

Minutes of the 8-26-2008 Regular 4th Tuesday Westport Town Board Meeting 7:00 PM

The August 26, 2008 Regular 4th Tuesday Westport town Board meeting was held at the Town Hall and was called to order at 7:02 PM by Supervisor Connell with the following members present on a roll call.

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

Other present: Betty White, Town Clerk; George Hainer, Building and Codes Officer; Sheila Borden. DPW Superintendent Jerrold Sherman arrived at 7:40

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

RESOLUTION #179
MINUTES APPROVAL

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

AYES	5	Connell, Tyler, Paquette, Sherman, Smith
NAYS	0	

RESOLVED to accept the minutes of the August 12, 2008 regular 2nd Tuesday Town of Westport Board meeting as presented.

PUBLIC COMMENT- none

COMMITTEE REPORTS

YOUTH COMMISSION – no meetings since last report; Supervisor Connell announced that the Beach will close on Thursday. One of the lifeguards has already finished her summer hours. Discussion about the boat(s) being pulled out and being placed in the Beach House for the winter. Councilman Tyler mentioned a handout given to parents and children at school tonight concerning their successful summer program (No mention of the Town’s input to the program). Youth Commission budget will be available within the next day or so.

GARAGE MOU & CONTRACT -

Supervisor Connell stated that the MOU is ready to go and will be signed and notarized in the next 2 or 3 days. Copies of the contract have been given to the Councilmen for their perusal.

Garage MOU & Contract, cont'd.

Supervisor Connell has the authorization to execute the Contract, which will be done in the next day or two. He suggested that the Councilmen especially review the Plan of Work included at the end of the Contract. At the last meeting of the 3 entities, it was agreed to advertise for Request for Proposals which will be opened at the September 23, 2008 Regular 4th Tuesday Town Board Meeting. On September 24, 2008 the Committee will go through those requests and by the 23rd of October, we will have completed reviews of those requests and interviews will be scheduled with companies who are to be considered. There was some discussion about the dates included in the contract. Supervisor Connell has contacted Shawn McGuire at the Secretary of State's Office and it is understood that an extension will be asked for. Before construction begins, an intermunicipal agreement will be signed.

OLD BUSINESS

FUTURE OF WESTPORT - Committee is putting together a matrix to decide on a project to begin with. There are not many long term residents involved. Some will be asked to do specific tasks to avoid having a "we-they" situation.

SEWER SITUATION - Smoking began today on the south end of main street. Results will be forthcoming. Cerf (Windward) has put in an application for a sub-division and a new home. In looking at the map, it was discovered that there are 16 buildings hooked into the sewer system. They have been charged only for 2 units. A letter has been sent informing him of the increase in his next water/sewer billing. Secondly, contractor working there broke sewer line and gallons of clear water flooded the field. All of this water has been going through the Worman Road Pump station. Cerfs want to hook new house into existing line. This cannot be done. They will have to put in a new line to this home from our main. Water meter must be moved into water pit as per ordinance. It was suggested to John Goodroe that 2 new water lines be put in, one to the new house and one to the other buildings.

SIDEWALKS – Thursday, (Aug. 28) at 9 AM, Fuller will be here to do a walkthrough on the project and look at the 3 approved change orders so at next board meeting we will have the cost of those to add to project.

UNION CONTRACT - Union cancelled the Aug 12 meeting and it was rescheduled to Aug. 19. Union also called that morning and cancelled that meeting. Thad Tryon was told that a meeting needs to be scheduled before budget meetings begin. He wanted to meet today at 9:30, but because of the sewer system smoking today, that isn't possible.

Discussion followed regarding what might happen if no meeting occurs in the first or second week of September. Association of Towns was contacted for advice. The board feels that the committee made an acceptable proposal, but it has not yet been presented to the union members by Mr. Engel.

CEMETERY – on hold until property sells

WADHAMS WATER - Tomorrow night at 6:30 PM, a meeting with Wadhams Advisory Committee. We have the proposal from the engineer regarding places where there might be water. Copies of this will be emailed to councilmen by Mr. Hainer.

QUADRICENTENNIAL CELEBRATION: Nancy Decker called to set up meeting. Supervisor Connell will let councilmen know when meeting is arranged.

NEW BUSINESS

BUDGET DISCUSSION: NYS prescribes a process for budget process using purchase orders, encumbering of funds, etc. Because of our small staff, we, and other small towns work with department heads to develop a budget and if the department doesn't stick within their budget, it's up to the Supervisor and the town board to figure out how to bail them out. Supervisor Connell has devised a form for department heads to use from now on, which will be used, when a line item on their budget is overspent. Discussion followed concerning the justice department's request for additional funds for the rest of 2008. Court clerk's hours and telephone bills appear to be the reason for overspending.

BUDGET AMENDMENTS:

RESOLUTION #180

BUDGET AMENDMENT WATER THREE

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

AYES	5	Connell, Tyler, Paquette, Sherman, Smith
NAYS	0	

RESOLVED to increase revenue account #SW3 910 unappropriated funds balance from a surplus in Water District 3; from \$0 to \$8000 and establish appropriation account #SW3 8310.4A Engineering to \$8000.

