

Minutes of the Second Tuesday Regular Town Board Meeting on June 9, 2009

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

The Assembly was led in the Pledge of Allegiance.

Members present on a roll call were:

Councilman Tyler (entered 7:58 p.m.)
Councilman Paquette
Councilman Sherman
Councilman Smith (left at 7:25 p.m.)
Supervisor Connell

Others Present:

Sheila Borden, Town Clerk
George Hainer, Zoning and Codes Officer
Jerrold Sherman, DPW Superintendent
Rick Rockefeller, Gordon Decker, Bruce Ware, Jim Herrmann

RESOLUTION #121 APPROVAL OF MINUTES

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

4 Ayes Paquette, Sherman, Smith, Connell
0 Nays

RESOLVED to approve the minutes of the Regular Town Board Meeting on May 26, 2009.

PUBLIC COMMENT

Rick Rockefeller expressed his concerns over the assessed valuations in town. He asked that the Board consider having a complete re-evaluation done. Supervisor Connell will check into the matter further.

COMMITTEE REPORTS

GARAGE – The next meeting is Thursday, June 11, 2009. There is agreement on the positioning of the building.

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YOUTH COMMISSION – The Summer Program is on schedule. A question came up about using volunteers within the program. Youth and adults can volunteer but must always be accompanied by a member of the paid staff, however, not a CIT (Counselor in Training). Baseball has started and they are getting ready for soccer. They are still looking at the possibility of hiring someone to run the entire program.

Letters were received from Michael Mascarenas of the Essex County Youth Bureau notifying us that the Westport Recreation application was approved for \$790.00 and the Westport Service application was approved for \$400.00.

OLD BUSINESS

WADHAMS WATER – There is going to be an informational meeting for the Wadhams residents at the Wadhams Fire Station on June 17, 2009 at 7:00 p.m.

The water ordinances have revisions that need to be made. Councilman Paquette volunteered to chair a committee and the Board agreed to empower Councilman Paquette to work on the ordinances and to form his own committee to work with him.

MERRIAM FORGE – Councilman Paquette reported that they are only one day over their guidelines due to the rainy weather. The final meeting with the engineer, Jerry Sherman and Councilman Paquette will be on Friday at 1:30 p.m.

Supervisor Connell requested a resolution be passed thanking the Bouquet River Association and the Essex County Soil & Water District for proving and planting the shrubs at the Merriam Forge project.

RESOLUTION #122

THANK YOU – BOUQUET RIVER ASSOCIATION & ESSEX COUNTY SOIL & WATER DISTRICT

On a motion by Councilman Sherman with a unanimous second.

RESOLVED to express the Town Board's thanks for all their help and cooperation on the Merriam Forge project. Especially for the work both organizations provided and the numerous shrubs they planted at the location to protect against possible erosion. Through the cooperative efforts of the two organizations they have saved the Town at least \$2500 in costs that were not reimbursable through the FEMA grant.

SEWER PLANT – Councilman Sherman did get information on having trees planted along the fence line. Supervisor Connell will be meeting with Dave Reckahn for assistance in writing the bid specifications.

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BLUE RIBBON UPDATE – nothing at this time.

ARTICLE 78 UPDATE – Supervisor Connell reported that the Court found in the Town’s favor on the lawsuit but it has cost the taxpayers \$4,500 in legal fees and that doesn’t even take in the time involved of office staff, the Planning Board and the Zoning Board of Appeals.

The second Article 78 is still on going.

SIDEWALK PROJECT – nothing at this time.

TOWN CLEAN UP – The Town Clean Up Day has been schedule for Monday, June 15, 2009. It has been advertised, forms are on-line and residents must fill out the form and return to the office with the appropriate money in order for the items to be picked up.

ZONING UPDATE – nothing at this time.

NEW BUSINESS

QUADRICENTENNIAL GRANT – we still have not received any money.

TOWN CLERK’S MAY REPORT – The Supervisor is in receipt of the May Town Clerk’s report and a copy was given to the Councilmen.

TIMBER SALE – An email was received from Thomas Gilman, Area Forester, recommending that the Town withhold from cutting high quality timber at this time due to the current market status. He also stated that if the Town has considered the sale of timber in their budget than they might consider cutting lower grade wood. Supervisor Connell suggested they do a harvest of lower grade wood for about \$30,000.

