

Minutes of the 07-22-2008 Regular 4th Tuesday Westport Town Board Meeting 7:00 PM

The July 22, 2008 Regular 4th Tuesday Westport Town Board meeting was held at the Town Hall and was called to order at 7:00 PM by Supervisor Connell with the following members present on a roll call.

Michael Tyler, Councilman
Russell Paquette, Councilman
Timothy Sherman, Councilman
Edward Smith, Councilman

Others present: Betty White, Town Clerk; George Hainer, Building and Codes Officer; Jerrold Sherman, DPW Superintendent; Steve Grimm, Waste Water Technician, New York Rural Water Association; Sheila Borden, Wayne Napper, R J Russo, Linda Adams, Joyce Daniels, Alph Beane, James Davis, Nancy Page and Ellen Anderson.

RESOLUTION #159
MINUTES APPROVAL

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 accept the minutes of the July 8, 2008 regular 2nd Tuesday Town Board Meeting as presented.

SEWER: Supervisor Connell introduced Steve Grimm, Wastewater Technician with the New York Rural Water Association. Mr. Grimm addressed the ongoing problem of the flow entering the sewer system, which has put us in violation of the DEC permit since March 2008. We are NOT currently under a consent order. Mr. Grimm, working with DPW crew, has been televising the sewer lines trying to locate the source of the flow. Working today on Sisco Street, flow increased significantly after the rainstorm, indicating a direct connection from some now unknown source to the sewer system. He noted that every joint in the clay tiles is misaligned, possibly due to frost, and road travel. He said this line was a good candidate for “slip-lining” to rectify the misalignment. He will be here on August 26, 27, 28 to do smoke testing of the system. All homeowners on the system will receive a letter regarding the smoke test. He left a copy of the smoke testing packet with Supervisor Connell which explains the process. He recommends that the town establish a Capital Improvement fund for Collection System Upgrades (manhole and pipe rehabilitation). A question and answer session followed with discussion.

DPW Superintendent reported that the pumps at the Marina were working at 100% capacity following the rain today.

PUBLIC COMMENT

Wayne Napper addressed the board concerning the need to hire at least one more employee on the Highway crew. He asked that this be considered during the upcoming budget process for the year 2009. He mentioned the negative possibilities which could be incurred by the community if one of the current employees were to become sick or injured due to the amount of work they are currently being expected

to do. Supervisor Connell explained that the budget process will begin in September and budget meetings are open to the public.

COMMITTEE REPORTS:

- **YOUTH COMMISSION:** Councilman Sherman reported that no meetings have been held. Councilman Tyler and Supervisor Connell will visit the Summer Program to deliver the walkie-talkies and to observe the program.
- **GARAGE:** There will be a meeting on Thursday, July 24th at 9:00 at the Town Hall with the 3 entities involved to make decisions on the Memorandum of Understanding (MOU). Discussion followed about the document and its meaning, and the Intermunicipal Agreement which will follow if all entities sign the MOU. If accepted, the Town will be the lead agency and will own the new building. The School and the Fire Dept will rent desired components from the Town. Discussion followed concerning the process to be followed from that point. Councilman Tyler suggested that Supervisor Connell write up the process for further reference. Supervisor Connell explained the difference between "Request for Proposal" and "Request for Qualifications". Discussion followed about keeping the public informed. This will be done through newspaper notices and the Future of Westport's Communications Committee.

OLD BUSINESS:

