

A Work Session of the Town Board of the Town of Williamson, County of Wayne and State of New York was held in the Town Complex Court Room located at 6380 Route 21, Suite II, at 7:00 PM on Tuesday, February 9, 2010. The following were

PRESENT: Deputy Supervisor Anthony Verno
Councilman Gary Orbaker
Councilman Michael Bixby
Councilman Thomas D. Watson

ABSENT: Supervisor James D. Hoffman [NYSAC in Albany]

The Board reviewed bills for payment.

The Regular Meeting of the Town Board of the Town of Williamson was held in the Town Complex Court Room located at 6380 Route 21, Suite II following the Worksession and was called to order at 7:30 PM on Tuesday, February 9, 2010 by Deputy Supervisor Verno with the Pledge of Allegiance. The following were

PRESENT: Deputy Supervisor Anthony Verno
Councilman Gary Orbaker
Councilman Michael Bixby
Councilman Thomas D. Watson

ABSENT: Supervisor James D. Hoffman

Marilyn Bixby, Maygen Hanson, Mary Skerrett, Nicole Mosley, Melissa Cervantes, Jammal Holt, Adam DeMay, Jacqueline Walker, Daniel Knopp, Favi Aguilera, Colleen Ginther, Jared Kinley, Chelsea VanAcker, Ryan Thayer, Mike Decker, Tyler Musclow, Ti Jock, Brandan Gordon, Katie Swingly, Ed Swingly, Christine Timmelli, Emma Clark, Boby Wendler, Mark Kuter, Allie Volpe, Andrew Gardinier, Josh Smith, Aaron VanNostrand, John R. Johnson, Chris D'Augustino, Jasen Reid, Rowan Ketchun, Greg Akins, Rachel Flynn, Kyle Dobie, Michael Gnage, Mike Nillois, Cody Ostronder, Mike Honsoryes, Eirc Hepler, Kyle Youngs, Samantha McIntosh, Wilma Young; Sun & Record, and the undersigned Town Clerk were also present.

A notice having been published for a Public Hearing regarding proposed Local Law #1-2010, Amendment to Chapter 173-49B Payment; penalties for nonpayment and Local Law #2-2010, Amendment to Chapter 140-31D Sewer Rents, Determination of Rent. Deputy Supervisor Verno declared the Hearing open at 7:31 PM. The Deputy Supervisor Verno reviewed the changes in the existing law. Questions and comments were heard from: Jackie Walker. After hearing from everyone who wished to comment or ask questions, the Public Hearing was closed at 7:35 PM on motion by Deputy Supervisor Verno, seconded by Councilman Bixby. The motion was carried

There were no letters or other forms of communications to be filed.

Public Comment: Edward Swingly questioned the heat loss from the Library roof. Councilman Bixby gave an up date as to how the problem was being handled.

Deputy Supervisor Verno made a motion, seconded by Councilman Bixby, to accept the Consent Agenda containing the following items:

- a. previous minutes: January 26, 2010
- b. presentation of the Town Clerk's report
- c. departmental monthly reports
- d. presentation of the annual report from the Library
- e. pay the Library bills as audited by the Library Board of Trustees:
vouchers: 187 - 202 total \$6,143.98
- f. accept the following encumbrances:

From	Amount	To
<u>General Fund</u>		
A1010.400 Town Board Cont.	.28	A1010.100 Town Board PS
A1110.200 Justices Cont.	35.71	A1110.110 Justices Clerk PS

