

## **Minutes of the Fourth Tuesday Regular Town Board Meeting on January 27, 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 vote were:

Councilman Tyler  
Councilman Paquette  
Councilman Sherman  
Councilman Smith  
Supervisor Connell

Others Present:

Sheila Borden, Town Clerk/Tax Collector  
Jerrold Sherman, DPW Superintendent  
George Hainer, Zoning and Codes Officer  
George King, Gordon Decker, Molly Kasriels, Barbara Breyette, Bruce Ware,  
Carolyn Ware, George Maffey, Chris Casguilho, William McHone, Elizabeth  
Frum, Aisleigh Frum, Alex Frum, Shami McCormick, Nancy Decker, Caroline  
Thompson, Dee Carroll, Jen Rielly, Heidi King,

### **RESOLUTION #40 MINUTES APPROVAL**

On a motion made 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 Town Board Meeting of 1/8/09.

**MARKETING COMMITTEE** – A presentation was given to the Town Board by the Marketing Committee, which is a sub committee of the Westport Chamber of Commerce. Several members of the committee spoke to the Board explaining who the group consisted of, the fact that at some time during their meetings all businesses within Westport were a part of these meetings and their goal had been to set the Branding Process of what they can offer to their consumers.

The Branding Process consists of six phases as follows:

1. Situational Analysis
2. Consumer Research
3. Strategic Planning

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4. Creative Development
5. Implementing Strategy
6. Measuring Success

The committee designed a logo they feel represents Westport and one that could be used in the future in any publication concerning Westport. Emblems on the logo could be changed to depict whatever the advertisement or event was about, i.e., skiing, golfing, boating. The committee would like to see this become the Town logo and displayed on flags in town and on the signs entering or exiting the Town boundaries. The wording on the logo is Westport – Simply the Good Life.

Many positive comments were received in regards to the logo and Supervisor Connell expressed his thanks on behalf of the Town Board for the presentation and the time and efforts of the Marketing Committee.

**PUBLIC COMMENT** – None

**COMMITTEE REPORTS**

**GARAGE** – The next meetings will be February 19<sup>th</sup> at 6:00 p.m. and February 26<sup>th</sup> at 7:00 p.m. There has been discussion within the group to come to an agreement on the name of this proposed facility. Supervisor Connell asked the Board Members to be thinking about this. Some names mentioned were –

- Westport Proposed Municipal Building
- Westport Proposed Municipal Center
- Westport Proposed Municipal Services
- Westport Proposed Municipal Complex

**YOUTH COMMISSION** – Councilman Sherman reported that there had been no meetings since the last Town Board meeting.

They have been skiing at Whiteface for two weeks and should be going over the next two weekends.

The skating rink in Westport is flooded now and Supervisor Connell also reported that volunteers have been busy making a rink in the Wadhams Park.

**OLD BUSINESS**

- **FUTURE OF WESTPORT** – George Maffey reported that he is very pleased with the process being made by all the sub committees. Each has met at least once and they have been in the process of developing a set of objectives.

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Councilman Sherman expressed his concern that their website is a duplication of the Town's. He further stated he had been in contact with the Secretary of State's office and the group that is formulating a "Comprehensive Plan" for the Town of Westport is doing so illegally.

Supervisor Connell stated that he disagreed with Councilman Sherman. Any "Comprehensive Plan" formulated by anyone or any group would have to bring it before the Town Board for consideration and approval.

• **MERRIAM FORGE RESOLUTION**

**RESOLUTION #41**  
**MERRIAM FORGE RESOLUTION**

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

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

**RESOLVED** to set up capital account H-16 for the Merriam Forge Road project in the amount of \$430,012. Funds will be temporarily advance from the General and Highway unappropriated fund balances and reimbursement to those funds will be made as the Federal Emergency Management Grant funds are obtained.

• **WADHAMS WATER RESOLUTION**

**RESOLUTION #42**  
**WADHAMS WATER RESOLUTION**

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 set up capital account H-17 for the Water District #3 upgrade.  
**FURTHER RESOLVED** to borrow up to \$100,000 from Westport Water District #1 for the Westport Water District #3 for short term funding for this project. The money will be borrowed as needed and paid back by December 31, 2009. Long term funding will be

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through EFC and this is the funding source that will be used to pay back the borrowed money from Water District #1.

- Noise Evaluation at Sewer Plant – nothing further at this time.

**NEW BUSINESS**

- **AUDIT COMMITTEE** – Comprised of Councilman Smith, Supervisor Connell and alternate-Councilman Tyler which will meet on Thursday, February 29<sup>th</sup> at 10:00 to start the audits on the Justice Department records, Clerk to the Supervisor records and the Town Clerk's records.
- **APPOINTMENT OF ALTERNATES TO PLANNING BOARD**

**RESOLUTION #43**

**APPOINTMENT OF ALTERNATES TO PLANNING BOARD**

On a motion made by Councilman Smith seconded by Councilman Tyler to reappoint Joyce Daniels and Chris Maron as alternates and after discussion approved on a roll call vote.