- **FUTURE OF WESTPORT:** Joyce Daniels and Supervisor Connell met earlier today. A meeting will be set up with George Maffey .
- **SEWER:** done (see above)
- **SIDEWALKS:** An advertisement for bids was placed in the Plattsburgh Press on July 14th. Bids are requested to be in by August 12. The proposed sidewalk will be 770 feet long, beginning at Stephanie Ames, (where last year's project ended) and will end at Mary Floyd's driveway. Supervisor Connell has spoken with all landowners along this path and all are consenting. DPW Superintendent Sherman mentioned the need for a possible change order to include a short section in front of the former residence of Ralph Atwell, Sr., which needs repair.
- **UNION CONTRACT:** Negotiation meetings have been set up with Paul Engle to be held at the Town Hall as follows: July 29 at 1:30 PM; July 31 at 1:30 PM and Aug. 12 at 9:00 AM. The Town Clerk was requested to advertise these as 3 Special Town meetings, which will immediately go into executive session.
- **CEMETERY:** nothing to report
- **WADHAMS WATER:** Meeting held on July 16th at Wadhams Fire House was attended by about 20 people. Good discussion was held and there was agreement among those in attendance that the Town should go ahead with Phase 1. Supervisor Connell signed the contract for \$4200 to proceed with this.
- **QUADRICENTENNIAL CELEBRATION:** The "dollar for dollar" match grant for \$45,000 (to be shared with the Town of Elizabethtown) is possible to be met with "in kind" dollars. Activities which can be included are Heritage Day, 4th of July, booth at the fair and volunteer time. The use of the logo 400 Explore NY will be used at these events.
- **DRAFT MOU FOR GARAGE:** done. (see above "Garage")

NEW BUSINESS:

- **AES PROPOSED CONTRACT-** Noise evaluation at the Wastewater Treatment Plant-Councilman Tyler has spoken with persons from the Moriah Wastewater Treatment Plant and what they did to counteract the noise there. He will get further information from them before next board meeting.
- **GRAY GOOSE REQUEST:** Supervisor Connell requested that the Town Clerk read a letter received from the Gray Goose requesting that the water and sewer charges be reduced since they are closing the business and will not be renting to guests after August 16th. Supervisor Connell will speak personally with Elizabeth Kroepin, Owner, since there are 3 full units in use there (2 apartments and the house). The Sewer Ordinance sets the standard for water and sewer charges, so their next bill will reflect the 3 full units.
- **SALT PRICE INCREASE:** A notice has been received from Essex County DPW informing the Town of a 34.3% increase for the price of salt for the 2008-2009 snow and ice season. The DOT demands pure salt on state roads.
- **TRANSFER STATION TICKETS PROCEDURES:** The Town Clerk was requested to read the procedures for handling transfer tickets within the Town Office.

RESOLUTION # 160

TRANSFER STATION TICKETS PROCEDURES:

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 adopt the Transfer Station Tickets Procedures as presented with the following changes: "Transfer station operator cashes out *weekly* to Clerk to Supervisor; *and may accept checks only.*" Policy is attached to minutes.

- **AMTRAK LEASE-** Letter from Amtrak official regarding renewal of the Westport Train Station Lease set to expire October 31, 2008. In Town files, there is a letter written by the Town Attorney at that time (1998) which indicates that there are 2 copies of the lease attached. These copies cannot be found anywhere in town files. Supervisor Connell has requested a copy of the current lease from Amtrak. This lease renewal will be addressed at next board meeting.
- **BUDGET TRANSFER** Justice Court Expenses

RESOLUTION #161

BUDGET TRANSFER

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 transfer \$1000 **FROM** A1990.4 Contingent Account **TO** A1110.4 Justice Court Expenses

- **BRUSH DUMP:** We do not have a license to accept wood at our brush dump or transfer station. Councilman Tyler has talked with Town of Moriah Landfill Personnel who have a dumpster (through the county) available for Construction Debris. They charge customers \$30 a cubic yard or \$60 for 2 cubic yards (pick-up truck). Supervisor Connell questioned where we could put a dumpster and what would be the cost. Councilman Tyler suggested that Supervisor Connell talk with Mr. Maye, the Serkil representative at the County. This would give community members a place to dispose of C&D materials and also would help the Town, if the Landfill Attendant charges the proper fee to all who use the dumpster. The loader would be used to compact the material in the dumpster to make full use of it. Discussion followed about possible placement. Supervisor Connell, Councilman Tyler and DPW Superintendent Sherman will go up to the transfer station on Friday, July 25 to assess the situation. Supervisor Connell appointed Councilman Michael Tyler to chair the Dump Committee.

