

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 23, 2009. The following were

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

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, June 23, 2009 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
ABSENT: Councilman G. Elliott Warren

Phil Dean, Tom DeMarree, Steve Haywood; Assessor/Bldg. Inspector, Lenore Youngman, Todd Brennessel, Laura Hubright, Micky Randall, Eileen Loveman; Sun & Record, and the undersigned Town Clerk were also present.

A notice having been published for a Public Hearing regarding proposed Local Law #2-2009, Amendment to Chapter 74 Cemeteries. Supervisor Hoffman declared the Hearing open at 7:31 PM. The Supervisor reviewed the changes in the existing law. Questions and comments were heard from: Laura Hubright and Lenore Youngman. After hearing from everyone who wished to comment or ask questions, the Public Hearing was closed at 7:45 PM on motion by Councilman Verno, seconded by Councilman Bixby. The motion was carried

Public Comment: No one wished to comment

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

- a. previous minutes: June 9, 2009
- b. pays the Library bills as audited by the Library Board of Trustees:
vouchers 1103 - 1117, total \$6,563.64
- c. approve the following budgetary transfers

<u>From</u>	<u>Amount</u>	<u>To</u>
<i>General Fund</i>		
A1990.900 Contingency	\$ 500.00	A1220.400 Supervisor Contrac.
A7550.400 Celebrations	\$ 563.00	A7550.444 Celebrations AB

The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Verno, to adopt the proposed Local Law #2, 2009 – All Town Owned Cemeteries. The motion was carried.

TOWN OF WILLIAMSON
Chapter 74, ALL TOWN OWNED CEMETERIES

[HISTORY: Adopted by the Town Board of the Town of Williamson 11-12-1996. [Amendments noted where applicable.]

§ 74-1. Purpose; enforcement.

A. For the mutual protection of lot owner and the cemetery as a whole, the following rules and regulations have been adopted by the Town Board of the Town of Williamson as rules and regulations of all Town owned cemeteries in Williamson, New York. All lot owners, visitors and cemetery vendors and all lots sold shall be subject to said rules and regulations that may be adopted from time to time as deemed necessary by the Town of Williamson.

B. The Town is hereby empowered to enforce all ordinances, rules and regulations regarding cemetery function and operation and to exclude from the cemetery any person violating the same. The town shall have charge of the grounds and buildings, including the conduct of funerals, traffic, employees, plot owners and visitors.

§ 74-2. Interments.

- A. Concrete vaults or concrete liners will be required for interments in all graves, except in the case of a child under one year of age, for which a plastic vault is allowed.
- B. Each gravesite is limited to:
 - (1) One burial vault and one cremation; or
 - (2) Two cremations.
- C. Ashes from cremation require a suitable permanent container.
- D. No burials or remains shall be put in winter storage without a transit permit.
- E. No grave shall be dug in the winter between December 1st and April 1st if the Town Clerk deems frost, weather or any other conditions unfavorable.
- F. No cremation or burial will be done unless paid in full.
- G. Cremated remains will not be permitted to be scattered in any part of the Cemetery.

§ 74-3. Lots.

- A. The Town Clerk is responsible for the original sale of graves and/or lots.
- B. The purchase of cemetery lots includes perpetual care which involves normal mowing, seeding and routine care.
- C. Permission of the grave and/or lot owner to anyone other than a family member to use a grave within a specific lot, shall have a notarized letter so stating on file at the Town Hall.
- D. The private resale of lots is strictly prohibited.
- E. Under unusual circumstances, the Town Board may recommend the repurchase of grave/and/or lots for the original purchase price. The Town is under no obligation to repurchase any grave and/or lot for any reason whatsoever.

§ 74-4. Markers and monuments.

