

3-11-2008 Rescheduled Regular Town of Westport Board Meeting 4:15 PM

The March 11, 2008 Rescheduled Regular Town of Westport Board Meeting was held at the Westport Town Hall and was called to order at 4:15 PM by Supervisor Connell with the following members present on a roll call

Councilman Tyler arrived at 4:20 PM
Councilman McIntyre
Councilman Sherman
Councilman Smith
Supervisor Connell

OTHERS PRESENT: Brenda McCooley, Town Clerk; Dwight Anson, Planning Board; Evelyn Brant, Planning Board; Dan Linder; Robyn Burgess, APA; Alvin Reiner, Reporter; Joyce Daniels, Planning Board; Brian Grisi, APA; George King, Blue Ribbon Committee; George Hainer, Building Codes/Zoning Officer; Mary Lou Fitzgerald, Planning Board; Dick Sherman; Bruce Ware; Jerry Sherman, DPW Superintendent; Barbara Breyette, Clerk; Arthur Dodge; Gordon Decker; Simone Stephens; Julianne Sherman; Richard Jensen; Jon Cooper, Champlain National Bank, Sam Sherman.

Assembly was led in the Pledge of Allegiance.

RESOLUTION # 76
MINUTES APPROVAL

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

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

Resolved to accept the minutes of the February 28, 2008 4th Tuesday Regular Town of Westport Board Meeting as presented.

Supervisor Connell welcomed all present and gave a brief history of the proposed amendments to the Land Use Law. George Hainer and Brian Grisi have been working on the amendments intending it to facilitate building and growth in the community. Mr. Brian Grisi, Local Planning Assistance Specialist, APA explained his comments on the proposed amendments. No action was taken. Mr. Hainer and Mr. Grisi will continue to tweak the verbiage to improve feasibility of APA accepting the proposed amendments. Mr. Grisi's comments are available to read at the Town of Westport Offices.

Floor was open for Public Comment with none voiced.

Meeting was recessed at 6:15 for 5 minutes.

Meeting reconvened at 6:21 PM.

COMMITTEE REPORTS

- **YOUTH COMMISSION**-Councilman Sherman gave the following oral report- Dance class is going well, several Bidy Basketball practice dates were cancelled due to lack of gym space, Bidy Basketball to play during the Tanneberger Tournament, a coaching clinic will be conducted by Tom Beauvais in the Spring, Ski program has had 30-35 participants on a regular basis, additional qualified Bus Drivers are needed, Reading First will not be available as part of the Summer Youth Program-operational hours for the program of 8-5 will need to be supervised by the Youth Commission, having councilors working split shifts is a possibility for coverage, The Program will be eligible for a nutrition program through Essex County-but need to address immediately, meeting with school personnel to set ground rules for the use of the school property is scheduled, an ad for councilors will be placed in the paper, start-up costs for supplies for the program will be addressed through the Town Board.
- **GARAGE**-No report

Meeting recessed at 6:30 PM for Public Hearing.

Town Clerk read Notice of Public Hearing. Purpose of Public Hearing was to seek input on Local Law # 1 of 2008 increasing the maximum allowable income eligibility level for persons 65 years of age or older to be entitled to Real Property Tax Exemption for \$22,000 to \$25,000.

PRIVILEGE OF THE FLOOR-GEORGE MAFFEY-Mr. Maffey inquired if all towns in Essex County were changing the eligibility. Supervisor Connell stated the eligibility level was raised for the County to \$25,000 and most Towns are following suit. After researching the Tax Rolls for Westport only 5 residents are currently receiving the "Aged All" exemption.

Hearing no further Public Comment Supervisor Connell closed the Public Hearing at 6:33 PM.

The Town Board Meeting was reconvened at 6:34 PM.

