

**MINUTES OF THE SECOND TUESDAY WESTPORT TOWN BOARD MEETING
JULY 13, 2010**

The meeting was called to order by Supervisor Connell at 7:00 p.m.

The Assembly was led in the Pledge of Allegiance.

Members present on a roll call were:

Councilman Tyler
Councilman Paquette
Councilman Sherman
Supervisor Connell

Others present:

Sheila Borden, Town Clerk
George Hainer, Zoning and Codes Officer
Jerrold Sherman, DPW Superintendent
Wayne Ryan, AES
Todd Hodgson, AES
Alvin Reiner, Plattsburgh Press
Rick Hoffmann, John McWilliam, MaryLou Fitzgerald, James Herrmann, Nancy Page,
Kevin Severance, Bob, Rice, Bob Ingram, James Starbuck

**RESOLUTION #144
APPROVAL OF MINUTES**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to approve the minutes of the town board meeting of June 22, 2010 as received.

NOISE LEVEL-WASTE WATER TREATMENT PLANT

Wayne Ryan from AES Engineering gave a brief review on the WasteWater Treatment plant and the concerns of the flow capacity and the noise problem. He apologized to the Town Board for their being so untimely in getting back to them. AES has now provided the Board with a complete noise report with the why, where and how to correct it. Todd Hodgson also of AES discussed in detail the cause of the noise and specifically how it can be addressed as well as the flow capacity situation.

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Mr. Ryan and Mr. Hodgson were extended the Board's appreciation for their coming and answering questions and The Board will be prepared to make a decision at their next regular meeting.

PUBLIC COMMENT – Jim Starbuck questioned “If the Board isn't convinced-what happens if they were to do nothing?”

COMMITTEE REPORTS

YOUTH COMMISSION – Mike Mascarenas met with the Youth Commission and went over programs and areas of funding sources. The Summer Program is running with 44 enrolled. There are a number of field trips planned. This past Friday they went to the Adirondack Museum. They are considering charging a small fee next year to participate and perhaps providing a lunch program. The baseball program went very well and the team was undefeated. The hiking program took eleven trips. They have started to get volunteers for the soccer program and have also started working on the budget.

WESTPORT MUNICIPAL CENTER – No decision will be made tonight – there will be a committee meeting on Tuesday, July 27 at 6:00 p.m. with a regular board meeting to follow. There is one resignation from the fire commissioners on the committee and Bob Ingram and Rick Rockefeller are coming on to the committee.

WIND REPORT – Councilman Sherman reported that Conor Kays of Alternative Power Solutions has looked at other facilities within the Town and he will be submitting a brief report soon.

OLD BUSINESS

ARTICLE 78 – is moving through the court system.

WADHAMS WATER

ETM SOLAR WORKS – has submitted documentation that they are within the 200-mile requirement for the contractual obligation and therefore are able to fulfill the original bid.

ATTORNEY RETAINER AGREEMENT – The clerk was asked to read a copy of a retainer agreement between the Town of Westport and Gary H. Wilson Attorney for the Town representing the Town in matters in connection with the construction of the water supply for the Hamlet of Wadhams.

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**RESOLUTION #145
ATTORNEY RETAINER AGREEMENT-GARY WILSON**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to authorize Supervisor Connell to sign the Retainer Agreement with Gary H. Wilson to represent the Town in matters in connection with the construction of the water supply for the Hamlet of Wadhams.

EXISTING WELLS AND PROPERTY – We're currently involved in conversations with property owners with existing wells that are not in the water district.

HAMLET EXPANSION – DIAGNOSTIC ASSESSMENT BY JOEL RUSSELL

Mr. Russell determined that it was time to create a seamless document that will more easily bring Village and Town zoning documents together creating a more unitary framework. He had two suggestions to do so.

1. Take the existing provisions and rearrange and amend them or
2. Start with a new template

**RESOLUTION #146
HAMLET EXPANSION ZONING AMENDMENTS**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to authorize Joe Russell to begin drafting and utilizing Option #1 in the revisions of the zoning documents.

CLIMATE SMART COMMUNITY PLEDGE

Councilman Tyler moved to support Climate Smart. There was no second to the motion.