A1990.900 Contingency	.10	A1220.100 Supvr PS
	.08	A1220.110 Supvr Acct Clerk PS

	.08	A1220.120 Supervisor Sec. PS
	98.99	A1220.400 Supervisor Cont.
A1620.400 Buildings Cont.	15,800.00	A1320.400 Independent Auditing
A1355.200 Assessor Equip.	.08	A1355.110 Assessor Sec. PS
A1410.120 Town Clerk PS PT	.12	A1410.100 Town Clerk PS
A1620.400 Buildings Cot	61.77	A1620.100 Buildings PS
A3510.400 Animal Control Cont	.10	A3510.100 Animal Control PS
A5010.400 Super of Highway Cont.	.02	A5010.100 Super of Highway PS
A1990.900 Contingency	48.74	A8010.100 Zoning PS
	1.30	A8010.110 Zoning Clerk PS
	45.34	A8010.400 Zoning Cont.
<i>Highway Fund</i>		
DA5130.400 Machinery	641.89	DA5130.200 Machinery Equip.
DA5140.100 Misc PS	123.52	DA5140.400 Misc. Cont.
<i>Water Fund</i>		
F8330.440 Purification Rpr/Mnt Equip	352.00	F8330.410 Purification Lab Svcs
	2,035.66	F8330.412 Purification Other Chem
F8340.200 Trans/Dist Equip	27,207.82	F8340.100 Trans/Dist PS
	64.22	F8340.416 Trans/Dist Water Main Rpr
	3,072.15	F8340.440 Trans/Dist Veh Mnt
F1990.400 Contingency	1,857.34	F9030.800 Social Security
	434.29	F9032.800 Medicare
<i>Sewer Fund</i>		
SS8110.200 Administration Equip	30.00	SS8110.400 Administration Cont.
SS8120.200 Sewer Lines Equip	2,831.78	SS8120.440 Sewer Lines Veh Mnt
SS8130.100 STP	651.14	SS8130.410 STP Lab
	22.13	SS8130.424 STP Other Utilities
<i>Drainage Fund</i>		
SD8540.400 Contractual	1,695.77	SD8540.100 Personal Svcs
	105.14	SD9030.800 Social Security
	24.59	SD9032.800 Medicare

The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Watson, to authorize the Town Supervisor to send a letter of agreement to WFL BOCES to allow students to do volunteer work on our public sidewalks in the downtown area and at the Town Complex. These volunteer activities will include snow shoveling, spring clean-up and other pre-approved activities. The motion was carried.

Councilman Bixby attended the Senior Citizens luncheon – billing procedures for ambulance usage was discussed.

Councilman Watson attended the Williamson School Board Meeting – Students should be proud on the high rating it got in the overall county. Town of Williamson received a Grant called “Sustainable Green Community Planning Grant” and encouraged the community to participate. Councilman Watson reminded everyone of the Public Hearing being held at the next Town Board Meeting on Tuesday, February 23, 2010 at 7:30 PM and encourage everyone to attend.

Councilman Watson made a motion, seconded by Councilman Orbaker, to authorize the Planning and Zoning Board members to attend the Spring 2010 Land Use Decision-Making Training Program to be held in March and April, 2010. The workshops will be held in Rochester, New York at the Monroe County Department of Planning and Development. The cost for each workshop will be \$25.00. The motion was carried.

Bids having been opened at 2:00 P.M. on Thursday January 28th, 2010 for a new ambulance (Type III Emergency Vehicle) as follows:

	New	Demo
Specialty Vehicle Sales Mark Szczepanik 2228 Hunters Hollow Lane Lakeview, NY 14085	\$152,568.00	\$129,900.00
North Eastern Rescue Vehicles 17 Belvoir Road Williamsville, New York 14221	\$141,000.00	\$129,000.00

Councilman Orbaker presented the following Resolution and moved its adoption. It was seconded by Councilman Bixby.

WHEREAS: Bids were received and opened on Thursday, January 28th, 2010 at 2:00 PM for a new ambulance, and

WHEREAS: The bids were examined to determine that they meet all of the specifications of the bid requirements and are in the best interest of the Town, and

WHEREAS: The bid from North Eastern Rescue Vehicles did not meet all of the specifications that are required and have additional costs that are not listed within the bid amount, and

NOW THEREFORE BE IT RESOLVED: That the bid be awarded to Specialty Vehicle Sales being the bidder that meets all of the required specifications and therefore is in the best interest of the Town in the amount of \$152,568.00.

Roll call vote on the Resolution was as follows:

AYES: Deputy Supervisor Verno
Councilman Orbaker
Councilman Bixby
Councilman Watson

NAYES: None

The Resolution was declared adopted.

