.4 Contingency	To SW1 8340.1 Transmission
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TIMBER SALE – The Clerk read a letter from Thomas Gilman, Area Forester of Fountains Forestry.

RESOLUTION #195
TIMBER BID

On a motion by Councilman Tyler seconded by Councilman Paquette and approved on a roll call vote.

5 Ayes	Tyler, Paquette, Sherman, Smith, Connell
0 Nays	

RESOLVED to have a bid showing on October 28, 2009 with bids due on November 10, 2009 at 4:00 p.m. and the opening to take place at 7:00 p.m. at the Regular Board Meeting.

TREE TRIMMER

RESOLUTION #196
TREE LIMB CUTTER BID

On a motion by Councilman Paquette seconded by Councilman Smith and approved on a roll call vote.

5 Ayes Tyler, Paquette, Sherman, Smith, Connell
0 Nays

RESOLVED to direct the Town Clerk to advertise bids for a 3-blade brush/tree limb cutter attachment which must be filed by 4:00 p.m. on 11/10/2009 and will be opened at 7:00 p.m. at the Regular Town Board Meeting.

WATERFRONT REVITALIZATION PROGRAM – The Clerk was asked to read a draft resolution which would authorize the submission of a grant application to the NYS Department of State under the Local Waterfront Revitalization Program Environment Protection Fund and the following visioning project for the “Future of Westport”.

Acquire consultant services to revitalize the Town and hamlet through strategic recruitment and enhancement of small business activity with the objective of fostering an economically viable year round community. Through a community-driven process, explore how the community can utilize tourism, agriculture, light industry and entrepreneurship to capitalize on its unique proximity to inter-modal transportation and traditional role as a gateway to both Lake Champlain and Adirondacks.

RESOLUTION #197
WATERFRONT REVITALIZATION PROGRAM

On a motion by Councilman Smith seconded by Councilman Tyler and approved on a roll call vote.

5 Ayes Tyler, Paquette, Sherman, Smith, Connell
0 Nays

RESOLVED, that the Town of Westport hereby authorizes and directs the Town Supervisor to execute and submit, with assistance from Essex County IDA, a grant application to the New York State Department of State Local Waterfront Revitalization Program Environment Protection Fund for \$25,000, matched by \$25,000 of in-kind services and contributions.

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RESOLVED, that the Town of Westport serves as the community sponsor for this project, Staff from the Essex County IDA will provide assistance for administering the grant and will work with the committees of the Future for Westport to fulfill the obligations of the grant.

RESOLVED, that upon receipt of grant award, the Town Supervisor is directed to act on behalf of the Town of Westport in all matters related to this financial assistance, and he hereby is authorized to execute any and all necessary contract documents.

REQUEST TO ATTEND TRAINING

**RESOLUTION #198
TRAINING APPROVAL – WRIGHT**

On a motion by Councilman Tyler seconded by Councilman Sherman and approved on a roll call vote.

5 Ayes Tyler, Paquette, Sherman, Smith, Connell
0 Nays

RESOLVED to authorize Janine Wright to attend the V&T course in Elizabethtown on October 27, 2009.

**RESOLUTION #199
APPROVAL OF BILLS**

On a motion by Councilman Smith seconded by Councilman Tyler and approved on a roll call vote.

5 Ayes Tyler, Paquette, Sherman, Smith, Connell
0 Nays

RESOLVED to authorize the payment of bills on Abstract 10A, Vouchers 2009-591 through Vouchers 2009-640 in the amount of \$55, 224.17.

TOWN CLERK'S SEPTEMBER REPORT – Supervisor Connell has received the Clerk's report for the month of September along with supporting documents.

LETTER FROM TOM LONERGAN – requesting his property be deemed commercial and copies of prior of former permits were included in the Board's packets.

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RESOLUTION #200
LEGAL OPINION

On a motion by Councilman Smith seconded by Councilman Tyler and approved on a roll call vote.

5 Ayes Tyler, Paquette, Sherman, Smith, Connell
0 Nays

RESOLVED to forward the information to the Attorney for the Town for a legal opinion.

SPEED LIMIT STEVENSON ROAD – We received a copy of a letter back from the NYS Department of Transportation to Frederick Buck, Superintendent of Public Works, regarding the request for a speed limit reduction on Stevenson Road and they have determined that a reduction of either the 45 MPH or 35 MPH speed limit is not warranted at this time.

CAMP DUDLEY – We have received a donation of \$10,750 from Camp Dudley in lieu of taxes.

DPW SUPERINTENDENT REPORT – JERROLD SHERMAN

We will be hauling in road sand this week. Truck #4 is back from Queensbury and #20 had to be sent in to be looked at for a cylinder. We finished the concrete work on the sidewalk, the sewer plant and the boat launch. The men repaired another storm drain and we are still trying to repair the meter in Wadhams. We will need to purchase some tires for the trucks and we have closed up the Brass building and the building at the beach.

TOWN CLERK'S COMMENTS – Sheila gave a written report and a verbal response to the Board on an article that appeared in the Plattsburgh Press and a following one that appeared in the Valley News regarding a supposed error in Westport's vote count on the primary election night. The first article said there was an error in the count reported when, in fact, Westport's count was reported twice by two different people accurately. The Board of Elections staff entered it into their vote count monitors incorrectly. The second article in the Valley News by one of the Board of Election staff members stated their was miscommunication over the phone. The second phone call which Sheila made herself actually re-read the numbers to make sure they agreed on them so there was no miscommunication as this person tried to say.

PUBLIC COMMENTS - James Westover Sr. discussed other possibilities of getting rid of the brush perhaps by chipping and selling it.

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RESOLUTION #201
ADJOURNMENT

On a motion by Councilman Tyler with a unanimous second to adjourn the meeting at 9:05 p.m.

Minutes Respectfully Submitted

Sheila A. Borden, Town Clerk