

Minutes of the Regular Town of Westport Board Meeting on February 10, 2015

The meeting was called to order by Deputy Supervisor Paquette at 7:00 p.m.

The Assembly was led in the Pledge of Allegiance.

Members present on a roll call were:

Councilperson Page
Councilperson Viens
Deputy Supervisor Paquette

Councilperson McCormick via telephone
Excused: Supervisor Connell

Others present:

Julie Schreiber, Town Clerk
George Hainer, Zoning & Codes Officer
Elizabeth Lee, Youth Commission Director
Steve Grimm, New York Rural Water Association
Molly Reed, New York Rural Water Association
Keven Severance, James Herrmann

RESOLUTION #40 MINUTES JANUARY 27, 2015

On a motion by Councilperson Viens, seconded by Councilperson Page, and approved on a roll call vote.

3 Ayes Page, Viens, Paquette
0 Nays

RESOLVED to accept the minutes of the January 27, 2015 Regular Town Board Meeting, changing the wording of the Planning Board /ZBA Appointments to read “Anyone interested in becoming a member should submit a letter of interest to the town”.

COMMITTEE REPORTS

BUILDING COMMITTEES – Letters were received from the NYS Office of Parks, Recreation and Historic Preservation concerning conditions that must be met and documentation that must be submitted to them. There is a tentative meeting date of March 12th for discussion of the grant program rules and regulations.

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YOUTH COMMISSION – Winter programs are going well, forty kids attended the tubing trip. This is the last week of basketball and there will be one more tournament on February 28. The insurance company previously underestimated the number of kids in the program. This number has been corrected, causing insurance rates to increase. Scott Gibbs would like to start a theatre program for 5th and 6th graders. Elizabeth is checking with the insurance company for coverage before moving forward.

RESOLUTION #41
WESTPORT YOUTH COMMISSION CONSTITUTION AND BYLAWS

On a motion by Councilperson Page, seconded by Councilperson Viens, and approved on a roll call vote.

3 Ayes Page, Viens, Paquette
0 Nays

RESOLVED to approve the proposed Constitution and Bylaws as received.

STEVE GRIMM, NY RURAL WATER ASSOCIATION – DEC will be instituting a mandatory asset management plan for wastewater facilities. Though not a requirement yet, Grimm estimates that it will be in approximately two years. The new policy will better define where money goes and set up smaller escrow accounts that would take the place of the general reserve fund. Grimm recommends starting a committee for the project, rather than hiring a consultant. He estimates that completion of the Wadhams and Westport plans would take 6-7 months and 12-16 months respectively. The plans would also include energy efficiency and climate resiliency. Molly Reed spoke of the latter, explaining that the plans would cover how the systems would be effected by natural disasters. A free guide on flood resiliency is available from the EPA.

OLD BUSINESS –

BICENTENNIAL – Things are progressing well. A representative from the committee will hopefully attend a meeting soon to provide a more detailed update.

BEAUTIFICATION – There is a meeting on Thursday and it will likely focus on the junk car issue.

PLANNING BOARD/ZBA – No applications have been received.

HERITAGE HOUSE – The contract is still on hold.

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RESOLUTION # 42
NYS ENVIRONMENTAL QUALITY REVIEW ACT

On a motion by Councilperson Page, seconded by Councilperson Viens, and approved on a roll call vote.

3 Ayes Page, Viens, Paquette
0 Nays

RESOLVED to approve a resolution making certain determinations in relation to the Wadhams Wastewater Treatment Plant Upgrades and New York State Environmental Quality Review Act pursuant to 6NYCRR Part 617.

WHEREAS, the Town of Westport operates the Wadhams Wastewater Treatment and collection system within the Town of Westport, and

WHEREAS, the new requirement from the New York State Department of Environmental Conservation suggests the Town of Westport take the necessary steps to develop a disinfection system using either ultraviolet light or chlorine, and

WHEREAS, the Town of Westport received a letter and a schedule of compliance by the New York State Department of Environmental Conservation signed on October 9th, 2014 to address the Wadhams Sewer District #1 Wastewater Treatment Plant deficiencies regarding maintaining the effluent, and

WHEREAS, the Town of Westport has retained AES Northeast, PLLC an engineering firm duly licensed in New York State for preliminary, final design and wastewater treatment plant upgrade implementation, and

WHEREAS, The Town Board is required to comply with New York State Environmental Quality Review (SEQR) Act – 6NYCRR Part 617, and

WHEREAS, the NYS Environmental Conservation District is funding the proposed disinfection project through the Water Quality Improvement Program, awarded in December 2014 and

WHEREAS, the Town of Westport has decided to utilize ultraviolet technology on the town owned property site of the wastewater treatment plant to maintain effluent system, and

WHEREAS, the Town of Westport has done their due diligence by securing the proper funding avenue, and

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THEREFORE BE IT RESOLVED, the Town Board of the Town of Westport affirms the installation of an ultraviolet disinfection system at the site of the WWTP will continue serving the Wadhams residents and this action would be considered a Type II Action under SEQR pursuant to Section 617.5(c) 1, incorporating upgrades and maintenance of adding the disinfection system by the New York State Department of Environmental Conservation, and

BE IT FURTHER RESOLVED, the Town Board has determined that the proposed action the inclusion of UV into the existing system is needed to meet the needs of the anticipated State Pollutant Discharge Elimination Systems (SPDES) permit limitations through maintenance is otherwise precluded from environmental review under State Environmental Quality Review Act in Environmental Conservation Law Article 8.

RESOLUTION #43
DOT UNDERTAKING WORK PERMITS

On a motion by Councilperson Viens, seconded by Councilperson Page, and approved on a roll call vote.

3 Ayes Page, Viens, Paquette
0 Nays

RESOLVED to agree to the terms of the Undertaking for the benefit of the New York State Department of Transportation, in connection with work affecting state highways,

WHEREAS, the undersigned **Town of Westport** (Municipality, County, Town, City or Village, or any agency of the federal government, hereinafter referred to as "Permittee") from time to time receives permits from the New York State Department of Transportation (hereinafter referred to as the "NYSDOT") and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and/or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of the state facilities to their condition prior to permitted use or activity, and (c) claims, damages, losses and expenses,

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NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

- 1. Permit Applications.** Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as soon as practicable after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration
- 2. Applicable Rules, Regulations & Conditions.** Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.
- 3. Site Restoration.** Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith.

The Deputy Supervisor is in receipt of the Town Clerk's January Report.

RESOLUTION #44
APPROVAL OF BILLS

On a motion by Councilperson Viens, seconded by Councilperson Page, and approved on a roll call vote.

3 Ayes Page, Viens, Paquette
0 Nays

RESOLVED to authorize the payment of bills on Abstract 2A in the amount of \$43,741.32 for Vouchers 2015-67 through 2015-112.

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RESOLUTION #45
ADJOURNMENT

On a motion by Deputy Supervisor Paquette, with a unanimous second, the meeting was adjourned at 8:00 p.m.

Minutes respectfully submitted,
Julie Schreiber, Town Clerk