

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 Conference Room located at 6380 Route 21, Suite II, at 7:00 PM on Tuesday, February 24, 2009. The following were

PRESENT: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman G. Elliott Warren
Councilman Michael Bixby

ABSENT: Councilman Anthony Verno

The Board reviewed bills for payment.

The Regular Meeting of the Town Board of the Town of Williamson was held in the Town Complex Conference Room located at 6380 Route 21, Suite II following the Worksession and was called to order at 7:30 PM on Tuesday, February 24, 2009 by Deputy Supervisor Verno with the Pledge of Allegiance. The following were

PRESENT: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman G. Elliott Warren
Councilman Michael Bixby

ABSENT: Councilman Anthony Verno

Todd Brennessel, Tom DeMarree, Nicholas Boldt, Sam Kahl, Macallister Boldt, William Foccy, Pete Boldt, Joanne Greaney, Lenore Youngman, Barndon Lucieer, Tanya Lucieer, Zach Reid, Adrian Reid, Samantha Klein, Joe Moll, Sean Manna, Rebeccah Klejment, Abe Peters, Joe Jarrow, Carlee Hotchkiss, Tayler Greiblnas, Kelly Marchionda, Jererwah Wackermen, Lukas Allen, Jayelle White, Kera Smith, Molly St. Cyr, Melissa Turner, Jason Buckler, Noah Brugge, Wilma Young; Sun & Record, and the undersigned Town Clerk were also present.

Public Comment: No one wished to comment.

Supervisor Hoffman made a motion, seconded by Councilman Warren, to accept and/or file the letters and other forms of communication.

Letter from State of NY DOT

The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Warren, to accept the Consent Agenda containing the following items:

- a. previous minutes: February 10, 2009
- b. presentation of the Tax Receiver's report
- c. pay the Library bills as audited by the Library Board of Trustees:
vouchers 294 - 306, total \$ 8,211.20

The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Bixby, to employ the professional services of Bergmann Associates for engineering of sidewalks within the Business Improvement District. The cost of these services are not to exceed \$8,400.00. The motion was carried.

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

WHEREAS: The Ridge Road Sidewalk Replacement in the Hamlet of Williamson Economic Recovery Project (hereinafter the "the Project") in the Town of Williamson, in Wayne County (hereinafter "the Municipality/Sponsor") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal Funds and 0% non federal funds,

NOW THEREFORE BE IT RESOLVED: The Town of Williamson Town Board duly convened does hereby:

RESOLVE: That the Town of Williamson Town Board hereby approves the above project, and

BE IT FURTHER RESOLVED: That the Town of Williamson agrees to advance the Project through the Town of Williamson's resources and agrees that the Town of Williamson Town Board hereby authorizes the Town of Williamson to pay in the first instance the full federal costs and full non-federal costs of any and all phases of or portions thereof and hereby appropriates the funds necessary to complete the Project including all phases or portions thereof, and

BE IT FURTHER RESOLVED: That the Town of Williamson Town Board makes a 100% commitment of the non-federal share of the costs of all phases of work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (hereinafter "NYSDOT") pursuant to the State/Local Agreement and

BE IT FURTHER RESOLVED: That upon completion of construction of the Project, or a fully usable portion thereof, the Williamson Business Improvement District agrees to maintain the Project, or fully usable portion thereof, at their sole cost and expense, and

BE IT FURTHER RESOLVED: That in the event the full federal and nonfederal share of the Project exceeds the amount appropriated above, the Town of Williamson Town Board shall convene as soon as possible to appropriate said excess amount immediately, and

BE IT FURTHER RESOLVED: That Town Supervisor of the Town of Williamson is hereby authorized to execute all necessary Agreements or certifications on behalf of the Town of Williamson (subject to the Town of Williamson Town Attorney's approval as to form and content), with NYSDOT in connection with the advancement of the Project and the Town of Williamson's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and

BE IT FURTHER RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER RESOLVED: That this resolution shall take effect immediately.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Warren
Councilman Orbaker
Councilman Bixby

NAYES: None

The Resolution was declared adopted.

Councilman Warren made a motion, seconded by Councilman Orbaker, to authorize the Town Supervisor to sign a maintenance/testing agreement with Simplex Grinnell for the Fire Alarm and Sprinkler equipment at the Town Complex. The cost for these services will be \$1,560.00 per year. The motion was carried.

FYI – The cost this year is less than what we were paying.

Councilman Bixby made a motion, seconded by Councilman Orbaker, to authorize the Clerk to the Supervisor and the Account Clerk to attend a Grantmanship Training Program in Binghamton, New York, March 2 through March 6. The cost for the training totals \$1,740.00 with all other necessary and actual expenses a Town charge. The motion was carried.

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

WHEREAS: Part NN, Sections 26 through 28 of S.56/A.156 (Public Protection General Government Article VII) of the proposed Governors budget will allow a town board to convert the positions of Town Clerk, Town Highway Superintendent, and Town Receiver of Taxes and Assessments from elected positions to appointed positions,

WHEREAS: The proposed language directly conflicts and overrides Municipal Home Rule Law §10 which, already provides a mechanism for a town to adopt a local law changing the office of the above mentioned positions from an elected to an appointed position by way of a Public hearing before adoption, and

WHEREAS: The taxpayers currently have the right to voice their comments and concerns regarding the change from voted positions to appointed positions by way of a public hearing, the proposed Sections 26 through 28 would eliminate that opportunity and create a greater burden on the taxpayers by way of permissive referendum, which would require producing signed petitions to voice their opposition to such action, and

WHEREAS: The Town Board currently sets the salary for the mentioned positions, so enacting the proposed law would not prove to provide any financial savings for the Town,

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Williamson opposes the proposed Part NN, Sections 26 through 28 of S.56/A.156 (Public Protection General Government Article VII) of the Governor's budget, and

BE IT FURTHER RESOLVED: That the Town Board authorizes the Town Clerk to forward a certified copy of this resolution to the Governor's office and State Officials.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Warren
Councilman Orbaker
Councilman Bixby

NAYES: None

The Resolution was declared adopted.

Councilman Bixby made a motion, seconded by Councilman Warren, to authorize the Town Clerk to advertise for a public hearing to amend Chapter 178, Zoning -Article 7, "Supplementary Regulations Governing Certain Uses", Section 175-25 "Miscellaneous uses; signs", Paragraph D (2)(c). The Public Hearing will be held on March 24, 2009 at 7:30 PM as part of the regular Town Board meeting. The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Orbaker, to authorize the Town Supervisor to sign an agreement with Northeast Testing for drug and alcohol testing as required by law. The costs of these services are as per agreement. The motion was carried.

FYI – The prices have gone up but are still cheaper than the company we previously had.

Public Comment: No one wished to comment.

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

<u>Account:</u>	<u>Voucher No.:</u>	<u>Totals:</u>
General Fund	228 – 249	\$ 27,198.67
Youth	250 – 255	
Highway Fund	256 – 272	\$ 23,359.85
Water Fund	273 – 283	\$ 47,167.48
Sewer Fund	284 – 291	\$ 7,626.80
Lighting Dist	293	\$ 3,382.94
<u>Bus. Improv. Dist.</u>	<u>292</u>	<u>\$ 1,328.06</u>
Total:		\$110,063.80

The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Bixby, to adjourn the meeting at 7:50 PM. The motion was carried.

Respectfully Submitted,

Marlene A. Gulick
Town Clerk