

Minutes of the Town of Westport Regular Board Meeting on October 11, 2016

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

The Assembly was led in the Pledge of Allegiance.

Members present on a roll call were:

Councilperson Page
Councilperson Paquette
Councilperson Morrison
Councilperson Viens
Supervisor Tyler

Others present:

Julie Schreiber, Town Clerk
Dennie Westover, DPW Superintendent
James Herrmann, Heidi Sweet, Richard Sherman

RESOLUTION #176 MINUTES SEPTEMBER 27, 2016

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

5 Ayes Page, Paquette, Viens, Morrison, Tyler
0 Nays

RESOLVED to accept the minutes of the September 27, 2016 Regular Board Meeting as received.

PUBLIC COMMENT – Richard Sherman asked what the town intends to do with the sidewalk. He stated that more letters of complaint should have been received and that he will continue to push the issue. Supervisor Tyler replied that he will take it into consideration if more complaints are received. He mentioned the possibility of painting the cement portion to match the bricks.

Heidi Sweet and Councilperson Page gave a brief report on the Harvest Festival. 250-300 people attended Friday and 1,000-2,000 attended on Saturday. Over 30 agricultural vendors were involved and there were many volunteers from the region. Heidi mentioned that advertising done by ROOST, local news channels, and newspapers helped bring the town's name into focus. A tentative date has been set for next year's celebration.

COMMITTEE REPORTS

Minutes of the Town of Westport Regular Board Meeting on October 11, 2016
Page 2

YOUTH COMMISSION – Councilperson Morrison expected to attend a Youth Commission board meeting last week, but no one else showed up. Supervisor Tyler emailed Ed Mason about the soccer tournament funds mentioned at the last meeting. The tournament is put on by separate group who cover expenses and keep any profit. The town will receive \$2,400 from the county for this year and last year’s Youth Commission budget.

TOWN HALL RENOVATION – There is a tentative meeting scheduled with Sunshine Jenkins on the 27th. The application for the Justice Court grant was submitted.

NEW BUSINESS

RESOLUTION #177
APPROVAL OF BILLS

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

5 Ayes Page, Paquette, Viens, Morrison, Tyler
0 Nays

RESOLVED to authorize the payment of bills on Abstract 10A in the amount of \$23,910.05 for Vouchers 2016-538 through 2016-566.

TAX CAP – Supervisor Tyler stated that he does not plan for next year’s budget to exceed the tax cap, but would like to have the necessary law in place as a precaution.

RESOLUTION #178
RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. 1 OF 2016
ENTITLED “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C”

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

4 Ayes Page, Viens, Morrison, Tyler
1 Nay Paquette

BE IT RESOLVED that the Town of Westport Town Board hereby introduces proposed Local Law No. 1 of 2016 entitled “A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c,” reading and provided as follows:

“TOWN OF WESTPORT LOCAL LAW NO. 1 OF 2016”

Minutes of the Town of Westport Regular Board Meeting on October 11, 2016
Page 3

A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c.

BE IT ENACTED, by the Town of Westport Town Board as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Westport pursuant to General Municipal Law §3-c, and to allow the Town of Westport to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent of the Town Board.

Section 3. Tax Levy Limit Override – Budget Authorization

The Town Board of the Town of Westport hereby overrides the tax levy limit for the Town of Westport for 2017 and authorizes the Town of Westport, after completing all required procedures for the adoption of a budget, to adopt a budget for 2017 that requires a tax levy that is greater than the tax levy limit calculated for 2017 pursuant to §3-c of the General Municipal Law.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

BE IT FURTHER RESOLVED that the Town Board of the Town of Westport shall hold and conduct a public hearing on the foregoing proposed local law on the 25th day of October, 2016, at 2:30 p.m. that day, to hear any and all persons concerning the same; and

Minutes of the Town of Westport Regular Board Meeting on October 11, 2016
Page 4

BE IT FURTHER RESOLVED that the Clerk of the Town of Westport will publish a notice of such hearing in the designated Town newspaper at least five days prior to said hearing.

TOWN COURT REPORT – The supervisor is in receipt of the Town Court’s September report.

TOWN CLERK’S REPORT – The supervisor is in receipt of the Town Clerk’s September report.

DPW SUPERINTENDENT REPORT – There was a sewer issue behind the shops on Main Street and Dennie called a previous supplier for manhole prices. The supplier has closed, buy have leftovers available for \$100 each. Dennie will pick up a few later this week. New tires need to be purchased before winter and Dennie estimates the cost to be around \$5,000.

RESOLUTION #179
TIRE PURCHASE

On a motion by Councilperson Vines, seconded by Councilperson Morrison, and approved on a roll call vote.

5 Ayes Page, Paquette, Viens, Morrison, Tyler
0 Nays

RESOLVED to authorize Dennie Westover to expend up to \$5,500 on truck tires.

RESOLUTION #180
LOADER SALE

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

5 Ayes Page, Paquette, Viens, Morrison, Tyler
0 Nays

RESOLVED to lower the loader’s starting bid to \$5,000 and extend the listing to November 7th.

MEETING RESCHEDULE – The regular board meeting originally scheduled for November 8th at 7 p.m. will be moved to November 7th at 7 p.m.

Minutes of the Town of Westport Regular Board Meeting on October 11, 2016
Page 5

RESOLUTION #181
BUDGET TRANSFERS

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

5 Ayes Page, Paquette, Viens, Morrison, Tyler
0 Nays

RESOLVED to authorize the following budget transfers:
\$1616.57 from 1990.4 Contingency to 71101.1 Parks PS and
1950.4 Judgements & Claims
\$2115.75 from 51301.3 Machinery PS to 51401.3 Misc. PS
\$1171.11 from 51304.3 Machinery CE to 51404.3 Brush & Weeds
\$109.79 from 1990.1.10 Contingency to 90608.10 Med Insurance
\$148.11 from 8340.4.13 Transmission to 8310.4.13 Admin

RESOLUTION #182
BUDGET AMENDMENT

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

5 Ayes Page, Paquette, Viens, Morrison, Tyler
0 Nays

RESOLVED to amend the General Fund budget for revenue received from Lee Park insurance claim in the amount of \$2975.12:
Amend 2680.1 Insurance Recoveries from \$100.00 to \$3075.12
Amend 71104.1.27 Lee Park Expenses from \$5000 to \$7975.12

SUPERVISOR'S COMMENTS – Supervisor Tyler attended yesterday's ceremony at the schoolhouse. He said that a lot of work was done on the building and that around 60 people attended the ceremony.
Dawn St. Louis submitted a memorandum concerning David Golebeck's water meter. After testing the meter, she determined that it was advancing too quickly, resulting in an inaccurate bill. The water charged was reduced from \$752.57 to \$27.69.
The Essex County Office for the Aging sent a flier for Medicare enrollment events that their office will be holding.

COUNCILPERSON COMMENTS – Councilperson Paquette would like the highway crew to remove brush that obscures multiple street signs.

Minutes of the Town of Westport Regular Board Meeting on October 11, 2016
Page 6

PUBLIC COMMENT – Heidi Sweet thanked the DPW for work done on Barksdale Road.

RESOLUTION #183
ADJOURNMENT

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

5 Ayes Page, Paquette, Viens, Morrison, Tyler
0 Nays

RESOLVED to adjourn the meeting at 7:44 p.m.

Minutes respectfully submitted,

Julie Schreiber, Town Clerk