OLD BUSINESS

- **ZONING**-After reviewing tonight's meeting, Mr. Brian Grisi will contact George Hainer with his comments to the Land Use Law proposals the Town is proposing, which should be available for the 4th Tuesday Regular Town of Westport Board Meeting.
- **TELECOMMUNICATIONS LAW**-Table
- **AUDIT COMMITTEE**-Meeting scheduled March 20, 2008 at 2 PM.
- **LOCAL LAW # 1 OF 2008**

RESOLUTION # 77

LOCAL LAW # 1 OF 2008 PROVIDING FOR A REAL PROPERTY TAX EXEMPTION TO PERSONS 65 YEARS OF AGE OR OVER AND THE ADOPTION OF INCOME ELIGIBILITY CEILING FOR SUCH PERSONS PURSUANT TO REAL PROPERTY TAX LAW SECTION 467

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

AYES 4 Tyler, Sherman, Smith, Connell

ABSTAIN 1 McIntyre

NAYS 0

WHEREAS, by Resolution duly adopted at a Regular Town of Westport Board Meeting held on the 26th day of February, 2008, this Town Board introduced Local Law # 1 of 2008 providing for a real property tax exemption to persons 65 years of age or over and adopting an income eligibility ceiling for such persons pursuant to Real Property Tax Law Section 467, Subdivision 3; and

WHEREAS, the Town Board of the Town of Westport has had an opportunity to review the text of said Local Law in its final form before any action was taken thereon;

WHEREAS, the aforesaid public hearing having been held by this Board, and due deliberation having been had regarding said proposed Local Law and the comments made with respect thereto at said public hearing

THEREFORE BE IT RESOLVED that the Town Board of the Town of Westport hereby adopts proposed Local Law # 1 of 2008 entitled "Local Law # 1 of the year 2008-a local law providing a real property tax exemption to persons 65 years of age or over and the adoption of an income eligibility ceiling for such persons in the amount of \$25,000 pursuant to the Real Property Tax Law Section 467 as follows:

TOWN OF WESTPORT LOCAL LAW # 1 OF 2008

A local law providing for and implementing a real property tax exemption to persons 65 years of age or over and the adoption of an income eligibility ceiling for such persons pursuant to the Real Property Tax Law Section 467.

BE IT ENACTED by the Town Board of the Town of Westport as follows:

1. That persons 65 years of age or over shall be entitled to a real property tax exemption pursuant to the Real Property Tax Law Section 467, Subdivision 1 provided that they meet the income eligibility ceiling for such person hereby established to be \$25,000, pursuant to Real Property Tax Law 467, Subdivision 3.

2. Prior Local Law #1 of 2006 enacted by the Town of Westport which provided for an exemption to persons 65 years of age or over under Real Property Tax Law Section 467 is hereby amended as set forth in Paragraph "1" above.

3. This Local Law shall take effect immediately upon filing with the Office of the Secretary of State and shall apply to qualifying residential real property and qualified owners who have applied for and been granted exemptions in accordance with Real Property Tax Law Section 467 commencing with the assessment roll prepared for the Town of Westport for the taxable status date March 1, 2008, and thereafter.

- **WATER BOND BALANCE CERTIFICATION REQUEST**

RESOLUTION # 78
WATER BOND BALANCE CERTIFICATION

On a motion by Councilman Smith seconded by Councilman Sherman the following was approved on a roll call after discussion

AYES 4 Tyler, Sherman, Smith, Connell
ABSTAIN 1 McIntyre
NAYS 0

Resolved to authorize Supervisor Connell to sign the NYS Environmental Facilities Corporation Memorandum Dated March 11,2008 confirming all information on the exhibits is accurate and complete.

Hopefully within a month or two the Water Project will close and go from short term to long term funding.

- **FIREWORKS PERMIT**-Address at next meeting.

NEW BUSINESS

- **BUDGET TRANSFER**

**RESOLUTION # 79
BUDGET TRANSFER**

On a motion by Councilman Smith seconded by Councilman Sherman the following was approved on a roll call after discussion

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

Resolved to make the following budgetary transfers

FROM		TO
A1990.4 Contingent	\$50.00	A1930.4 Judgements & Claims
A1990.4 Contingent	\$172.00	A8160.41 Landfill Closure

- **APA REGIONAL ASSESSMENT REQUEST**-Councilmen were given assessment project information, requested to forward suggestions to the Supervisor and will be addressed at the next Regular Town Board Meeting.

At this time, Supervisor Connell introduced Jon Cooper, President of the Champlain National Bank, who explained the decision for closing the Westport Branch 2 days a week November through May. Mr. Cooper assured those present the branch will not close permanently, and if business were to pick up, hours of operation would be reconsidered. Questions were fielded by Mr. Cooper from the assembly.

