

Minutes of the 09-23-2008 4th Tuesday Regular Westport Town Board Meeting

The September 23rd, 2008 Regular Westport Town Board Meeting was held at the Town Hall and was called to order at 7:01 PM by Supervisor Connell with the following members present on a roll call.

Daniel Connell, Supervisor
Michael Tyler, Councilman, excused
Russell Paquette, Councilman
Timothy Sherman, Councilman
Edward Smith, Councilman

Others present: Betty White, Town Clerk; Jerrold Sherman, Superintendent of DPW and George Hainer, Building and Codes Officer, Tish Biesemeyer [Burnham Financial Representative] and Douglas West.

The assembly was led in the flag salute by Supervisor Connell.

**MINUTES APPROVAL
RESOLUTION #197**

On a motion by Councilman Smith and seconded by Councilman Paquette, the following was approved on a roll call:

AYES 4 Connell, Paquette, Sherman, Smith
NAYS 0

RESOLVED to approve the minutes of the September 9, 2008 board meeting as presented.

SAND BIDS

Two sealed bids were received as a result of the DPW advertising a request for bids for screened winter road sand. Two options were available: Option 1- price for sand delivered to the Highway Garage; and Option 2 – price for sand without delivery, loaded on town trucks.

Bids were opened and read to assembly by Town Clerk as follows:

Douglas A West: Option 1: \$8.88 per yard; Option 2: \$3.85 per yard
J-Mar Construction Co., Inc: Option 1: \$11.55 per yard; Option 2: \$5.80 per yard.

**ACCEPTANCE OF SAND BID
RESOLUTION #198**

On a motion by Councilman Smith and seconded by Councilman Paquette, the following was approved on a roll call.

AYES 4 Connell, Paquette, Sherman, Smith
NAYS 0

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RESOLVED to accept the low bid with the provision that the Superintendent of DPW check both bids for accuracy of criteria before awarding bid to contractor.

INSURANCE – TISH BIESEMEYER, health insurance representative from Burnham Financial. Tish discussed a variety of options for active and retiree's insurance. Her presentation was not to make changes in current coverage, but too make the board aware of what is in the health insurance marketplace today.

GARAGE RFQ PROPOSALS – Proposals from the following eleven firms were received and opened.

LaBerge Group – Albany; BDA – Malone; AES – Plattsburgh; Mitchell Associates – Voorheesville; MRB Group – Rochester; Lake Architectural Design – Marcellus, NY; C & S – Syracuse; John MacDonald Engineer – Schenectady; CHA – Albany; Chazen Co. – Voorheesville; Erdman Anthony – Troy.

Proposals will be reviewed and discussed by the committee consisting of 2 Town Board Members, 2 representatives from the School, 2 representatives from the Fire Department, and 2 representatives from the community at meetings scheduled between tomorrow night and the end of October. The committee will then rate the proposals, and interviews will be scheduled with selected firms. The entire Town Board and the committee members will sit in on the interviews. First committee meeting is September 24, at 6:00 PM at the Town Hall.

Copies of the RFQ proposals may be signed out for perusal. **ONE COPY OF EACH PROPOSAL MUST BE KEPT IN THE TOWN OFFICE AT ALL TIMES!**

COMMITTEE REPORTS:

YOUTH COMMISSION – Next meeting will be September 29. Supervisor Connell has spoken with Holly Mitchell concerning her ad hoc position on the committee and he expressed his appreciation for her willingness to serve.

OLD BUSINESS:

FUTURE OF WESTPORT- nothing

SEWER SITUATION – letter to Vincent Kavenagh – A copy of a letter sent by Supervisor Connell was given to Town Board members. The letter updates Mr Kavenagh on the Town's efforts to address the Wastewater flow problem.

There was discussion about the results of the "smoking the system" and how to deal with the problems discovered, and about the DPW continuing the smoking process.

SIDEWALKS – Work will begin on October 6. The upper Town Hall entrance will be closed for 2-3 days. Handrails are at the shop and ready to be installed.

UNION CONTRACT – Offer has been made by the Town. Will be discussed in Executive Session

CEMETERY – on hold

WADHAMS WATER- Tests have been done. Results and recommendations will be available next meeting.

QUADRICENTENNIAL CELEBRATION – DEC is requiring an application that appears to be irrelevant to the grant. A lot of work has already been done. Supervisor Connell is awaiting more information from Margaret Gibbs.

PART TIME-FULL TIME – Councilman Smith has contacted the NYS Department of Labor and requested information regarding definition of “part-time.” The response was that there is no definition in labor law for full time, part time, temporary or permanent employment. The Town must set a policy regarding part-time. Discussion followed. By next month we **MUST** determine what our policy is going to be. Currently, full time for office staff is 40 hours. Full time for Justices is 30 hours.