RESOLUTION #123

SALE OF TIMBER

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

3 Ayes Paquette, Sherman, Connell
0 Nays

RESOLVED to authorize Supervisor Connell to contact the Forester and make arrangements for the harvesting of the low-grade timber for an income value of \$30,000.

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HAZARD WASTE COLLECTION – Essex County is holding a Hazardous Waste Collection Day on Saturday, August 1, 2009 from 9:00 a.m. to 1:00 p.m. at the County landfill in Lewis, NY. Posters have been put out to notify residents.

TIME CARDS – New time card forms were presented for the Board’s approval that would be used by office staff. They would have to indicate specific times that they start and end work.

**RESOLUTION #124
TIME SHEET FORM**

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

3 Ayes Paquette, Sherman, Connell
0 Nays

RESOLVED to declare these new time sheet forms as the official time sheet for office staff effective Monday, June 15, 2009.

**RESOLUTION #125
APPROVAL OF BILLS**

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

3 Ayes Paquette, Sherman, Connell
0 Nays

RESOLVED to authorize the payment of bills on Abstract 06A, Vouchers 2009-367 through Vouchers 2009-286 in the amount of \$67,955.88.

DPW SUPERINTENDENT REPORT – JERROLD SHERMAN

Mr. Sherman reported that his staff has been doing a good job in his absence. They have been putting in culverts, mowing lawns and roadsides, working on equipment, grading roads and have ditched the Barber Road.

Councilman Tyler entered at 7:58 p.m.

Mr. Sherman informed the Board he had received a request from an employee to purchase 8-9 loads of gravel and he would like to purchase 3 loads. After discussion it was decided Supervisor Connell would get a legal opinion on the matter.

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**RESOLUTION #126
EXPRESSION OF CONDOLENCES**

On a motion by Supervisor Connell and with a unanimous second approving the following:

WHEREAS, Gordon L. Sherman, has been a long-time resident of the Town of Westport, passed away on May 29, 2009; and

WHEREAS, Gordon L. Sherman was born in Crown Point, New York on December 18, 1926 to Gordon C. Sherman and Elsie (Lawrence) Sherman; and

WHEREAS, Gordon L. Sherman faithfully served our nation for four years in the U.S. Army during World War II; and

WHEREAS, Gordon L. Sherman, after his discharge married Anna Smith on January 24, 1948 enjoying sixty one years together raising three sons, Philip, Jerrold and David and one daughter, Nancy; and

WHEREAS, Gordon L. Sherman, for a number of years drove Greyhound bus out of Syracuse, New York returning to Westport where he purchased and operated the Sherman family farm until his retirement, and

WHEREAS, Gordon L. Sherman, participated in the Town of Westport as an Assessor and as Chairman of the Board of Assessors for over ten years as well as being active in many local farm organizations such as the Dairylea, Yankee Milk, Agway, Farm Bureau and Cooperative Extension; and

WHEREAS, Gordon L. Sherman, was a loving son, husband, father, grandfather, great-grandfather, brother, uncle and friend who will be sorely missed but never forgotten; and

THEREFORE, BE IT RESOLVED, that the Town Board of Westport, New York, hereby expresses and extends their deepest sympathy and condolences to the family of Gordon L. Sherman.

**RESOLUTION #127
EXECUTIVE SESSION**

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

4 Ayes Tyler, Paquette, Sherman, Connell
0 Nays

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RESOLVED to enter into Executive Session at 8:03 p.m. to discuss the employment history of a particular person and for proposed litigation.

**RESOLUTION #128
CLOSE EXECUTIVE SESSION**

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 close Executive Session and return to regular session at 9:12 p.m.

**RESOLUTION #129
ADIRONDACK PARK AGENCY**

On a motion by Councilman Tyler with a unanimous second it was approved.

RESOLVED that the Town Board concurs that there may have been a violation of the Sub-Division Application approved by the Town Planning Board on the Guy Lever and Diane Diorio property. The Town Board supports the Adirondack Park Agency proceeding with enforcement action, if necessary, to rectify the violations involved with this project.

**RESOLUTION #130
ADJOURNMENT**

On a motion by Councilman Tyler with a unanimous second the meeting was adjourned at 9:17 p.m.

Minutes respectfully submitted
Sheila Borden, Town Clerk