Councilman Sherman moved to amend the motion to appoint Chris Maron and Gavin Johnston. Motion failed to receive a second.

4 Ayes	Tyler, Paquette, Smith, Connell
1 Nay	Sherman

**RESOLVED** to appoint Joyce Daniels and Chris Maron as alternates on the Town Planning Board.

- **APPOINTMENT TO THE ZONING BOARD OF APPEALS** – Tabled - to be discussed in Executive Session.
- **COUNTY SNOW AND ICE CONTRACT**

**RESOLUTION #44**

**COUNTY SNOW AND ICE CONTRACT**

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

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

**RESOLVED** to authorize Supervisor Connell to execute the contract with the Essex County Department of Public Works for the Control of Snow and Ice on County Roads.

- **COUNTY MAINTENANCE OF ROADS CONTRACT**

**RESOLUTION #45**  
**COUNTY MAINTENANCE OF ROADS CONTRACT**

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 Supervisor Connell to execute the contract with the Essex County Department of Public Works for the Maintenance of County Roads.

- **OPERATING AGREEMENT WITH HERITAGE HOUSE**

**RESOLUTION #46**  
**OPERATING AGREEMENT WITH HERITAGE HOUSE**

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 Supervisor Connell to execute the agreement for the Heritage House with the Chamber of Commerce.

- **BUDGET AMENDMENT**

**RESOLUTION #47**  
**BUDGET AMENDMENT**

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

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

**RESOLVED** to amend the Highway budget by \$6,244.27 due to an increase in the County Snow and Ice Contract. Increase Revenue account DA2302.2 Essex County Snow and Ice to \$68,677.27 and increase Appropriations account DA 5142.1 Snow and Ice Removal-Labor to \$43,420 and increase Appropriations account DA 5142.4 Snow and Ice Removal Expenses to \$63,244.27.

• **PROPOSED LOCAL LAW #1 OF 2009**

The official notice of this proposed law was presented to the Board. This law provides for cash payments in lieu of health insurance coverage for any eligible employee and elected official in the Town of Westport who is eligible to receive health insurance benefits under the Towns Personnel Policy or under any Collective Bargaining Agreement of which the Town is a party providing the employee has other health insurance coverage.

**TOWN BOARD MEETING**

- The next meeting of the Town Board will be changed from Tuesday, February 10th to Thursday, February 12, 2009.

**RESOLUTION #48**

**DEC & NEIWPC 3-DAY WORKSHOP**

On a motion by Councilman Smith seconded by Councilman Tyler after discussion was approved on a roll call vote.

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

**RESOLVED** to authorize one person from the Sewer and Water Department of Westport to attend the conference on Marcy 24-26, 2009 at a conference cost of \$200.00.

**RESOLUTION #49**

**APPROVAL OF BILLS**

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

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

**RESOLVED** to authorize the payment of bills as audited on Abstract 01B Vouchers 2009-43 to 2009-100 in the amount of \$290,193.91.

**DPW SUPERINTENDENT REPORT – Jerrold Sherman**

Superintendent Sherman provided the Town Board with a schedule of expenses related to snow removal. For the same time frame they have been involved with snow removal 37 times this year as compared to 33 last year.

They are being conservative with the snow removal process and it does mean some roads will have some snow or ice on them.

Mr. Sherman has received an estimate on the repair to the truck damaged by a deer.

The Merriam Forge Road is now open.

More steel has been ordered for the plow trucks.

Salt will need to be ordered again.

A County Highway Superintendent's meeting will take place tomorrow in Elizabethtown. The Chips program will be discussed.

**SUPERVISOR'S COMMENTS**

There is a Planning Board Meeting tomorrow night on the renewal for the Barber SandPit at 7:00 p.m.

There has been a change approved on a land tax bill for a local taxpayer.

**COUNCILMAN'S COMMENTS**

Councilman Sherman asked about who was attending the next days meeting of the Blue Ribbon Committee and the APA. Supervisor Connell and George King would be going. He also asked when the Board would be getting to the Zoning changes.

**PUBLIC COMMENTS**

Gordon Decker reminded the Board about the portion of the Fire District Tax Levy that is due to the Fire District. A voucher will be processed in February.

**RESOLUTION #50**  
**EXECUTIVE SESSION**

On a motion by Councilman Tyler seconded by Councilman Paquette to enter into Executive Session at 9:20 p.m. and approved on a roll call vote.

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

**RESOLVED** to enter into Executive Session for the discussion of appointment of a particular person.

**RESOLUTION #51  
CLOSE EXECUTIVE SESSION**

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 close Executive Session and return to Regular Session at 9:25 p.m.

**RESOLUTION #52  
APPOINTMENT ZONING BOARD OF APPEALS**

On a motion made 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 appoint Dawn Gay to serve on the Zoning Board of Appeals for the term ending December 31, 2013.

**RESOLUTION #53  
ADJOURNMENT**

On a motion by Councilman Sherman and with a unanimously second to adjourn the meeting at 9:30 p.m.

Respectfully submitted \_\_\_\_\_ Sheila Borden, Town Clerk