

**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 28, 2012. The following were**

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

ABSENT: None

**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 28, 2012 by Supervisor Hoffman with the Pledge of Allegiance. The following were**

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

ABSENT: None

Calvin Hood; Water Treatment Plant Chief Operator, Lionel Clark, Justin Jones, Ben Amelee, Devan C., Sarah Anne, Shaun Garofoli, Sosja Neys, Kimmy Marchionda, Alex Kopicki, Jonathan Beiswanger, Sam Niniowsky, Ashley Volpe, Dylan Whitcomb, Damien, Caleb Peters, Jordan Daniels, Tiffany Bloss, Brad Blauvelt, Megan Mascle, Tyler Woodhams, John Hosier, Erik Rangel, Niki Davey, Trevor Thayer, Megan Defisher, Mercedes Secor, Corrin Bogart, Laura Allard, Rick Yackel, Shelby Fisher, Morgan, Joey, Rory, George Ehresman, John Ferrante, Todd Brennessel, Mike Orr, Perry Howland, Wilma Young; Sun & Record, and the undersigned Deputy Town Clerk were also present.

Public Comment: No one wished to comment.

George Ehresman, from the Charrette Committee, gave the Board an update on the Mural project uptown. He explained that the Mural would be put on the side of the Historic Fire Hall, which is owned by John Palmer, and is on Ridge Road right in Town. He also explained that the Mural would be painted on boards, and the boards put on the side of the old Fire Hall, it would not be painted directly on the building itself. That way it could be moved to another location in the future. The Charrette Committee has partnered with the Chamber of Commerce to help with funding. They are also partnered with the Historical Society, who will be doing fund raising at the Pultneyville Homecoming, the Williamson and Pultneyville Fire Companies, who will be doing door to door fund raising, and the Business Improvement District is also supporting the Charrette with this Mural project.

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

Letter from NYS DOT

The motion was carried.

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

- a. previous minutes: February 14, 2012
- b. pay the Library bills as audited by the Library Board of Trustees:  
vouchers 362 – 377 total \$6,807.92

The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Vernoto authorize the Town Supervisor to sign NYSERDA Amendment No. 3 to Agreement No. 19539. The amendment is for the following:

1. Exhibit A, "Statement of Work" delete in its entirety and Substitute the revised "Statement of Work",
2. Agreement, Page 1, Item NO. 8 Total Amount of Award delete \$287,261.00 and substitute the amount \$267,926.86. This is a reduction of \$19,334.14.

The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Verno to renew the Simplex Grinnell service agreement for the Town Complex. The cost for this agreement will be \$1,697.00 for one year from May 1, 2012 to April 30, 2013. The motion was carried.

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

WHEREAS, the New York State Deferred Compensation Board (the "*Board*"), pursuant to Section 5 of the New York State Finance Law ("*Section 5*") and the Regulations of the New York State Deferred Compensation Board (the "*Regulations*"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of [Name of Local Employer] (the "*Model Plan*") and offers the Model Plan for adoption by local employers;

WHEREAS, the Town of Williamson, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the Town of Williamson;

WHEREAS, effective August 26, 2011 the Board amended the Model Plan to adopt provisions

- Reorganizing and updating sections to improve the overall readability and eliminate unnecessary numerical references (annual limits) from the Model Plan document.
- Including employer elections within the plan document including: suspension of deferrals following an unforeseeable emergency withdrawal, automatic distributions from small and inactive accounts, loan design parameters and Roth deferrals and in-plan conversions are permissive. The Model Plan document includes a Schedule A where the employer may indicate the election of one or more of these provisions.
- Clarifying the first date a participant may make deferrals in compliance with Code Section 457(b) and timing requirements for any subsequent changes to deferral rates or allocations between pre-tax and after-tax deferrals.
- Clarifying compensation available for deferral for purposes of calculating contributions and recognizes that employers use various methods in determining the order of deductions taken before a deferral percentage is applied.
- Including provisions related to HEART Act of 2008 regarding treatment of differential pay and qualifying distributions for active military service in compliance

with the HEART Act, including suspension of deferrals for six months following distribution.

- Making technical recognition of the waiver of RMDs for 2009.
- Clarifying that a beneficiary form must be received in good order to be considered valid.
- Clarifying that the Model Plan will only accept rollovers from Eligible Retirement Plans comprised of pre-tax amounts and amounts may be rolled in by participants, beneficiaries (other than inherited accounts) and alternate payees. Model Plans may roll account balances out to Eligible Retirement Plans that include post-tax amounts if the receiving plan separately accounts for them.
- Clarifying that a beneficiary of a deceased participant may roll a distribution directly to a Roth IRA, in addition to plan participants.
- Including language allowing for future delivery of participant communications through electronic means, where appropriate.
- Codifying that periodic and lump sum payments must be a minimum of \$100 per payment, unless the Committee selects a different minimum, and sets a maximum annual number of partial distributions.
- Clarifying that the \$50,000 loan limit includes the highest loan value in the last twelve months from the Model Plan and other employer plans. Regarding participants who have defaulted on a Plan loan, subsequent loans would not be allowed until defaulted loan is repaid. Removes requirement that a participant must wait until the term of the original loan expires before applying for a new loan, assuming the defaulted loan is repaid.
- Providing guidance on the handling of the receipt of special proceeds such as SEC settlements payable to former participants.
- Allowing a surviving spouse beneficiary to name a beneficiary on their account.
- Including the 5 year option for non-spousal beneficiaries to receive distributions and makes distribution rules consistent for pre- and post-age 70½ deaths.
- Allowing earlier distributions due to severance of employment as long as a balance of \$500 remains in the account for 45 days after a severance from employment.
- Providing that outstanding loans from another New York state 457(b) plan may be allowed to be transferred or rolled in with a full account transfer.
- Removing the Power of Attorney Language since the acceptance of a power of attorney is governed by State law and not required in the Model Plan document.
- Clarifying the requirement that Committee actions must be taken at a public meeting in accordance with Article 7 of the Public Officers Law.
- Limiting indemnification to Committee Members only.