- A. All markers and monuments shall have a foundation of sufficient depth to be below the frost line (36 inches or 54 inches for large markers) and shall be under the control of the Town Board or designee.
- B. Monuments and markers shall be made of granite or standard bronze.
- C. All grass markers shall be set level to the ground for mowing expediency.
- D. The width of the monument is governed by the width of the lot. The width of the monument shall not exceed 50% of the average width of the lot excluding the foundation.
- E. Monuments or markers shall be delivered to the designated site and set in place by the dealer. The dealer is responsible for all damages to lots or property.
- F. Deliveries and settings shall be scheduled between April 1 and December 1.
- G. Monuments are to be set on the head end (west side) of the lot, with the lettering facing west.
- H. All monuments/markers shall be placed on concrete foundations having dimensions two inches (2") greater in length and width than the base of the monument/marker, and a depth of up to three feet (3').
- I. All foundations shall be installed by the Town at a cost to the family/lot owner/monument company.

§ 74-5. Decorations.

- A. All unremoved decorations will be disposed of by the Town employees. All items (excluding monuments and Veteran or Firemen flag holders) shall be removed from grave sites by April 1st and October 1st and shall not be placed back on until April 15th and October 15th. Any items not removed between those dates will be disposed of by the Town.
- B. The Town shall not be responsible for any lost or removed items.
- C. Funeral flowers will be removed as soon as they fade, wither, and become unsightly. The Town Board or designee reserves the right to remove funeral flowers.
- D. No glass containers of any kind will be allowed in the cemetery.
- E. The use of paper-made containers, wire holders for flower pots, wire, plastic trellis or wooden fences on graves are prohibited.
- F. Placing of crushed stone, wood chips or shells on graves is strictly prohibited.
- G. Watering cans and other utensils cannot be stored adjacent to marker or graves.
- H. Urns should be placed as close as possible to the monument either to the left or right of monument, so that they will not interfere with the mowing and trimming equipment.
- I. No more than one eight-inch or larger urn or pot will be allowed on a gravesite.
- J. No temporary crosses, statues, votives, solar lights, toys or novelties are permitted.
- K. Only one real wreath shall be permitted per grave site. The Town is not responsible for lost or removed items.

§ 74-6. Plants and flowers.

- A. Planting of perennials/annuls/bulbs are permitted only to the left or right of stone/monument, and no higher than the height of stone/monument within owners lot.
- B. No shrubs, bushes or trees may be planted on lots or grave; donations of plants, shrubs, bushes or trees are acceptable. Please contact the Town Board or its designee for details.
- C. Absolutely no artificial plants, wreaths, flowers, or markers are permitted in cemetery.

§ 74-7. Vehicles.

- A. Automobiles must keep on roads/paths for that purpose at all times. No driving is allowed on any section or over lots or lawns under any pretense whatsoever.
- B. No unlicensed or recreational vehicles [snowmobiles, 4-wheelers, dirt bikes] are allowed in the Cemetery at any time.

§ 74-8. Disclaimer of responsibility.

The Town of Williamson disclaims all responsibility for cemetery losses or damages from causes beyond its reasonable control and especially from damage by an act of God, the elements, earthquakes, war, common enemy, air raids, invasions, insurrections, riots, order of any military or civil authority, thieves, vandals, strikers, malicious mischief-makers, explosion, unavoidable accidents or any cause similar or dissimilar beyond control of the management, whether the damage be direct or collateral. Any or all items deemed in violation, will be removed at any time by the Town.

§ 74-9. Additional information.

- A. No horseback riding or walking dogs in Cemetery at any time.
- B. Violations of the above Rules and Regulations shall be prosecuted by law.
- C. For information regarding the rules and regulations of all town owned cemeteries in the Town of Williamson , it is advisable for the parties directly concerned to obtain such information from the Town Clerk's office of the Town of Williamson.

The motion was carried.

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Supervisor Hoffman presented the following Resolution and moved is adoption. It was seconded by Councilman Bixby.