**RESOLUTION #181
BUDGET AMENDMENT HIGHWAY**

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

AYES	5	Connell, Tyler, Paquette, Sherman, Smith
NAYS	0	

RESOLVED to increase revenue account #DA2302.2 NYS Snow and Ice Removal Contract (increase in State contract) from \$35,010.43 to \$36,361.18 and increase appropriation account #DA5142.4 Snow and Ice Removal-Expenses from \$45,000 to \$46,350.75.

BUDGET TRANSFER

Councilman Sherman requested information regarding the difference between a budget amendment and a budget transfer. Supervisor Connell clarified by defining a budget amendment as adjusting income and appropriations by the same amount, so the budget is now changed; and a budget transfer as moving money just on the appropriations side, or just on the income side (not changing bottom line of the budget).

Request received from Justice Department for \$1500 more for operating budget, and to increase court clerk's hours from 12 hours a week to 20 hours. Their request also includes documentation of increased receipts in ticket amounts for the last 6 months, as compared with the same 6 months in 2007. The court clerk has been working more than the authorized 12 hours per week for some time. Discussion followed about the legal ramifications of this behavior. Supervisor Connell will check with the County Civil Service Office to see where the town stands on this situation. The court clerk is on the books as a part-time employee. A change in hours would necessitate board approval and notification to the Civil Service office. It might also mean offering health insurance.

DPW Superintendent Sherman stated that Wayne Napper, a part time worker, is working 30 hours per week at this time. Supervisor Connell was under the impression that Wayne was working less than 20 hours. Barbara Breyette is also a part-time employee.

**RESOLUTION #182
JUSTICE COURT CLERK HOURS**

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

AYES	5	Connell, Tyler, Paquette, Sherman, Smiht
NAYS	0	

RESOLVED to reaffirm the Justice Court Clerk's hours to be 12 hours per week until the end of the year or until the issue is revisited by the board.

**RESOLUTION #183
BUDGET TRANSFERS**

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

AYES	5	Connell, Tyler, Paquette, Sherman, Smith
NAYS	0	

RESOLVED to make the following General Appropriations Transfers:

AMOUNT	FROM	TO
\$1,100	A 1990.4 Contingent Account	A7110.1 Lee Park Lifeguards
\$1,500	A 1990.4 Contingent Account	A1110.4 Justice Court Expenses
\$2,000	A 1990.4 Contingent Account	A1110.1c Court Clerk Salary
\$1,834	A 1990.4 Contingent Account	A8160.41 Landfill Closure Exp.

**RESOLUTION #184
JUSTICE DEPARTMENT GRANT**

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

AYES	5	Connell, Tyler, Paquette, Sherman, Smith
NAYS	0	

RESOLVED to authorize Supervisor Connell to sign the grant application which requests funds to purchase a gavel, 2 calculators, a label printer, a shredder, wall seal, chair and carpeting.

**RESOLUTION #185
APPROVAL OF BILLS AS AUDITED**

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

AYES	5	Connell, Tyler, Paquette, Sherman, Smith
NAYS	0	

RESOLVED to approve the bills as audited on Abstract 8B, Vouchers # 2008-497 to #2008-520 in the amount of \$20,039.12.

DPW SUPERINTENDENT REPORT AND REQUEST: Superintendent Sherman reported that crews have been working repairing lawns by the Church, across from Inn on the Library Lawn, fixing pot holes by the Post Office, and on Dudley Road. Wayne has been ditching and grading; Bob has been hauling wollastonite, Tom doing roadside mowing. The crew has been replacing culverts. Today they started smoking the sewer system. No big finds yet. They have been taking pictures and taking notes.

Supervisor Connell stated that when he receives the results from the smoking, the town needs to have a policy of how to deal with situations that need to be rectified. A certified letter to the homeowner asking for a response with a plan of action within ten days was discussed. The sewer ordinance will be reviewed to investigate procedure. At the next meeting a decision will be made as to what the next step will be.

On Wednesday (tomorrow) there will be a meeting at the Town Hall with Carl Schoder, Fred Buck, Supervisor Connell and Superintendent Sherman concerning Merriam Forge Road.

SUPERVISOR'S COMMENTS: none

COUNCILMEN'S COMMENTS: Councilman Sherman inquired about the trees along his property line. Supervisor Connell will talk with Fountain Forestry to look at them. He also suggested that the town look into ways of producing some of our own power to offset the \$5000 monthly electrical bill from National Grid. Supervisor Connell suggested that Councilman Sherman do some research to see what we can do. About \$1800 of that bill is street lighting. Biggest single bill is the Sewer Plant. Councilman Smith mentioned that he has had questions about the rocks on the road near the shuttle station. Suggested that Supervisor Merrihew be contacted about grading road.

Supervisor Connell explained the upcoming Budget calendar; how the assessor's salary is figured. there was some discussion about the sign by Decker's garage that has been up since Fair week. All agree that the sign needs to be removed.

Superintendent Sherman mentioned the procurement of sand for the upcoming winter. That will be addressed at next meeting.

PUBLIC COMMENT: Sheila Borden stated that the Justice Department monthly phone bill is more than the phone bill for the entire school. George Hainer reported that one way that the town offices are trying to cut down on phone bills is by scanning information into an email instead of faxing. Sheila also inquired about who hires the court clerk. Supervisor Connell responded that the Justices do that.

RESOLUTION #186
ADJOURNMENT

On a motion by Councilman Smith and a unanimous second, the meeting was adjourned at 8:32 PM.

Respectfully submitted _____ Betty White, Town Clerk