NEW BUSINESS

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BEACH – The lifeguards started setting up on 6/28/2010 and the beach opened on 7/1/2010. We have had one boy who received a cut from zebra mussels after being told to wear his shoes in the water and he chose not to do so.

BOARD OF ELECTION CONTRACT – Contract to use the building for the primary and the general election for \$1.00.

**RESOLUTION #147
BOARD OF ELECTION CONTRACT**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to authorize Supervisor Connell to sign the Contract with the Board of Elections for District #2.

RESIGNATION – ANIMAL CONTROL OFFICER

The clerk was asked to read the resignation of the Animal Control Officer, Edward E. Mrozik effective July 6, 2010.

**RESOLUTION #148
ACCEPTANCE OF RESIGNATION – EDWARD E. MROZIK**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to accept the resignation of Edward Mrozik with regrets and appreciation for the job he has done for the Town of Westport.

FLOWERS BOXES ON BRIDGE

Marilyn Trienens would like to place and maintain flower boxes on the bridge in Westport. The Town has to apply for the highway work permit to do so.

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**RESOLUTION #149
HIGHWAY WORK PERMIT**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to authorize Supervisor Connell to sign the highway work permit for Marilyn Trienens to attached flower boxes to the bridge rail.

BUDGET AMENDMENT – Increase revenues and appropriations for the work the Highway Department is doing on the Wadhams Water Project.

**RESOLUTION #150
BUDGET AMENDMENT**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to establish Revenue account number 2300.3.60 Water District #3 EFC in the amount of \$10,000 and establish Appropriations account number 51481.3.48 Work on Water District #3 in the amount of \$10,000.

BUDGET TRANSFER – Highway Fund

**RESOLUTION #151
BUDGET TRANSFER**

On a motion by Councilman Paquette seconded by Councilman Sherman and approved on a roll call vote after discussion.

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to transfer \$5,000 from 51401.2PS Brush & weeds
transfer \$5,000 to 5140.1 Misc. PS Mowing

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TOWN CLERK'S JUNE REPORT – The Supervisor is in receipt of the Town Clerk's June report and supporting documents.

**RESOLUTION #152
APPROVAL OF BILLS**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to approve the payment of bills on Abstract 7A for Vouchers 2010-336 through Vouchers 2010-371 in the amount of \$38,853.33.

REQUEST TO BORROW CHAIRS

The Clerk was asked to read a request by Bobbi Degnan and Marc Atz to borrow 20 folding chairs.

**RESOLUTION #153
APPROVAL OF BORROW CHAIRS**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to approve the request to borrow 20 folding chairs.

DPW SUPERINTENDENT'S REPORT – JERROLD SHERMAN

We had the pump station in Wadhams pumped out, the one on Church Street and the septic tank at the Highway Garage. We've continued to do ditching, grading and mowing. Recently we had to order parts for the grader and I need to purchase a tire also. I ordered 8 rims for one of the highway trucks and need tires for the same truck. We have started the project on Sisco Street and letters were sent out to everyone asking for their patience and cooperation. We discussed at the last meeting about repairing or removing the sidewalk from the motel to the Lakeshore Road.

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**RESOLUTION #154
REPLACEMENT OF SIDEWALK**

On a motion by Councilman Sherman seconded by Councilman Paquette and approved on a roll call vote after discussion.

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to replace the sidewalk from Lake Shore Road to the Motel and put it out to bid.

PART TIME DPW POSITION – Five applications were received. Two interviews were set up for Thursday morning.

**RESOLUTION #155
AUTHORIZATION TO HIRE PART TIME DPW LABOR PERSON**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

RESOLVED to authorize Supervisor Connell to hire the individual selected at the labor rate of \$12.27 an hour for 2 days a week with no benefits and to do the necessary paperwork.

SUPERVISOR'S COMMENTS

July 21st Saratoga Associates will review the possible property developments at 6:00 p.m. at the Town Hall.

PUBLIC COMMENTS

**RESOLUTION #156
ADJOURNMENT**

On a motion by Councilman Tyler with a unanimous second the meeting was adjourned at 9:32 p.m.

Minutes respectfully submitted

Sheila A. Borden, Town Clerk