

3-25-2008 4<sup>th</sup> Tuesday Regular Town of Westport Board Meeting 7:00 PM

The March 25th, 2008 4<sup>th</sup> Tuesday Regular Town of Westport Board Meeting was held at the Westport Town Hall and was called to order by Supervisor Connell at 7:00 PM with the following members present on a roll call

Councilman Tyler  
Councilman McIntyre Excused  
Councilman Sherman  
Councilman Smith  
Supervisor Connell

**OTHERS PRESENT:** Brenda McCooley, Town Clerk; Betty White, Town Historian, Deputy Town Clerk; W. Kasriels; Bruce Ware; Jerry Sherman, DPW Superintendent; Rod Boula, ECH CEO; Rick Hoffmann, ECH Board President, George Hainer, Building Codes/Zoning Officer.

Assembly was led in the Pledge of Allegiance.

**RESOLUTION # 83**  
**MINUTES APPROVAL**

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

AYES 4 Tyler, Sherman, Smith, Connell  
NAYS 0

Resolved to accept the minutes of the March 11, 2008 Regular Town of Westport Board Meeting as presented.

**PRIVILEGE OF THE FLOOR-W. KASRIELS**-Mr. Kasriels voiced his concerns on the letter, which accompanies the water bill, stating his need to furnish bottled water to his patrons. Mr. Kasriels was assured the water is drinkable-if it was not-the system would be under a boil water order. The system is coming upon the 1 year of testing which would discontinue the need to send the letter with the water billing. Mr. Kasriels voiced his concerns on plowing and snow disposition on Furnace Point Lane. After much dissertation, Supervisor Connell suggested contacting Soil and Water Conservation for drainage solutions, and Mr. Kasriels was invited to ride in the plow truck during a storm to understand the problems faced in snow disbursement. The Town Board was invited to look at the property in question.

**PRIVILEGE OF THE FLOOR-BRUCE WARE**-Mr. Ware would like the letter, which was sent by the Supervisor concerning the Wastewater System, to be addressed. Supervisor Connell stated it would be addressed later in the agenda.

**COMMITTEE REPORTS**

- **YOUTH COMMISSION**-No Report-Supervisor Connell will contact County Clerk concerning Summer Lunch Program
- **GARAGE**-No Report

**OLD BUSINESS**

- **ZONING**-Awaiting communication from Brian Grisi of the APA
- **TELECOMMUNICATION LAW**-Address next meeting
- **AUDIT COMMITTEE**-Have audited Town Clerk Books and has made recommendations to Town Clerk; Deputy Town clerk will reconcile Town Clerk Check Book. Will audit Tax Collector books in June or July.
- **FIREWORK PERMIT**-Supervisor Connell submitted his recommendation for a fireworks permit.

**RESOLUTION # 84  
FIREWORK PERMIT FORM**

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

AYES 4 Tyler, Sherman, Smith, Connell

NAYS 0

Resolved to accept the following Firework Permit for the Town of Westport

1. NAME OF GROUP SPONSORING THE DISPLAY
2. \_\_\_\_\_  
DATE AND TIME DISPLAY TO BE HELD
3. \_\_\_\_\_  
NAME OF PERSON/PERSONS IN CHARGE OF FIRING DISPLAY
4. \_\_\_\_\_  
EXPERIENCE/AGE/PHYSICAL CHARACTERISTICS OF PERSON/PERSONS WHO WILL DO THE ACTUAL DISCHARGING OF FIREWORKS  
\_\_\_\_\_  
\_\_\_\_\_
5. \_\_\_\_\_  
NUMBER AND TYPE OF FIREWORKS TO BE DISPLAYED
6. \_\_\_\_\_  
MANNER AND PLACE OF STORAGE OF SUCH FIREWORKS PRIOR TO DISPLAY  
\_\_\_\_\_  
\_\_\_\_\_

