

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 June 14, 2011. The following were

PRESENT: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Michael Bixby
Councilman Anthony Verno
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, June 14, 2011 by Supervisor Hoffman with the Pledge of Allegiance. The following were

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

ABSENT: None

A notice having been published for a Public Hearing regarding Local Law #2011-2 Chapter 156 –6, “Tax Exemption - Owners of Property - Housing Physically Disabled Persons”. Supervisor Hoffman read the rules of a Public Hearing. After reading and explaining the intent of the proposed Local Law, he then declared the Hearing open at 7:32 PM. Questions and comments were heard from John Manahan. After hearing from everyone who wished to comment or ask question, the Public Hearing was closed at 7:34 PM with a motion made by Councilman Verno, seconded by Councilman Orbaker. The motion was carried

Scott Flora; Deputy Highway Superintendent, John Manahan; Wastewater Treatment Plant Chief Operator, Calvin Hood; Water Treatment Plant Chief Operator, Zack Gutberlet, Attorney John Grow, Vince Poray, Dave Matthews, Elaine Hyde, Ray Walvoord, Todd Brennessel, Phil Dean, Lenore Youngman, Monica Deyo; Times of Wayne Co., Wilma Young; Sun & Record, and the undersigned Town Clerk were also present.

Public Comment: No one wished to comment.

Attorney John Grow gave some history of Holland’s Cove and explained it is now owned and managed by RJH Rental Properties. David Matthews, PE; with Shelly Assoc. engineered the proposed waterline project and submitted stamped plans to the Town Clerk. Attorney Grow explained all the expenses to install the project and secures the easements for the new water line will be the responsibility of RJH Rental Properties. The proposal has been submitted and Attorney Grow is seeking acceptance from the Town. They are looking to start the project in September 2011 and according to the NYS Dept. of Health it must be completed by April 1st, 2012. The Town Clerk recommended that the agreement include the language to include Town Code Water Law in the agreement. All agreed.

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

Letter from WCIDA

The motion was carried.

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

- a. previous minutes: May 24, 2011
- b. Town Clerk's report and Tax Receiver's reports
- c. accept the Supervisor's report for May
- d. accept the monthly departmental reports
- e. pay the Library bills as audited by the Library Board of Trustees:
vouchers 1017 - 1033 total \$4,234.11

f. approve the following budgetary transfers

<u>From</u>	<u>Amount</u>	<u>To</u>
<i>General Fund</i>		
A1110.400 Justice Cont.	\$ 79.99	A1110.444 Justice Sec. Grant
A1620.400 Buildings Cont	\$ 54.78	A1620.410 Buildings Photovoltaic Grant
A1010.400 Town Board Cont	\$337.21	A7550.400 Celebrations - Cont
A8010.400 1990.900 Contingency	\$11.62	A8010.400 Zoning Cont.

The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Verno, to authorize the Town Assessor to attend the WNY-IAAO Annual Meeting to be held on Friday, June 24, 2011 at the Clarion Hotel in Batavia, New York. The fee for the meeting will be \$35.00 with all other necessary and actual expenses as a Town charge. The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Verno, that pursuant to the provisions of Section 284 of the Highway Law, the Town of Williamson agrees that monies levied and collected for the repair and improvement of highways shall be expended as follows:

- \$80,300.00 for general repairs on town roads totaling approximately 47.59 miles'
- \$488,000.00 for improvements of various roads

The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to authorize the Town Supervisor to sign an agreement with Raymond F. Wager for accounting services regarding the New York State Deferred Compensation - Model Plan. The cost for these services is \$1,950.00. The motion was carried.

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

WHEREAS: The Town was awarded a grant for \$287,261.00 for a Photovoltaic System Project at the Town Complex, and

WHEREAS: The Town has received the monies for milestone 2 and the Williamson Town Budget needs to be amended to reflect receipt of this grant,

NOW, THEREFORE, BE IT RESOLVED: That the General Fund budget be amended as follows: A4097 Federal Aid General Gov't Capital Project be increased from \$0 to \$287,261.00 and line item A1620.410 Buildings Photovoltaic System be

added with \$287,261.00.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted.