Supervisor Connell stated an open meeting to discuss revitalization in the community is being planned for April, and invites suggestions. Mr. Connell thanked George King and George Maffey for working with the Chamber in hopes of bringing commerce into the area.

- **WATER TOWER PROPERTY**-Correspondence from Gary Wilson, Attorney for the Town & Kevin Hall was given to the Councilmen for perusal and will be addressed at the next Regular Town of Westport Board Meeting. Supervisor Connell stated the Town owned property on Ledge Hill, once considered to sell will be given to Mr. Wilson for advisement.
- **EFC BOND PAYMENT**-Though in the process of going from short term funding to long term on the sewer project, payment will have to be made to Bond Council. Supervisor Connell stated June will see the water project closed, and September will see the sewer project closed.

**RESOLUTION # 80
AUDIT OF BILLS**

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

AYES 5 Tyler, McIntyre, Sherman, Smith, Connell

NAYS 0

Resolved to pay the bills as audited on Abstract 3A Voucher #'s 2008-156 to 2008-191 in the amount of \$220,648.47.

DPW SUPERINTENDENT REPORT/REQUEST-DPW Superintendent Sherman gave the following verbal report-The DPW crew has been working constantly on snow and ice removal and machinery repairs. Mr. J. Sherman also reported though he has ordered salt, the Town only has what's left in the bin, when shipment of ordered salt will arrive is uncertain. The DPW has cold patch on hand to fix potholes as time, and weather allows.

CORRESPONDENCE

- **NORMANDIE BEACH LIQUOR LICENSE**-Notification Normandie Beach Club is applying to renew its liquor licenses for Coco Café and Furnace Point Grill.
- **DONALD McCORMICK**-Request to discontinue service and billing to Laughing Duck Farms, which no longer exists. No action taken.
- **THE BOARD OF FIRE COMMISSIONERS**-Request to clear away snow around fire hydrants, averting a potentially serious and critical situation if there should be a fire. DPW is working to rectify this situation. Councilman Tyler encouraged DPW Superintendent Sherman to request inmates from Moriah Shock for assistance. Councilman Smith stated other communities enlist homeowners assistance in keeping walkways and hydrants clear.

COUNCILMAN COMMENTS-Discussion followed on recent power outage, emergency cots will remain at the Town Hall, Red Cross would have manned the Town Hall during the outage, but Westport took care of itself releasing the Red Cross to assist those in need. Supervisor Connell stated to the audience the need for everyone to report any power outage incurred. Councilman Sherman-Meeting with Brian Grisi was good. Councilman Tyler requested an resolution of commendation for the Westport Central Boys Varsity Basketball Team

**RESOLUTION # 81
WESTPORT VARSITY BASKETBALL**

On a motion by Councilman Tyler with a unanimous second the following was approved on a roll call

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

WHEREAS the sport of basketball has been an institution for years, and

WHEREAS Westport Central School offers the sport of basketball to all youngsters who wish to participate therein, and

WHEREAS the Westport Central School Boys Varsity Basketball Team consists of the following members: Tanner Carroll, Michael Tyler, Zachary Sherman, Curtis Mead, Colin MacIver, Johnathon Stahl, Christian Roth, Sean Davis, Bolster McKinley, Nathan Gay and Head Coach Bradley Rascoe, and

WHEREAS the Westport Central School Boys Varsity Basketball Team has had an exemplary season, winning the Section 7 Class D Championship,

THEREFORE BE IT RESOLVED the Town Board of the Town of Westport congratulates the Players and Coaches of the Westport Central School Varsity Boys Basketball Team on a season well played.

IN TESTIMONY THEREOF, I have hereunto set my hand and affixed my seal this 11th Day of March, 2008

(s) Brenda McCooey, Town Clerk

PRIVILEGE OF THE FLOOR-DWIGHT ANSON-Inquired on status of Westport Central School sponsoring Summer Program-The Town and School work in conjunction, with Town funding program.

**RESOLUTION # 82
ADJOURNMENT**

On a motion by councilman Smith with a unanimous second to adjourn at 7:40 PM.

Respectfully Submitted _____ Brenda McCooey/Town Clerk