7. EXACT LOCATION FOR PLANNED DISPLAY OF FIREWORKS

8. ATTACH DIAGRAM OF THE GROUNDS ON WHICH DISPLAY IS TO BE HELD SHOWING POINT AT WHICH THE FIREWORKS ARE TO BE DISCHARGED, THE LOCATION OF ALL BUILDINGS, HIGHWAYS, TELEPHONE LINES, NEARBY TREES AND OTHER OVERHEAD OBSTRUCTIONS AS WELL AS THE LINES BEHIND WHICH THE AUDIENCE WILL BE RESTRAINED.
9. INCLUDE INDEMNITY INSURANCE TO THE TOWN OF WESTPORT IN THE AMOUNTS AS FOLLOWS: \$50,000/\$100,000 LIABILITY; \$10,000/\$25,000 PROPERTY DAMAGE.  
MAY BE APPROVED BY TOWN SUPERVISOR OR FIRE CHIEF.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized By/Title

\_\_\_\_\_  
Date

- **ADIRONDACK PARK REGIONAL ASSESSMENT REQUEST**-Supervisor Connell and Councilman Sherman to address.
- **AMENDING LOCAL LAW # 1 OF 1998-BUILDING CODES**-Supervisor Connell stated need to schedule a Public Hearing to seek impute prior to amending Local Law # 1 of 1998, which would bring Westport's Building Codes in accordance with Building Code Law.

**RESOLUTION # 85**  
**PUBLIC HEARING NOTICE**

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

AYES 4 Tyler, Sherman, Smith, Connell  
NAYS 0

Resolved to schedule a Public Hearing on April 22, 2008 at 6:30 PM in anticipation of amending Local Law # 1 of 1998. The 4<sup>th</sup> Tuesday Regular Town of Westport Board Meeting will immediately follow the Public Hearing.

**NEW BUSINESS**

- **PROBLEMS WITH SEWER SYSTEM**-Supervisor Connell stated the Town has received notice the Westport Wastewater Treatment Plant is in violation of its SPDES

permit, and the DPW Crew is working to rectify the massive infiltrate problem. Rural Water is coming the 7 and 8 of April with a camera to look at the system, Supervisor Connell has sent a letter to users of the system asking for help in stopping the flow of water from sump pumps and roof drains connected to the sewer lines, which is not allowed. If the flow continues to exceed permit levels the sewer system will be smoked to find any unauthorized dumping into the system. An engineering firm may need to be hired to put flow meters on manholes. Supervisor Connell is in constant communication with NYSDEC concerning the SPDES permit. DPW Superintendent Sherman has found a private line, which services 4 unoccupied homes at this time, which shows a lot of infiltrate. Supervisor Connell asked for any information or help in addressing this issue.

**RESOLUTION # 86**  
**ENGINEERING RFP'S**

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

AYES 4 Tyler, Sherman, Smith, Connell

NAYS 0

Resolved to advertise for RFP's for an engineering consultant to seek assistance for gathering information on infiltrate for metering the sewer system.

- **HISTORIAN REQUEST**-Town Clerk read request from Betty White, Historian, requesting an office to house the ever-increasing amount of Historical Data. The Town Board will research and hope to address within the year.

Supervisor Connell introduced Mr. Boula and Mr. Hoffmann and apologized for the change in the agenda. Mr. Boula stated the planned construction expansion of last year was adjusted due to cost-and a different plan has been submitted. The construction will remain on one level, and expand into the current parking lot off the Emergency Room, which is the main focus of the expansion. Flyers will be circulated to inform the Public of the construction and renovation. The Hospital has successfully recruited a new Doctor for family practice, and currently recruiting another. The Hospital has taken on the Wilmington Health Clinic. The last year was a good year for the hospital, receiving performance awards. Mr. Boula hopes the Town is satisfied with the Westport Health Clinic, Supervisor Connell stated the Town is fortunate to have such facilities offered by ECH in our rural community. Supervisor Connell thanked Mr. Boula and Hoffmann for their presentation asked them to remain for contract discussion in Executive Session.

- **MEETING WITH TAC**-Supervisor Connell stated a meeting is scheduled for Friday March 28, at 10 AM with representatives for technical assistance from SUNY Plattsburgh, Westport Chamber of Commerce representatives, WCS Superintendent

Karen Tromblee, Janet Kennedy, Carol Calabrese and himself to brainstorm ideas to rejuvenate Westport. Supervisor Connell will report back to the Town Board.

