

07-08-2008 Second Tuesday Regular Town of Westport Board Meeting 7:00 PM

The July 8, 2008 Regular Town of Westport Board Meeting was held at the Westport Town Hall and was called to order at 7:00 PM by Supervisor Connell, with the following members present on a roll call:

Councilman Tyler
Councilman Paquette
Councilman Sherman
Councilman Smith

OTHERS PRESENT: Betty White, Town Clerk, Jerry Sherman, DPW Superintendent, Sheila Borden, Jim Westover, Sr.. Bob McGoldrick arrived at 7:08 and Dr. Neal Fee at 7:16.

PUBLIC COMMENT - none

RESOLUTION # 150
MINUTES APPROVAL

On a motion by Councilman Tyler and seconded by Tim Sherman the following was approved on a roll call.

AYES 5

NAYS 0

Resolved to accept the minutes of the June 24, 2008, 2nd Tuesday Regular Town of Westport Board Meeting as presented.

COMMITTEE REPORTS

- **YOUTH COMMISSION-** Councilman Sherman reported there had been no meeting since the last report. Councilman Tyler reported that he had visited the Summer Program and that 75 children were signed up. Supervisor Connell said that there were 44 children present on either Monday or Tuesday. Councilman Tyler thought it was going better than last year but suggested a meeting with the Camp Director of the Program to discuss the roles of the assistants. Youth Commission Chairperson, Jennifer Pribble has expressed concerns to Supervisor Connell about having a bus driver available for local field trips. She also expressed a need for 2 walkie-talkies for use at the program. Councilman Tyler will donate 2 to the program for the rest of the summer program.

- **GARAGE** - Councilman Tyler reported on the meeting held this evening at 6:00 at the School which was to go over plans for the July 14 meeting at the school bus garage at 6:00 PM. At this meeting there will be a bus tour which will take interested persons to the Fire Department Building, the Town Hall and the Town Highway Garage. Following the tour there will be a meeting in the school gym at 7:15 for discussion.

MEMORANDUM OF UNDERSTANDING: A draft document drawn up by Town Attorney to get us to the point of making a decision as to whether to move forward or not. This document sets forth a process. It is **NOT** an agreement to construct. A meeting will be held at 9AM on July 24 with the other entities involved to see if there is a consensus to move forward. If so, then all 3 parties will sign the Memorandum of Understanding and a Plan of Work will be put together and filed with Secretary of State. We only have 2 years to do this.

REQUEST FOR QUALIFICATIONS: Victor Putnam submitted to Supervisor Connell a "Request for Qualifications" document which will help to find an Engineer/Architect/Consultant for the Municipal Services Building (Garage) if there is a consensus to go ahead with the project. An ad will be put in the papers.

OLD BUSINESS

- **ZONING:** Supervisor Connell suggested that a separate meeting be set up to discuss the zoning and outdoor furnace issues. An agreement was reached to meet from 6:00 to 8:00 on Wednesday, September 3, 2008.
- **FUTURE OF WESTPORT:** The meeting held here last Monday evening was well attended: about 70 people were here. There are 5 acting committees working on different areas. The web site is up, the blog is up. Links can be found on both the Chamber of Commerce site and The Town of Westport site.
- **SEWER:** Vincent Kavanagh, Environmental Engineer, NYS DEC sent a letter to the Town in response to a letter from Supervisor Connell which outlined what we have done regarding flow management through the sewer. The letter informs the Town on procedures to follow in order to pursue re-rating the Waste Water Treatment Plant's flow. Councilman Smith suggested smoking the system before we decide what to do next. DPW Superintendent Sherman agreed. Will be on the agenda next meeting.

