

## Minutes of the Second Tuesday Regular Town Board Meeting on July 14, 2009

Supervisor Connell called the meeting to order at 7:00 p.m.

The Assembly was led in the Pledge of Allegiance.

Members present on a roll call were:

Councilman Tyler  
Councilman Paquette  
Councilman Sherman  
Supervisor Connell

Members absent:

Councilman Smith

Others present:

Sheila Borden, Town Clerk  
George Hainer, Zoning and Codes Officer  
Jerrold Sherman, DPW Superintendent  
Bruce Dunning, Cokey Brown, James Hermann, Aaron Scalzo, Bruce Ware,  
Rick Rockefeller, Shami McCormick, Chris Casquilho, Ingrid Roemischer,  
John Roemischer, Bill LaHendro

### **RESOLUTION #140 APPROVAL OF MINUTES**

On a motion by Councilman Tyler seconded by Councilman Paquette and approved on a roll call vote.

3 Ayes        Tyler, Paquette, Connell  
0 Nays  
1 Abstain    Sherman

**RESOLVED** to approve the minutes of the Regular Town Board Meeting on June 23, 2009 as received.

### **SIDEWALK BIDS**

The following were the four bids that were received, opened and read by the Town Clerk:

Scalzo Construction	\$40,000	Alternate 1-\$18,500	Total \$58,500.
Corrado Concrete	\$39,596	Alternate 1-\$10,159	Total \$49,755.
Fuller Excavating	\$32,640	Alternate 1-\$8,860	Total \$41,500.
RJR	\$34,444	Alternate 1-\$10,109	Total \$44,553.

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**RESOLUTION #141**  
**REVIEW AND AWARD OF BID**

On a motion by Councilman Sherman seconded by Councilman Tyler and approved on a roll call vote.

4 Ayes Tyler, Paquette, Sherman, Connell  
0 Nays

**RESOLVED** to authorize the Supervisor to review each bid along with the DPW Superintendent to make sure all qualifications and specifications have been met and then to notify of acceptance to the lowest bidder if everything is in compliance.

**TREE PLANTING BIDS**

The following were the three bids received, opened and read by the Town Clerk. A fourth was received but later withdrawn by the bidder.

Taylor Tree Care	\$3,420.
Early Riser	\$5,016.
North Country	\$3,820.

**RESOLUTION #142**  
**REVIEW AND AWARD OF BID**

On a motion by Councilman Tyler seconded by Councilman Paquette and approved on a roll call vote.

4 Ayes Tyler, Paquette, Sherman, Connell  
0 Nays

**RESOLVED** to authorize the Supervisor to review each bid along with the DPW Superintendent for verification of qualifications and specifications and then to notify of acceptance to the lowest bidder if everything is in compliance.

**PUBLIC COMMENT**

Chris Casquilho from the Depot Theatre asked if Mr. Connell had received an opinion from the Real Property Tax Office on property donated to the Depot-no definitive ruling yet.

**COMMITTEE REPORTS**

**GARAGE** – The next Westport Municipal Center meeting will be Wednesday, July 22, 2009 at 6:00 p.m. Garrett Dague from the Essex County Department of Community Development and Planning spent considerable time putting together and filing online for a \$1.9 million dollar grant for the fire department portion of the center.

**YOUTH COMMISSION** – They have had two meetings. During the regular meeting they discussed the duties of a possible full time youth director and they also discussed game scheduling. Supervisor Connell asked Councilman Sherman to take back the request that the Commission discuss the participation of non-resident youths since the budget process would be starting soon.

**OLD BUSINESS**

**WADHAMS WATER CONTRACT**

**RESOLUTION #143**

**CONTRACT WITH AES NORTHEAST – WADHAMS WATER DISTRICT #3**

On a motion by Councilman Tyler seconded by Councilman Sherman and approved on a roll call vote after discussion.

3 Ayes	Tyler, Sherman, Connell
1 Nay	Paquette

**RESOLVED** to authorize Supervisor Connell to sign a contract with AES Northeast, who will construct a groundwater source, control building, water transmission mains, water storage tank, access roads, and connection of water to the existing distribution system on the Wadhams Water District #3 Water Supply.

**MERRIAM FORGE** – we are waiting for final bill.

**SEWER PLANT** – nothing at this time.

**BLUE RIBBON COMMITTEE** – At the last meeting they were preparing the formal application for map amendments on the north end.

**ARTICLE 78 UPDATE** – They are currently in a 30-day waiting period.

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**UNEMPLOYMENT REQUEST UPDATE** – This has been an ongoing process for a few months now. It has been contested, appealed, hearing requested, hearing postponed and now a bill received. In speaking with the State and as per their latest correspondence they state that the services provided by the individual were those of an elected official and as such are excluded for eligibility for unemployment. Therefore, as it stands now, we will be credited for that billed amount. The Board was in agreement that the Supervisor continue to pursue this matter if necessary.

**RE-EVALUATION UPDATE** – we have not received anything back officially.

**QUADRICENTENNIAL GRANT** – We have received ¼ of the grant or \$5,625.

**TIMBER HARVEST** – Received timber harvest proposal from Thomas Gilman, Area Forester of Fountains Forestry.

**RESOLUTION #144**  
**TIMBER HARVEST PROPOSAL**

On a motion by Councilman Tyler seconded by Councilman Sherman and approved on a roll call vote.