NEW BUSINESS

BUDGET DISCUSSION – Current budget submissions for 2009 are up \$40000, Highway is up \$90000. Water and Sewer is not done yet. Supervisor must give tentative budget to Town Clerk by September 30. Town Clerk must give tentative budget to Town Board members by October 5.

SPECIAL BOARD MEETING. October 1 at 6:00 PM or October 2 at 6:00 PM for the purpose of working on the budget. A notice will be put in the paper to advise public of this meeting.

SELF INSURANCE CHARGEBACKS – a letter from the Essex County Treasurer requests the Town to choose a method of payment for the 2009 Self Insurance Plan Contribution.

RESOLUTION #199

SELF INSURANCE CHARGEBACKS

On a motion made by Councilman Smith and seconded by Councilman Sherman, the following was approved on a roll call:

AYES	4	Connell, Paquette, Sherman, Smith
NAYS	0	

RESOLVED to pay the self insurance chargebacks by check from general fund.

REQUEST FROM CHARLES CERF

A letter was received from Mr. Cerf concerning the town's water ordinance which states that separate and independent meters shall be installed for each and every parcel for which water is to be provided. Last year the Cerfs applied for a subdivision that was approved, a building permit was applied for and received, to build a new home on that subdivided property. Mr. Cerf's position is that this home is not on a separate parcel, and therefore does not require a separate and independent meter. There are 10 cabins (one rented to non-family) and the other nine for the Cerf's guests, plus 2 changing cabins, all on meter account # 311 currently; On meter account #313 are Windward, Wayword, Grayce cottage, the garage and the boathouse. Mr. Cerf is proposing that the new house be put on account #311 with the other 12 buildings.

Discussion followed comparing this situation to others within the water districts

**RESOLUTION #200
CERF METER PIT**

On a motion by Councilman Paquette and seconded by Supervisor Connell, the following was approved on a roll call.

AYES 5 Connell, Paquette, Sherman, Smith
NAYS 0

RESOLVED to require the Cerfs to put in a meter pit off the main line for this new house on the subdivided lot as our ordinance states; and, to be in compliance with the ordinance, the meter on the other line must be moved to the starting point of the water line.

**RESOLUTION #201
WATER ONE APPROPRIATIONS
BUDGET TRANSFER**

On a motion by Councilman Smith and seconded by Councilman Paquette, the following was approved on a roll call.

AYES 4 Connell, Paquette, Sherman, Smith
NAYS 0

RESOLVED to transfer \$3,066.18 **from** SW1 1990.4 Contingent Account **to** SW1 1620.4 Forester exp.

**RESOLUTION #202
AUDIT OF BILLS**

AYES 4 Connell, Paquette, Sherman, Smith
NAYS 0

RESOLVED to approve the bills as audited on Abstract 9C Voucher #s 2008-550 to 2008-593 in the amount of \$48,005.97.

DPW SUPERINTENDENT'S REPORT/REQUESTS – Superintendent Sherman reported that the crew had painted to cover the graffiti under the bridge; have been cutting winter firewood, mowing lawns and cemeteries, ditching, replacing culverts. Window is broken on 644 loader, needs replacement. Needs input on a brush cutter for the excavator to cut brush along the roadsides. He is looking at a “flail” cutter as opposed to a rotary cutter. Further research needs to be done to choose the one to best fit our needs.

SUPERVISOR'S COMMENTS – ISO report distributed to Town Board members. Supervisor Connell thanked Codes Officer George Hainer for all the work he as done on enforcing the building codes which has resulted in the positive insurance rating. A copy of a letter that was sent to Assessor David Galarneau by the Regional Manager of NYS ORPS regarding the Sales List for 2009 Residential Assessment Ratios was also distributed to the Town Board members.

COUNCILMEN'S COMMENTS – Councilman Paquette reported to Superintendent Sherman that a tree was on the power line near Harry Sherman's house on Mountain Spring Road. National Grid will be contacted to address this situation. Supervisor Connell reported 2 streetlights that are not working...on Harbour View and one near Elizabeth Lee's. National Grid will also be contacted about these.

RESOLUTION # 203
EXECUTIVE SESSION

On a motion by Councilman Smith and seconded by Councilman Paquette, the Town Board entered into an executive session at 9:01 PM. to discuss Union Contract and a specific personnel matter.

AYES	4	Connell, Paquette, Sherman, Smith
NAYS	0	

At 9:20 the Executive Session was closed, and the Board came back to open session.

RESOLUTION #204
ADJOURNMENT

On a motion by Councilman Smith and a unanimous second the meeting was adjourned at 9:21 PM.

Respectfully submitted _____ Betty White, Town Clerk