Supervisor Connell and DPW Superintendent Sherman called DEC regarding disposal of brush stacked up beside road as a result of Friday's storm. For this week only, brush is being picked up by Town equipment and trucked to brush dump. Town employees are trying to keep the brush to the 3" or less diameter. There is no aid available to us from this storm.

RESOLUTION # 162

AUDIT OF BILLS

On a motion by Councilman Smith and seconded by Councilman Paquette the following was approved on a roll call. Discussion followed about the difficulty of administering the Youth Commission Programs.

AYES 5

NAYS 0

RESOLVED to approve the bills as audited on Abstract 7B, Voucher #'s 2008-427 through 2008-457 in the amount of \$36092.02.

- **DPW SUPERINTENDENT REPORT**-Superintendent Sherman reported on work done on Dudley road, the picking up of brush and tree removal due to the recent storm. He also stated that Sue Sherman had reported a number of trees down on the Lee Park Trail. It was suggested that inmates from Moriah Shock be asked to help with this clean-up.
- **SUPERVISOR'S COMMENTS:** Supervisor Connell commended the Town Highway Crew on their response to the recent storm. He reported that electricity has been restored to all residents by 9:00 PM on Saturday. On Monday AM a tree was reported on fire on Fitzgerald Road, a result of the storm. He asked if Merriam Forge Road held up during the storm, and Superintendent Sherman reported that it had. He also mentioned that more signs have been stolen from the Merriam Forge Road site. Wayne Napper said that the Hald Road sign was also missing.
- **CORRESPONDENCE:** Supervisor Connell noted the receipt of letters, copies of which have been given to each Councilman. Letter #1 from Bill and Joyce Daniels regarding Outside Frunaces and outdoor burning, and Letter #2 from Brenda Sullivan regarding the 2008 IRS Standard Mileage Reimbursement change to 58.5 cents per mile for business use. The Town of Westport's reimbursement is approximately 40 cents. Letter #3 from the NYS office of Real

Property informing the Town that the STAR Administrative Aid payment will be \$365.28.
Councilmen were asked to take these letters home and read them.

- **COUNCILMEN COMMENTS:** Councilman Smith commended the Highway crew on their performance during the storm; he also stated that people had tried to call the Town Hall during and after the storm on Friday, and got no answer. Supervisor Connell responded that during a power outage the office phones do not work. Due to the time of the storm (about 3:30) and the fact that he was out of town, the generator was not put into use. However, people were able to call his home and his wife kept a list of all those who called him. Calls were returned on his arrival home. Councilman Paquette reported that on an ambulance run this morning, the crew experienced difficulty finding the patient because there were no house numbers on that house or those around it. Supervisor Connell stated there is a County law that says you must display the 911 address. Who enforces it? Supervisor Connell will ask Emergency Services. Sheila Borden reported that the Fire Company will again make signs for those persons in need of the house number sign. A notice will be put in the newspaper when that will be done. Councilman Tyler commented on letters written to the newspapers by Town officials, signed as a Town Official. He would like to see those persons put a disclaimer in their letter that opinions expressed are personal, and not the opinion of the Town Board. Supervisor Connell agreed. He had contacted the NYS Association of Towns for their opinion, and was told that any member of the Town Board who writes a letter to the editor, signs it as a Town Official, and has not been authorized by the Town Board to do so, needs to put in the letter that it is a personal opinion and has not been authorized by the Town Board.

RESOLUTION # 163
EXECUTIVE SESSION

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

AYES	5
NAYS	0

RESOLVED at 9:10 to enter into an executive session for the purpose of discussing Union contract.

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

AYES	5
NAYS	0

RESOLVED at 9:20 to close Executive Session and re-open Regular Board meeting.

RESOLUTION # 164
ADJOURNMENT

Moved by Councilman Smith with a unanimous second to adjourn at 9:20 pm.

Respectfully Submitted, Betty White, Town Clerk