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, the Town of Williamson has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the Town of Williamson by adopting the amended Model Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Williamson hereby amends the Deferred Compensation Plan for Employees of the Town of Williamson by adopting the amended Model Plan effective August 26, 2011, including the optional provisions in Schedule A, in the form attached hereto as Exhibit A.

Roll call vote on the Resolution was as follows:

AYES: Councilman Orbaker  
Councilman Watson  
Councilman Verno  
Councilman Bixby  
Supervisor Hoffman

NAYES: None

The Resolution was declared adopted

Councilman Verno made a motion, seconded by Councilman Bixby to authorize Jeff Blied and Ted Kerschner, Water Department employees, to attend the AWWA annual meeting April 17 to 19, 2012 in Saratoga Springs, New York. The registration fee is \$300.00 per person. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Orbaker to authorize Jeff Blied and Wade Lessord to attend the NYRWA Distribution Training at the Holiday Inn in Oneonta, New York on March 21, 2012. The registration fee is \$31.00 per person with all other actual and necessary expenses a town charge. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Bixby to authorize Ted Kerschner and Ron Keisenger to attend the NYRWA Distribution Training at the Genesee River Rest. In Mt. Morris, New York on April 15, 2012. The registration fee is \$27.00 per person with all other actual and necessary expenses a town charge. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Bixby to authorize the Town Supervisor to sign a maintenance agreement with Lang Heating/Cooling for the boilers at the Water Treatment Plant. The cost for this service is \$273.00 beginning 3/1/2012 and will expire on 3/1/2013. The motion was carried.

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

WHEREAS: a new pick-up is needed for the Wastewater Dept. and can be purchased under State-bid,

NOW, THEREFORE, BE IT RESOLVED: that the Wastewater Dept. Operator has authorization to purchase a new Ford F-150 at a cost not to exceed \$19,183.79, and

BE IT FURTHER RESOLVED: that the funds will come out of line item SS8120.200 Collecting/System Lines Equipment.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman  
Councilman Bixby  
Councilman Verno  
Councilman Watson  
Councilman Orbaker

NAYES: None

The Resolution was declared adopted

Bids having been opened at 11:00 a.m. on Friday, February 24, 2012 for the replacement of 30 KW Generators, fuel tank and emergency transfer switches for 2 sewage lift stations at the Wastewater Treatment Plant were as follows:

NYS Site Power	\$58,487.00
3700 Main Street	
Walworth, NY 14568	
Power Generation & Industrial Engines	\$41,594.20
8927 Tyler Road	
Bridgeport, NY 13030	

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

WHEREAS: bids were received, opened and read on February 24, 2012 at 11:00 a.m. for the replacement of 30 KW Generators, fuel tank and emergency transfer switches for 2 sewage lift stations at the Wastewater Treatment Plant, and

WHEREAS: the bids were reviewed by the Wastewater Treatment Plant Operator to determine that they meet all of the bid specification requirements, and are in the best interest of the Town, and

NOW THEREFORE BE IT RESOLVED: that the bid be awarded to Power Generation & Industrial Engines, as being the lowest bid, and it meets all of the specifications required and therefore would be in the best interest of the town in the amount of \$41,594.20.

Roll call vote on the Resolution was as follows:

AYES: Councilman Verno  
Councilman Orbaker  
Councilman Watson  
Supervisor Hoffman  
Councilman Bixby

NAYES: None

The Resolution was declared adopted

Councilman Verno made a motion, seconded by Councilman Orbaker to declare (4) 31x13.5x15 inch green saver tubeless tires on rims and an MT Model M14 286 batwing mower deck for a trackless mower as surplus. These may be inspected by contacting the Superintendent of Highways, 589-2874, at the Highway Barn. The Town Clerk is authorized to advertise in the appropriate papers the week of March 4, 2012 for bids for the above mentioned items. Bids will be accepted until March 21, 2012 at 4:00 p.m. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Orbaker to authorize the Town Supervisor to sign addendum No.2 to the agreement for the sale and purchase of water between the Towns of Sodus, Williamson; Villages of Sodus, Sodus Point and the Wayne County Water and Sewer Authority. The agreement shall be in effect from February 1, 2012 to January 31, 2013.

The motion was carried.

Public Comment: No one wished to comment.

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

<b>ABSTRACT # 3</b>	<b>2012</b>	
	<u>VOUCHER #</u>	<u>AMOUNT</u>
GENERAL FUND	285 - 310	\$ 188,485.62
YOUTH	311 - 317	
HIGHWAY	318 - 330	\$ 27,578.89
WATER	331 - 346	\$ 26,577.28
SEWER	347 - 359	\$ 19,722.96
LIGHTING	360	\$ 3,679.64
<u>DRAINAGE</u>	<u>361</u>	<u>\$ 1,340.00</u>
<b>GRAND TOTAL:</b>		<b>\$ 267,384.39</b>

The motion was carried

Supervisor Hoffman made a motion, seconded by Councilman Orbaker, to adjourn the meeting at 7:54 PM. The motion was carried.

Respectfully  
Submitted,

Paula Dolan  
Deputy Town Clerk