- **BEACH AND LIFEGUARDS** –Lifeguards are on duty 7 days a week, 10 hours a day until Labor Day
- **SIDEWALKS**- DPW Superintendent Sherman and Supervisor Connell will meet tomorrow.
- **UNION CONTRACT**-Still no contact from Teamsters negotiator, Paul Engel. Councilman Tyler suggested setting up a meeting with local shop steward to meet and begin negotiations. Supervisor Connell will contact Shop steward tomorrow.
- **CEMETERY:** Councilman Sherman contacted Alan Kennedy . He is not agreeable to giving the Town a right of way into the Arsenal Cemetery across his property. Councilman Sherman will contact Mr. Van Duyne. Supervisor Connell stated that he didn't feel that we would be able to go across either property to do clean up without a written agreement.
- **WADHAMS WATER:** Supervisor Connell referred to a document from HydroSource Associates, Inc. who have a proposal for the Hamlet of Wadhams Water System New Groundwater Source. A Citizen's Committee has reviewed this document and at this time is recommending that Task 1 be implemented. Claude Cormier, owner of HydroSource, agrees that this is the place to start. On Wednesday, July 16th at 7:00 PM there will be a meeting at the Wadhams Fire Station with the 40 families in this district. Discussion followed regarding current wells and the possibility of buying other property at appraised value if necessary.

RESOLUTION # 151

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

AYES 5

NAYS 0

Resolved to authorize Supervisor Connell to enter into a contract with HydroSource Associates, Inc. to perform Task 1: Hydrogeologic Evaluation & Fracture Trace Analysis in the amount of \$4200. This authorization is contingent on the consensus of the residents of Water District # 3 at the July 16th meeting.

Wadhams Water, cont'd

Discussion: Funding: District has \$13,000 in reserve. The \$4200 will come out of there. Beyond that there are two options: One is for the Town general fund to loan SW3 (Wadhams Water) money with interest or to pass a bond anticipation act. Once Cormier contracts with an engineering firm to do the entire project, it will go to EFC (75% grant, 25% no interest loan). Since there are only 40 families in this district, no more than ½ million is possible to repay.

Letter from Susan Kennedy, Department of Health, included a form, which was signed by Supervisor Connell and returned to her which will relieve the Town of about \$3000 per year in testing. In signing this form, the Town agrees to finish this water project by 12/31/2011.

- **STONE BENCH: DPW** Superintendent Sherman is still awaiting call back from the company to which he took the broken leg for an estimate.

NEW BUSINESS:

- **NANCY DECKER LETTER:** The Town Clerk was asked to read a letter from Nancy Decker who is requesting financial help from the Town for the 2009 Quadricentennial Celebration which will be taking place up and down the Lake. They have received 2-\$1000 grants, one from Ballard Park Foundation and one from The Chamber of Commerce, but more funds are needed to pay for the boats coming from the Maritime Museum. Before responding to this letter, the Town Clerk was asked to read a letter from The Hudson-Fulton-Champlain Quadricentennial. This letter informed the town that there is \$45,000 available for our town to share with Elizabethtown to supplement plans and preparations for next year's events. These funds are available to match dollar for dollar with the town's funds. A letter of request for funds with an analysis showing costs being requested must be sent to "Explore NY". Supervisor Connell stated that we need to make the request early rather than late (out of 2008 State budget). The Chamber of Commerce is the lead agency on this celebration. He suggested setting up a meeting with the Chamber to come up with a dollar figure as to what might be reasonable. Some discussion followed about the importance of this event.
- **TOWN CLERK'S JUNE REPORT** \$1354.73 check to Town from Town Clerk's account reflecting sales of transfer station tickets, marriage licenses, hunting and fishing licenses and dog licenses.

- **TIMBER SALES** Town Clerk was requested to read a letter from Thomas Gilman, Area Forester of Fountain Forestry. The letter designated portions of the watershed land, which could be harvested this fall.

RESOLUTION # 152

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

AYES 5

NAYS 0

Resolved to authorize Fountain Forestry to move forward on marking the wood so it will be ready for bid in late summer for fall-winter harvest.

RESOLUTION # 153

- **REQUEST FROM NEAL FEE-** The Town Clerk was requested to read a letter from Neal and Marion Fee who would like to use some of the folding chairs and long white tables which are owned by the Town. These items will be picked up 8/2/08 around 3 PM and returned on Monday morning 8/4/08.

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

AYES 5

NAYS 0

Resolved to allow the use of requested chairs and tables by Neal and Marion Fee. Mr. Fee is to come in on Friday and sign out a key, which will enable him entry to the building on Saturday, 8/2/08.

RESOLUTION # 154

AUDIT OF BILLS

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

AYES 5

NAYS 0

Resolution #154 cont'd

Resolved to approve the bills as audited on Abstract 7A, July 2008, Voucher #'s 2008-405 through 2008-426 in the amount of \$97,797.04.