4 Ayes      Tyler, Paquette, Sherman, Connell  
0 Nays

**RESOLVED** to accept the proposal for timber harvest from Thomas Gilman of Fountain Forestry.

**RESOLUTION #145**  
**BOUQUET RIVER ASSOCIATION CONTRACT**

On a motion by Councilman Tyler seconded by Councilman Paquette and approved on a roll call vote.

3 Ayes      Tyler, Paquette, Connell  
1 Nay        Sherman

**RESOLVED** to authorize Supervisor Connell to sign the contract with the Bouquet River Association.

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**NEW BUSINESS**

A letter was received from Amtrak requesting the Board's support for proposed improvements at the Westport train station:

1. New wheelchair lift and enclosure
2. Paint markings for accessible parking stalls on existing paving

Amtrak received funds from the federal government under the American Recovery and Reinvestment Act of 2009 to pay for these improvements.

**RESOLUTION #146**

**AMTRAK/WESTPORT TRAIN STATION**

On a motion by Councilman Tyler seconded by Councilman Paquette and approved on a roll call vote.

4 Ayes      Tyler, Paquette, Sherman, Connell  
0 Nays

**RESOLVED** to support and to authorize Amtrak to add a new wheelchair lift and enclosure along with paint markings for accessible parking stalls on existing paving at the Westport Train Station.

**VOLLEYBALL NETS** – It was the consensus of the Board to leave them up for the public's use. Matt Beal generously donated a net to the Town and the Clerk will send him a Thank You on behalf of the Board.

**BEACH SIGNS** – Notification was received from the NYS Department of Health that since we weren't going to have Ballard Park Beach open for swimming this summer that we should put up signs stating **CLOSED FOR THE SEASON – NO SWIMMING**.

**WATER BILL CODE AND FEES** – The Clerk read a letter from Ingrid Roemischer regarding the current practice of billing for water and sewer. She requested that the Town Board look into this issue and inform the citizens of Westport of the current official rules that govern the water and sewing billings and fees. The Supervisor also asked the Clerk to read Section 9 from the minutes of April 13, 1999 Regular Town Board Meeting on the Water Ordinance that deals with the rate charge for water used. During the discussion Councilman Paquette stated that he was presently chairing a committee that was currently reviewing and updating where necessary the Water Code and would be bring it back to the Town Board for their approval.

**TOWN CLERK'S REPORT** – Supervisor Connell reported that he is in receipt of the Town Clerk's report for the month of June.

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**RESOLUTION #147**  
**APPROVAL OF BILLS**

On a motion by Councilman Sherman seconded by Councilman Paquette and approved on a roll call vote.

4 Ayes      Tyler, Paquette, Sherman, Connell  
0 Nays

**RESOLVED** to authorize the payment of bills on Abstract 07A, Vouchers 2009-408 through Vouchers 2009-454 in the amount of \$39,931.79.

**RESOLUTION #148**  
**BUDGET AMENDMENT**

On a motion by Councilman Tyler seconded by Councilman Sherman and approved on a roll call vote.

4 Ayes      Tyler, Paquette, Sherman, Connell  
0 Nays

**RESOLVED** to increase the revenue account A3089b Quadricentennial Grant by \$22,500 and increase the appropriation account A6410.4a Quadricentennial by \$22,500 to \$27,500. and to expend the grant funds.

**DPW SUPERINTENDENT'S REPORT – JERROLD SHERMAN**

They have been doing roadside mowing, ditching, and grading roads, which is a slow process. There are always machinery repairs and they've been putting in some drainage pipe. Brush has been cut on Washington Street and the water hooked up for the Polo Club.

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A request from Mike Carpenter's son came in to move his bench to a baseball field in his son's hometown.

**RESOLUTION #149**  
**MIKE CARPENTER BENCH**

On a motion by Councilman Tyler seconded by Councilman Paquette and approved on a roll call vote.

4 Ayes Tyler, Paquette, Sherman, Connell  
0 Nays

**RESOLVED** to authorize the family of Mike Carpenter to take the "Memory Bench".

Alternator on the grader needs to be repaired.

**RESOLUTION #150**  
**GRADER REPAIR**

On a motion by Councilman Tyler seconded by Councilman Sherman and approved on a roll call vote.

4 Ayes Tyler, Paquette, Sherman, Connell  
0 Nays

**RESOLVED** to authorize the DPW Superintendent to have the grader repaired.

**SUPERVISOR'S COMMENTS**

Correspondence was received from Vincent Kavanagh from the NYS Department of Environmental Conservation recommending connecting the planned shared services facility to the municipal sewers via sewer district extension.

We received notification that the hydroseeder was delivered to the Essex County DPW.

**COUNCILMEN'S COMMENTS**

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**PUBLIC COMMENTS**

**RESOLUTION #151**  
**ADJOURNMENT**

On a motion by Councilman Sherman with a unanimous second the meeting was adjourned at 9:30 p.m.

Minutes respectfully submitted  
Sheila Borden, Town Clerk