Note: Funds will be coming out of the Ambulance Reserve Fund and there is a 10yr full coverage warranty on the unit.

Councilman Bixby thanked the ambulance committee for their time and effort spent on putting the specs together.

Deputy Supervisor Verno made a motion, seconded by Councilman Bixby, to authorize three Water Department employees to attend a training course on Basic Laboratory Skills. The course will be held on June 7, 2010 from 8 AM until 4:30 PM at the Monroe County Water Authority. The registration fee for this course will be \$125.00 per person. The motion was carried.

FYI - This course goes towards certification.

Deputy Supervisor Verno made a motion, seconded by Councilman Bixby, to adopt the proposed Local Law #1, 2010 – amend Local Laws §173-49B Payment; penalties for nonpayment. The motion was carried.

LOCAL LAW #2010-1

Amendment to Local Law #§173-49

“ WATER – Article XIII Bills and Charges ”

#§173-49 Payment; penalties for nonpayment

A. Meters will be read and bills rendered quarterly. The quarter days being approximately, the first day of January, April, July and October. All bills are payable at the office of the Town Clerk or authorized agent and checks must be made payable to the Water Utilities Department.

B. *Water bills shall be due and payable upon presentation; and, if not paid within 30 days from the date of billing, a penalty of 10% shall be added. Any unpaid water bill on November 1 of any year shall be added to the town taxes and levied each year and collected and enforced in the same manner and at the same time as provided by law for the collection and enforcement of town taxes.*

Deputy Supervisor Verno made a motion, seconded by Councilman Orbaker, to adopt the proposed Local Law #2, 2010 – amend Amendment to Local Law §140-31D Sewer Rents, Determination of Rent. The motion was carried.

LOCAL LAW #2010-2

Amendment to Local Law #§140-31

“ SEWER – Article XI Sewer Rents ”

§ 140-31. Determination of rent.

A. Pursuant to the authority of the Sewer Rent Law, being Article 14-F (§ 450 et seq.) of the General Municipal Law of the State of New York, and any and all amendments thereto, there is hereby established and imposed an annual sewer rent on all users to be determined by multiplying the unit charge times the number of units assigned to each user based upon the schedule to units of use in Subsection F of this section. The number of units assigned to multiuse property shall be established by totaling the units for all uses.

B. The term "sewer rents" shall mean a scale of annual charges established and imposed by resolution of the Town Board for the use of the sewer system. Said rent may include amortization of capital costs, as well as operational and maintenance costs. The unit charge will be established annually by the Town Board. Sewer rentals established herein shall accrue as of the date the wastewater facilities become certified for operation, and the property owners whose property is connected to the sewer under this Part 2 shall be billed from the date of said connection. The Town

Board shall annually determine the total number of equivalent units prior to May 1. Where no data is available, the Town Board will make an estimate of the equivalent units per establishment. The determination shall be the basis for computing charges for the subsequent calendar year. Each property owner will receive written notice of any change from the previous year of the number of equivalent units by August 15 of the preceding year; whereafter, he can appeal that determination with the Town Board by September 15. By no later than November 10 of that year, the Town Board shall adopt its final list of equivalent units and sent out annual sewer rental charges accordingly. Owners of new structures or development(s) that connect to the sewer system for only a portion of the period of time as determined by the Town Board shall pay a pro rata sewer rental for that portion of time actually connected during the period. [Amended 5-10-1983 by L.L. No. 1-1983]

C. The principal basis for establishment of sewer use rental charges shall be known as a "unit". A "unit" is equated to any single-family residence connected to the sewer system. The yearly rental charge will be expressed in terms of "units," unless otherwise described. In the event that any property is determined to be subject to more than one classification under the "Sewer Unit Charge Schedule" established by this Part 2, that classification shall apply which produced the greater number of "units." If any property is divisible into two or more classifications, the "units" assignable to each shall be determined, and the total thereof shall be assigned to the account.