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

WHEREAS: The Pultneyville Grill, as part of the Pultneyville Homecoming celebration will have a tent in their parking lot for the purpose of housing music entertainment and the service of food and alcohol, and

WHEREAS: Pursuant to the Code of the Town of Williamson Chapter 54 "Alcoholic Beverages" is in effect, subdivision 54-3 Prohibited Acts states in part that:

"It shall be a violation of this chapter for any person to:

A. Consume any alcoholic beverage in any public place within the Town.

B. Have in his possession an open or unsealed container of an alcoholic beverage while in any public place for the purpose of consuming such alcoholic beverage by himself or by another in any public place." and

WHEREAS: The aforementioned tent will be located in the parking lot of the Pultneyville Grill,

NOW, THEREFORE, BE IT RESOLVED: That the Williamson Town Board hereby declares that on Saturday, July 16, 2011 between the hours of 12:00 noon and 8:00 PM provisions of A and B cited above of Chapter 54, Section 54-3 of Town Code shall not be enforced for the possession or consumption of alcoholic beverages in the parking area of the Pultneyville Grill.

Roll call vote on the Resolution was as follows:

AYES: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Michael Bixby
Councilman Anthony Verno

NAYES: None

OBSTAINED: Councilman Thomas D. Watson

The Resolution was declared adopted

Councilman Watson made a motion, seconded by Councilman Orbaker, to advertise for public meeting for the Salmon Creek Watershed Action Plan to be held on June 30th, 2011 at 7:00 PM in the Town Hall meeting room. The motion was carried.

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

WHEREAS: The resignation from Justice Monsees was submitted and accepted on May 24th, 2011 to become effective on June 28th, 2011, and

WHEREAS: Justice Peters will be the only acting Justice until such time as another Justice is elected,

NOW, THEREFORE, BE IT RESOLVED: That Justice Peters' salary be increased

to \$2,581.25 per month beginning July 1, 2011 to compensate for his assuming the duties of both offices.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted

The Board discussed the need to have an audit done on Judge Charles Monsees books.

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

WHEREAS: A report has been submitted to the Town Board detailing the unsafe condition of a dilapidated manufactured home belonging to Mr. Hoar and Ms. Kyler, located at 5138 King Street, Williamson, New York, and said property belonging to Osokononi LLC,

WHEREAS: The Town Board of the Town of Williamson has reviewed said report and determined that the conditions at said property is unsafe and/or dangerous, and is a public nuisance,

NOW, THEREFORE, BE IT RESOLVED: That the Town Board shall hold a Public Hearing on August 9, 2011 at 7:30 PM in accordance with Section 135-7 of the Property Nuisance Abatement Code, and

BE IT FURTHER RESOLVED: That the Town Clerk is ordered to advertise in the appropriate papers the week of July 24, 2011 for said public hearing, and

BE IT FURTHER RESOLVED: That the Town Board instructs the Town Supervisor to serve a notice to the owners of said manufactured home Roger T. Hoar, Sr. and Donna Kyler, 17 Fondiller Avenue, Rochester, New York 14625, and to the owner of said property 5138 King Street, Osokononi, LLC, 1880 Washington Street, South Walpole, MA 02071, in accordance with Section 135-7 that they will be required to attend the Public Hearing and that they have to commence the amelioration of the code violations sited in the code officers report and that those repairs must be made no later than 60 days upon service of notice.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted

Bids having been opened and read at 2:00 PM on June 9th, 2011 for WWTP Biological Treatment Units - Improvements and Upgrades, were as follows:

Empire State Mechanical	\$329,000.00
3039 Sherwood Drive	

Palmyra, New York 14522

Phoenix Development & Construction \$493,000.00
180 Genesee Street
Corfu, New York 14036

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

WHEREAS: Bids were received, opened and read at 2:00 PM on June 9th, 2011 for the WWTP Biological Treatment improvements and upgrades, and

