

Minutes of the Special Westport Town Board Meeting on September 22, 2014

The meeting was called to order by Supervisor Connell at 6:00 p.m.

The Assembly was led in the Pledge of Allegiance.

Members present on a roll call were:

Councilperson Page
Councilperson Paquette
Councilperson Viens
Councilperson McCormick
Supervisor Connell

Others present:

Marlene Westover, Fire Commissioner
Bruce Misarski, Fire Commissioner
Charles Manon, Fire Commissioner
Gordon Decker, Fire Dept Treasurer
Gary Wilson, Attorney
Julie Schreiber, Deputy Town Clerk
George Hainer, Zoning & Codes Officer
Dennis Westover, DPW Supervisor
Paul Mahoney, Alvin Reiner, Jim Rule, Shirley Bullard, Jim Bullard, Diane Dodd, Bill Dodd, Shami McCormick, Gerald Goulet, Greg Moore

PURPOSE - Supervisor Connell began the meeting by introducing an issue with the planned bonding. The Town had planned to bond the whole project and then lease a portion to the Fire Department, however there is a constitutional issue that prevents this. Now, two separate bonds must be obtained.

PRESENTATION - Town Attorney, Gary Wilson spoke more of the constitutional issues, which states that one government entity cannot lease to another government entity. Since the town owns the land where the structure(s) would be built the Fire Department would need title interest in the property. He mentioned that there are two options for dividing the property: having undivided joint interest, in which the Town would own the property and the Fire District would own half of the interest; or physically dividing the property. He recommends having undivided joint interest with an operating agreement for managing the property.

QUESTIONS/COMMENTS –

What happens if future expansions are needed? All information relevant to building additions and renovations would be covered by the operating agreement. This would also cover who is responsible for paying for such changes.

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What if bonds are paid off? This would be in the operating agreement. The Town and Fire District would still be joint owners.

Heating/Electric Systems – A decision will need to be made on whether to have one system or two separate systems for the property. With separate systems there would be no dispute over which charges each party is responsible for.

Subsidizing Issue? An area of the property is already being used by the DPW. A piece could be cut from the Town's portion of the land to balance this. Again, this would be in the operating agreement.

Value of 1 vs. 2 Buildings – A study will need to be done to determine which would be best and whether or not two separate buildings can actually be built. One building, or constructing two buildings at the same time requires four separate contractors and building two at different times would require eight contractors. The study would also determine if two separate structures would allow adequate room for operation and parking.

Sewer System – The property is already connected to the town water system, but would need an on-site sewer system. A permit would be required from the DEC to split the system between two buildings.

NEXT STEPS - A committee, composed of two members from each board, will be formed to answer some of the questions from this meeting and will work on a project timeline.

RESOLUTION #204

ADJOURNMENT

On a motion by Councilperson Viens, with a unanimous second, the meeting was adjourned at 7:20 p.m.

Commissioner Misarski adjourned the Fire at 7:20 p.m.

Minutes respectfully submitted,

Julie Schreiber, Deputy Town Clerk