WHEREAS: The State of New York has enacted a law establishing the justice Court Assistance Program, L. 1999, C.280 that will enable communities to apply to the Justice Courts, and

WHEREAS: The availability of grant funding would enhance the ability of the Town Justice Court to provide suitable and sufficient services to the community,

NOW, THEREFORE, BE IT RESOLVED: That the Town Board hereby authorizes the Town Justice to file an application for a Justice Court Assistance Program grant for the New York State fiscal year ending March 31, 2010.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to award the following bids for surplus equipment:

Valarie J. Fowler -	Fellows P400C Shredder	\$ 2.00
	Envision Flat Monitor	50.00

The motion was carried

Supervisor Hoffman made a motion, seconded by Councilman Bixby, to authorize the Town Supervisor to sign a water/sewer budget review agreement with Bernard P. Donegan, Inc. The costs of these services are not to exceed \$5,000.00. The motion was carried.

FYI – this is the same as it was last year.

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

WHEREAS: The Williamson Business Improvement District was awarded a grant for improvements to the Businesses in the District, and

WHEREAS: The BID Budget needs to be amended to reflect receipt of this grant,

NOW, THEREFORE, BE IT RESOLVED: That the Williamson Business Improvement District budget be amended as follows: increase line SB5410.400 from \$9,650.00 to \$209,650.00 and line item SB2401 be increased from \$300 to 200,300.00.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Orbaker
Councilman Bixby
Councilman Verno

NAYES: None

The Resolution was declared adopted.

Supervisor Hoffman made a motion, seconded by Councilman Bixby, to authorize the Town Supervisor to sign an agreement with Bergmann Associates for an analysis of the zoning and land use regulations. The cost for these services are not to exceed \$3,000.00. The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Verno, to authorize the Town Justices and Court Clerk to attend the annual training at the NY State Magistrates & Court Clerks School from July 26 – July 29, 2009. The meeting will be held at SUNY Potsdam University in Potsdam, New York. All charges and other expenses are to be a Town charge. The motion was carried.

Councilman Orbaker gave a report from the Watershed Advisory Committee. Information for the tributary to Salmon Creek project has been completed. The application will now be completed and forwarded to the NYS Dept. of Conservation for approval. Pending approval, no work may be undertaken. When and if approval is granted the drainage ditch behind the Ridge Road properties will be able to be cleaned and an old drainage ditch at the north end of the Town Park will be able to be re-established. The Committee is looking into a drainage problem between Route 104 at Mink Creek to the Bethel Church on Route 104. Doug Mason is still having a drainage problem on Ridge Road.

Councilman Verno made a motion, seconded by Councilman Bixby, to authorize the Town Clerk to submit the proper forms to the Wayne County Highway Department of Transportation to request the Department of Transportation to conduct a speed study, at which vehicles may proceed on Salmon Creek Road from Route 104 to Shepherd Road. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Orbaker, to authorize the Williamson Water Dept. to dispose of stone, resulting from the watermain being installed on Lake Road, at 7446 Salmon Creek Road, Williamson. The owner of said property has signed a release form for the delivery of stones. The motion was carried.

Public Comment: Phil Dean expressed his concerns regarding the speed limit on Congdon Road and something needs to be done.

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

<u>Account:</u>	<u>Voucher No.:</u>	<u>Totals:</u>
General Fund	1014 - 1046, 1054	\$ 28,351.31
Youth	1047 - 1053	
Highway Fund	1055 - 1071	\$ 74,864.03
Water	1072 - 1084	\$ 16,776.68
Sewer	1085 - 1094, 1102	\$ 12,086.61
Bus. Improv. Dist	1095 - 1098	\$ 13,937.00
Lighting	1099	\$ 2,913.46
Capital H-16	1100	\$189,430.00
<u>Drainage</u>	<u>1101</u>	<u>\$ 17.25</u>
Total:		\$338,376.34

The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Verno, to enter into Executive Session to discuss finance issues at 7:56 PM. The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Verno, to return to Open Session at 8:18 PM. The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Verno, to adjourn the meeting at 8:19 PM. The motion was carried.

Respectfully Submitted,

Marlene A. Gulick
Town Clerk