Some discussion concerning the lack of invoices on some bills. Councilman Paquette requested that Town officials turn in invoices and attach them to the bills.

DPW SUPERINTENDENT REPORT/REQUEST-Superintendent Sherman reported that the water hookup at Ballard Park (top of Dock Hill) was fixed on Monday. The pipe to the "Ice Skating Shack" had to be dug up. Paving and shoulder work on Marks Road is done. The meeting on Merriam Forge Road with the landowners was agreeable. A land swap is probable. The road is town owned, so it is not anticipated that money will be exchanged. The intersection and the approach to the Fanny Swan Bridge will be changed. Town workers and Moriah Shock prisoners got the beaches and cemeteries cleaned up, and mowed before the July 4th celebration. Golf Course parking lot has been repaired. During the celebration, bales of hay were thrown over the bank, and a Road Closed sign was stolen. Cones have come up missing at the Merriam Forge site. The town office has stickers which will be given to DPW Superintendent to put on Town owned signs, cones, etc. Water at Wadhams Park completed. The Bay Breeze water line needs replacement. 260' of pipe is needed. Discussion about copper pipe vs. plastic pipe with tracer wire. Road grading is proceeding, lawn mowing is ongoing. Councilman Tyler commented on the pleasing appearance of the beach, and thanked Superintendent Sherman and his crew for their part in that. Supervisor Connell also stated that he had heard compliments for the town workers regarding that effort.

RESOLUTION #155

BAY BREEZE WAY WATER PIPE REPLACEMENT

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

AYES 5

NAYS 0

Resolved to purchase plastic pipe with tracer wire to replace existing Bay Breeze Way Water line. DPW Superintendent will start this project ASAP.

**RESOLUTION #156
BUDGET AMENDMENT**

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

AYES 5

NAYS 0

Resolved to amend the 2007 Town of Westport Highway fund appropriations and revenues by \$15,068 for the CHIPS Program. Increase revenue account number DA35001 Consolidated Highway Aid-CHIPS to \$78,155 and increase appropriations account number DA5112.2 CHIPS Project Labor \$15,068.

SUPERVISOR'S COMMENTS

- Highway fuel budget. Supervisor Connell and Superintendent Sherman will look over the highway fuel budget. Superintendent Sherman explained the school/fire/town fuel billing procedure. Discussion followed regarding the process for documenting the fueling procedure for the 3 entities involved. The breaker for the fuel pumps is located inside the building, so no one can pump gas when building is unattended.

COUNCILMEN'S COMMENTS: Councilman Sherman referred to documents handed to Town Board members concerning Malodorous Emissions and Open Burning, a copy of a DEC letter outlining NYS law controlling emissions of air contaminants, and a listing of some available boilers that are on the market which meet the standards.

**RESOLUTION #157
SCHWOEBEL APPRECIATION**

On a motion by Councilman Tyler and with a unanimous second the following was approved:

AYES 5

NAYS 0

WHEREAS, Jeff and Carol Schwoebel, residents of the Town of Westport, have been active in our community serving the youth and general population, and

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Schwoebel Appreciation cont'd

WHEREAS, Jeff and Carol Schwoebel were instrumental in the organization of the recent 4th of July celebration, and

WHEREAS, Jeff and Carol Schwoebel, with their many helpers and volunteers, were responsible for our community enjoying a fun, safe, and event filled celebration, complete with fireworks display on our country's 232nd birthday.

THEREFORE BE IT RESOLVED, the Westport Town Board extends its thanks and appreciation for all of the work done by Jeff and Carol Schwoebel for their efforts.

PUBLIC COMMENTS: Sheila Borden announced her intention to run for the position of Town Clerk in the upcoming fall election. DPW Sherman mentioned an outdoor boiler that burns round bales of hay is on the market in Europe.

OTHER BUSINESS: The new cell tower at the Golf Course does NOT work. Verizon-Lucent Technology will be bringing in new equipment within the next two weeks to fix the problem. Verizon is applying for a permit for a cell tower on the Boyle Road.

RESOLUTION #158
ADJOURNMENT

On a motion by Councilman Russell Paquette and a unanimous second, the meeting was adjourned at 8:47 PM.

Respectfully submitted _____ Betty White, Town Clerk