D. *Sewer rents shall become due and payable the first day of January, April, July and October of each year in any amount equal to 1/4 of such annual sewer rent. Sewer rental billings shall be due and payable upon presentation and, if not paid within 30 days from the date of billing, a penalty of 10% shall be added. Any unpaid sewer rental on November 1 of any year shall be added to the town taxes and levied each year and collected and enforced in the same manner and at the same time as provided by law for the collection and payment of town taxes. [Amended 5-10-1983 by L.L. No. 1-1893]*

E. Revenues derived from sewer rents shall be credited to a specific fund to be known as the "Sewer Rent Fund of Sewer District No. 1." Moneys in such fund shall be used only in the manner and for the purpose specified by the Sewer Rent Law of the State of New York.

F. Sewer unit charge schedule. The number of units for multipurpose properties shall be the total units figured under the various following categories, i.e., combine residential and commercial use. Said units are described as follows:

(1) Each one-family residence, occupied or unoccupied, will equal one unit. A residence shall include all types of living accommodations, including but not limited to studio apartments, mobile homes, and whether in a single structure or part of a single structure. A two-family house shall be two units, etc.

(2) Each other type of residential property, including but not limited to hotels, motels, nursing homes, resorts and rooming houses, where each accommodation does not have separate kitchen and toilet facilities, shall be designated as a minimum of one unit. If the property accommodates more than seven individuals, the property shall have assigned to it one additional unit for each additional seven accommodations or part thereof.

(3) Each church, library, fire company, municipal building, organizational headquarters, museum and funeral parlor shall be designated as one unit; playgrounds and theaters shall be designated as one unit for each public facility.

(4) Each commercial, industrial or warehouse property, including but not limited to retail stores and office buildings, shall be designated as a minimum of one unit. If a structure houses more than one business, each business shall be considered a minimum of one unit. Any business which employs more than seven individuals based on the annual average daily employment shall be assigned one additional unit for each additional seven persons or major fraction thereof. The owner or manager of said business shall certify to the Town Clerk by September 1 of each year the average daily employment for the preceding 12 months.

(5) Every school, including but not limited to nursery schools, day-care centers, public and parochial schools, shall be assigned one unit for each 16 enrollees and staff or major fraction thereof. The school Superintendent or Director shall certify to the Town Board, prior to May 1 of each year, the average school population for the preceding academic year. A child attending school four hours or less per day shall be considered 1/2 an enrollee for computation purposes. [Amended 5-10-1983 by L.L. No. 1-1983]

(6) The following types of businesses are each assigned a minimum of one unit, and any such business which consumes more than 60,000 gallons of water annually will be assigned an additional 0.1 of a unit for each 6,000 additional gallons of water or major fraction thereof consumed annually:

- (a) Laundromat, both washroom and washer wastewater;
- (b) Dining establishment;
- (c) Beauty parlors;
- (d) Car wash units;
- (e) Bus or truck garages;
- (f) Auto dealer; vehicle service stations and repair shops;
- (g) Labor camps occupied 6 months or less. (A labor camp has dormitory-type sleeping accommodations).

Public Comment: Ms Walker thanked Councilman Bixby and Councilman Watson on their reports. She also expressed her appreciation on how Tom DeMarree, Planning Board Chairman ran the Planning Board Mtg. she attended.

Deputy Supervisor Verno made a motion, seconded by Councilman Bixby, to pay the following bills as audited:

	<u>VOUCHER #</u>	<u>AMOUNT</u>
GENERAL FUND	128, 130 - 147	\$ 11,960.15
YOUTH	148	
HIGHWAY	149 - 165	\$ 11,109.43
WATER	129, 166 - 179	\$ 9,935.50
SEWER	180 - 184	\$ 4,169.44
BID	185	\$ 43.20
<u>CAPITAL H-16</u>	<u>186</u>	<u>\$ 2,407.23</u>
GRAND TOTAL		\$ 39,624.95

The motion was carried.

Deputy Supervisor Verno made a motion, seconded by Councilman Orbaker, to adjourn the meeting at 7:53 PM. The motion was carried.

Respectfully Submitted,

Marlene A Gulick
Town Clerk