- **FEBRUARY TOWN CLERK REPORT**-Supervisor Connell is in receipt of the Town Clerk's February monthly report.
- **ANIMAL CONTROL OFFICER REQUEST**-Mr. Mrozik has requested signage be posted on Lee Park Beach stating all dogs be leashed at all times. DPW Superintendent Sherman stated signs are already posted on either side of Hoisington Brook Bridge. Supervisor Connell to research.
- **NYSDOT SNOW & ICE CONTRACT**-The Contract is virtually the same with the exception of an increase of \$1121.70 over last year.

**RESOLUTION # 87**

**NYSDOT MUNICIPAL LUMP SUM SNOW & ICE EXTENSION AGREEMENT FOR 2009-2010**

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  
NAYS 0

Resolved to authorize Supervisor Connell to execute the 2009-2010 NYSDOT Municipal Lump Sum Snow & Ice Agreement extension dated March 11, 2008

- **BUDGET AMENDMENT AND TRANSFER**

**RESOLUTION # 88**

**BUDGET AMENDMENT**

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

AYES 4 Tyler, Sherman, Smith, Connell  
NAYS 0

Resolved to make the following Budget Amendment: In the General Funds increase revenue account A3389 Public Safety OCA Justice Grant by \$3,758.99 and increase appropriations account A1110.4A Justice Court Grant by \$3,758.99.

**RESOLUTION # 89**

**BUDGET TRANSFER**

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  
NAYS 0

Resolved to make the following budget transfer

FROM		TO
A1990.4 Contingent	\$84.00	A1920.4 Municipal Dues

- **HIGHWAY SCHOOL ATTENDANCE**

**RESOLUTION # 90**  
**HIGHWAY SCHOOL ATTENDANCE**

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

AYES 4 Tyler, Sherman, Smith, Connell  
NAYS 0

Resolved to authorize DPW Superintendent Sherman to attend Highway School.

- **AUDIT OF BILLS**

**RESOLUTION # 91**  
**AUDIT OF BILLS**

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

AYES 4 Tyler, Sherman, Smith, Connell  
NAYS 0

Resolved to pay the bills as audited on Abstract 3B Voucher #'s 2008-192 to 2008-228 in the amount of \$65,659.64

**CORRESPONDENCE**

- **SUPERVISOR CORRESPONDENCE**-Letter from Supervisor Connell to County Clerk requesting \$5,000 from the traffic safety program for purchase and installation of a speed board. The Town Board was charged to research best area to place speed board.
- **KAREN TROMBLEE, WCS SUPERINTENDENT**-A letter of commendation and thanks to the highway crew for the excellent care given the roads, and assistance in determining whether to cancel school or have early dismissal due to conditions.
- **SELECTIVE INSURANCE RESPONSE LETTER TO JOHN HALL/WESTPORT GOLF INVESTORS**-Letter acknowledges damage to parking

lot, which will be rectified as weather allows. Remainder of claim lacks merit and Town of Westport denies claim.

**DPW SUPERINTENDENT REPORT/REQUEST**-DPW Superintendent Sherman gave the following verbal report-a spreadsheet was given to the Councilmen explaining monies expended since November 2007 on snow and ice removal. The Highway crew has been out 64 days during this period, 13 of 18 weekends, used 2700 yards of sand and salt mix thus far this season, rendering the stockpile low which will need to be replenished. DPW Superintendent Sherman discussed the inability of the Town to purchase walstonite due to the lack of a certified loader operator, if a certified operator is available Mr. J. Sherman recommends purchase of walstonite. Incurring pump station problems and are working to rectify them, Problem at the Treatment plant has been resolved. Working on the infiltrate to the sewer system, repairing roads damaged by plowing, cold patching potholes, busting back snow banks, moving forward on the Miriam Forge Road.

**RESOLUTION # 92  
EXECUTIVE SESSION**

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

AYES 4 Tyler, Sherman, Smith, Connell  
NAYS 0

Resolved to close Regular Meeting and enter into Executive Session for contract negotiation with ECH representatives, Rod Boula and Rick Hoffmann, at 8:50 PM.

Motion made by Councilman Tyler seconded by Councilman Smith to close Executive Session at 9:10 PM and re-open Regular Town Board Meeting.

**RESOLUTION # 93  
ADJOURNMENT**

On a motion by Councilman Tyler with a unanimous second to adjourn at 9:10 PM.

Respectfully Submitted \_\_\_\_\_ Brenda McCooey/Town Clerk