WHEREAS: The bids were given to the engineer for review to determine they meet all of the bid specification requirements, and are in the best interest of the Town, and

WHEREAS: A \$27,000.00 mathematical error was discovered in Empire State Mechanical's bid which Larsen Engineer discussed with the bidder ,

NOW, THEREFORE, BE IT RESOLVED: Even with the increase in cost, due to the mathematical error, the bid from Empire State Mechanical is still the lowest bidder, and

BE IT FURTHER RESOLVED: That it is in the best interest of the Town to award the bid to the lowest bidder, Empire State Mechanical in the amount of \$356,000.00.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted

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

WHEREAS: Residents on Salmon Creek Road have requested that the speed limit be reduced from 50 miles per hour to 40 miles per hour along Salmon Creek Road from Shepherd Road to Route 104, and

WHEREAS: A speed study was done by the NYS DOT in April of 2010 recommending that the speed limit remain at 50 miles per hour,

NOW, THEREFORE, BE IT RESOLVED: That the Williamson Town Board requests on behalf of the Town of Williamson, that Senator Nozzolio advocate for a reduction of the speed limit to 40 miles per hour along said stretch of road.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted

Councilman Verno made a motion, seconded by Councilman Bixby, to authorize the Williamson Water Dept. to dispose of dirt, resulting from the watermain being installed on Lake Road. The owner of property located at 3249 Lake Road, Williamson, will sign a Consent to Entry and Release of Liability Agreement form prior to delivery of the dirt. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Bixby, to authorize Keith Updyke to attend a NY Rural Water Association Water/Wastewater Laboratory training class. The class will be held in Claverack, New York on September 22, 2011. The cost of the class is \$75.00 with all other necessary and actual expenses as a Town charge. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Bixby, to authorize the Town Supervisor to sign an engineering agreement with LaBella Engineers for professional services to assist the Town of Williamson in replacing the chemical feed system at the Water Treatment Plant. The cost of these services are not to exceed \$19,400.00 without prior authorization. The motion was carried.

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

WHEREAS: A motion was passed on May 25, 2010 authoring the Town Supervisor to sign an engineering agreement with Larsen Engineers for engineering services in the amount of \$55,700.00, for the WWTP Phase I project, and

WHEREAS: Additional engineering has been required as the project proceeded,

NOW, THEREFORE, BE IT RESOLVED: That the engineering agreement be increased to \$75,000.00 to cover the additional engineering required for completion of the 2011 Phase I of the project.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted

Discussion ensued with John Manahan; Wastewater Treatment Plant Chief Operator.

Councilman Verno submitted a draft of the new Highway Superintendent's job description and goal to the Board to review and discuss at a work session. With new added responsibilities, he asked to also look at the rate of pay.

Supervisor Hoffman announced a work session is scheduled for June 27, 2011 at 3:00 PM in the Williamson Town Complex conference room.

Public Comment: Phil Dean updated the Board regarding drainage projects. The Mink Creek drainage project has been started as of last week. The Town has replaced two of the

seven culverts on Bear Swamp Road. Ray Walvoord question the old water lines in Holland's Cove be used. The Board explained the project was installing all new lines.

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

ABSTRACT # 11	2011	
	<u>VOUCHER #</u>	<u>AMOUNT</u>
GENERAL FUND	902, 904 – 944, 961, 964, 966, 975	\$ 30,516.97
YOUTH	945 – 949	
HIGHWAY	950 – 960, 962, 963, 965, 967 - 974	\$ 6,999.44
WATER	903, 976 – 998	\$ 14,108.32
SEWER	999 – 1015	\$ 7,935.53
BUS. IMPROV. DIST.	1016	\$ 43.13
<u>CAPITAL H-18</u>	<u>1034</u>	<u>\$ 8,100.82</u>
GRAND TOTAL		\$ 67,704.21

The motion was carried

Supervisor Hoffman made a motion, seconded by Councilman Orbaker, to adjourn the meeting at 8:15 PM. The motion was carried.

Respectfully Submitted,

Marlene A Gulick
Town Clerk