

Minutes of the Regular Westport Town Board Meeting on July 9, 2013

The meeting was called to order by Supervisor Connell 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
Councilman McCormick
Supervisor Connell

Others present:

Sheila Borden, Town Clerk
Dennis Westover, DPW Superintendent
George Hainer, Zoning & Codes Officer
Nancy Page, John McWilliam, James Ryan, Chris Maron

RESOLUTION #136 MINUTES JUNE 25, 2013

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

5 Ayes Tyler, Paquette, Sherman, McCormick, Connell
0 Nays

RESOLVED to approve the minutes of the regular meeting of June 25, 2013 as received.

PUBLIC COMMENT

COMMITTEE REPORTS

YOUTH COMMISSION – Councilman McCormick reported that the golf program is up and running with seven youth. The summer program as well is off to a good start and seems to be well organized with lots of activities.

OLD BUSINESS

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SALT SHED BIDS – Mr. Westover reviewed them with the engineer from Essex County and the concrete the bid was awarded to the low bidder-Flat and Vertical Concrete of Willsboro NY in the amount of \$38,000.00.

On the material it was awarded to the low bidder-Bessboro Builders of Westport NY in the amount of \$6,037.20.

PUMP STATION – We did not receive any bids – should we re-advertise or scrap?

RESOLUTION #137
ADVERTISE PUMP STATION

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

5 Ayes Tyler, Paquette, Sherman, McCormick, Connell
0 Nays

RESOLVED to put the Pump Station out to bid again in the Auction International.

HIGHWAY GARAGE UPDATE – There is a meeting Wednesday at 7:00 with the Town Board and the Westport Fire District.

WATER TANK INSPECTION – Supervisor Connell reviewed the quotes and awarded the job to Seaway Divers of Waterford, NY.

TOWN HALL UPDATE – Councilman McCormick reported that we are still waiting for the cost analysis.

HAMLET EXPANSION PROJECT – Supervisor Connell has again emailed Saratoga Associates with no response from them.

BICENTENNIAL CELEBRATION – Meeting Wednesday at 2:00 p.m. The next meeting will be July 24th at 3:00 p.m.

TOWN BEAUTIFICATION – They met today and want to meet at some point with the Bicentennial Committee, as there will be some areas that they will be able to work together on.

ASSESSOR ADVERTISEMENT – The clerk read a notice for submitting a job application for assessor to be placed in the local newspaper to be reviewed by the Board.

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RESOLUTION #138
ASSESSOR POSITION AD

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

5 Ayes Tyler, Paquette, Sherman, McCormick, Connell
0 Nays

RESOLVED to authorize the advertisement of the assessor position.

The plan will then be to have a two-person committee of Dan Connell and Tim Sherman to screen and interview the applications and applicants along with two members from the Town of Elizabethtown.

NEW BUSINESS

SECRETARY OF STATE – CERTIFICATE OF DESIGNATION OF NOTICE OF CLAIM

The Secretary of State may be served with notices of claim against public entities being July 15, 2013 and if served the Department of State will forward the notice of claim to the person designated by the public entity to receive the notice of claim. The Board sets the designation and it may be filed online.

RESOLUTION #139
DESIGNATION OF NOTICE OF CLAIM

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

5 Ayes Tyler, Paquette, Sherman, McCormick, Connell
0 Nays

RESOLVED to approve the following resolution:

WHEREAS General Municipal Law Sect.53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

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WHEREAS, General Municipal Law Sect.53 requires the certificate to include the applicable time limit for filing the notice of claim upon the town and the name, post office address and electronic mail address, if available, of an officer, person, or designee, nominee or other agent-in fact for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, Sect50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the designation of the Secretary of State as agent for service of notices of claim, and

It is further RESOLVED, that the Town Board of the Town of Westport, County of Essex designates the Town Clerk to receive notices of claims served upon the Secretary of State by mail at 22 Champlain Ave., PO Box 465, Westport, NY and email at townclerk@westportny.net.

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the Town's designation and applicable time limitation for filing a notice of claim with the Town on or before July 15, 2013.

INTERMUNICIPAL AGREEMENT – Supervisor Connell has drafted an intermunicipal agreement for the Town Board and the Westport Fire District to use as a guide at tomorrow nights meeting.

SIDEWALKS – The sidewalk situation near Tanneberger house was discussed and it was agreed to even out raised areas.

RESOLUTION #140
APPROVAL OF BILLS

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

5 Ayes Tyler, Paquette, Sherman, McCormick, Connell
0 Nays

RESOLVED to pay the bills on Abstract 7a for Vouchers 2013-393 through 2013-431 in the amount of \$25,055.47.

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DPW SUPERINTENDENT REPORT – DENNIS WESTOVER

Mr. Westover reported that the pipe-grouting project went very well. The people kept him well informed and explained everything that they were doing. They did run in to an unexpected problem in a joint repair at an expense of \$2,800.

There's been a problem with moisture and the control panels at the pump station that is being worked on.

The cold storage building has been repainted and we have our schedule for paving and putting up the salt shed.

Councilman Tyler asked Mr. Westover about the replacement of guardrails on Dudley Road. He will check with people at the State Highway.

The Cornell Roads Program has decided to drop the Annual Highway School and it has been suggested that if the Town wishes to have this program continue that they pass a resolution urging the Dean to maintain the school listing its benefits.

RESOLUTION #141
MAINTAIN ANNUAL HIGHWAY SCHOOL

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

5 Ayes Tyler, Paquette, Sherman, McCormick, Connell
0 Nays

RESOLVED to recommend to the Dean of the Cornell Roads Program to maintain the Annual Highway School Program and to notify her of its benefits to our Town.

RESOLUTION #142
NOTICE OF APPRECIATION

On a motion by Councilman McCormick with a unanimous second the Town Board wishes to extend its thanks to everyone involved with the planning and execution of the Independence Day festivities.

Councilman Sherman stated he has been approached about lowering the speed limit on Stevenson Road. This was addressed within the last four years and we were denied.

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Councilman Paquette brought up the water complaint on Sisco Street. It is still being looked into and the Supervisor is going to discuss it with the Soil & Water Conservation Department.

PUBLIC COMMENT

Chris Maron from Champlain Area Trails presented the Board with their latest brochure, which includes a map of their current hiking network system. Sheila asked about labeling on the map and on the road around the rattlesnake dens that there are actually rattlesnakes so people would be prepared for them.

Nancy Page asked what Willsboro was doing about an assessor.

RESOLUTION #143

ADJOURNMENT

On a motion by Councilman Paquette with a unanimous second the meeting was adjourned at 8:08 p.m.

Minutes respectfully submitted

Sheila A. Borden, Town Clerk