

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 August 14, 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 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, August 14, 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, Kurt Allman; Highway Superintendent, Ted Kerschner, Phil Dean, Wilma Young; Sun & Record, Monica Deyo; Times of Wayne County and the undersigned Town Clerk were also present.

Public Comment: No one wished to comment.

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

Thank you card from Alayna DiSanto
The motion was carried.

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

- a. previous minutes: July 24, 2012
- b. presentation of the Town Clerk's report
- c. accept the monthly departmental reports
- d. accept budgetary transfers

| <u>From</u> | <u>Amount</u> | <u>To</u> |
|-----------------------------|---------------|----------------------------|
| <i>General</i> | | |
| A1220.200 Supervisor Equip. | \$ 75.00 | A1220.400 Supervisor Cont. |
| A7110.200 Parks Equip. | \$209.12 | A7110.400 Parks Cont. |

The motion was carried.

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

WHEREAS: The Town of Williamson's Parks and Recreation Master Plan (June 16, 1999) recommends that the Town of Williamson pursue opportunities to develop more trails for recreation as well as connect neighborhoods with public facilities, and

WHEREAS: The Town of Williamson adopted the Comprehensive Plan for the Town of Williamson on March 23, 2010, and

WHEREAS: Objective 5 of the Comprehensive Plan under "Policy Are: Quality-of-Life" has an objective to "Enhance the existing roadway system and provide adequate alternatives for people to use various types of transportation, including public transportation, bicycles and walking paths". This includes expanding the current sidewalk network, improvements to accommodate bicyclists by creating more bike paths and require new residential developments to include sidewalk networks that connect internally, and

WHEREAS: In 2011 the Town of Williamson sponsored The Route 104 Corridor Trail Feasibility Study and participated in the Town of Marion's Pultneyville to Marion Trail Feasibility Study. Both plans set forth conceptual plans for trails with recommendations for next steps when funding becomes available, and

WHEREAS: The Town of Williamson held a ***Complete Streets Workshop*** on March 29, 2012 at the Williamson Town Complex, and

WHEREAS: The Town of Williamson recognizes that its transportation network (e.g. streets sidewalks, trails and pathways) must balance the needs and interest of users of all ages and abilities, and

WHEREAS: The Town of Williamson recognizes the need to ensure the safety and convenience of all users of the transportation system including pedestrians, children walking to and from school, bicyclists, users of mass transit, people with disabilities, the elderly, motorists, freight providers, emergency responders and adjacent land users, and

WHEREAS: The historical design and function of streets has emphasized motorists over other users of public transportation, such as bicyclists, pedestrians, transit users and persons with disabilities, and

WHEREAS: The Town of Williamson recognizes the need to adopt a network approach to public transportation that balances the needs of all users in a manner that is consistent with neighborhood context and also supportive of community goals, and

WHEREAS: It shall be the goal of the Town of Williamson to promote partnerships with county, state and federal agencies as well as private developers to further a network approach to public transportation, and

WHEREAS: The Town of Williamson will generally follow accepted or adopted design standards when implementing transportation changes and will promote a connected network of facilities accommodating each mode of travel that is consistent with and supportive of the local community, recognizing that all streets are different and that the needs of various users will need to be balanced in a flexible manner, and

WHEREAS: Town of Williamson seeks to adopt a Complete Streets Policy and to incorporate Complete Streets principles into the planning, design, and operation of all future town projects whether new construction, reconstruction or rehabilitation, and

WHEREAS: The Town of Williamson recognizes that certain streets may not be feasible, whether physically or financially, for Completes Streets Policy accommodation,

NOW THEREFORE, BE IT RESOLVED: The Town of Williamson will actively seek opportunities to promote a transportation network that provides a connected network of facilities accommodating all modes of travel and all users of the transportation system, and

BE IT FURTHER RESOLVED: The Town of Williamson will move forward with the development and adoption of a Complete Streets Policy.

Roll call vote on the Resolution was as follows:

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

WHEREAS: The Town of Williamson has identified the maintenance and improvement of farm worker housing as a priority in its comprehensive plan and;

WHEREAS: On July 14, 2012 the Town of Williamson conducted a Public Hearing for PathStone Corporation to make application to the New York State Office of Community Renewal to fund a Farm-Worker Housing Rehabilitation project under the 2012 New York State Small Cities Community Development Block Grant to assist migrant farm workers who are of low to moderate income;

WHEREAS: On July 14, 2012 the Town Board passed a Resolution authorizing PathStone Corporation submit on its behalf an application for funding through the Community Development Block Grant Program.

WHEREAS: On July 14, 2012 the Town Board authorized and directed the Town Supervisor to take any and all actions necessary to assist PathStone Corporation in the preparation of this application.

WHEREAS: On July 14, 2012, the Town Board authorized the Town Supervisor to sign a Memorandum of Understanding with PathStone Corporation for the preparation of the application, pending approval of the Town Attorney as to form and content.

WHEREAS: The Town Supervisor has met with the Town of Sodus, and through the attorneys for each Town, has negotiated the terms for Sodus and Williamson to submit a joint application for the above cited grant application in which Sodus is the lead applicant.

BE IT FURTHER RESOLVED: That the Town Supervisor is authorized to sign a cooperative agreement with the Town of Sodus for the preparation of the joint application and administration of the above grant, pending approval of the Town Attorney as to form and content entitled COOPERATION AGREEMENT FOR A JOINT APPLICATION BETWEEN THE TOWNS OF WILLIAMSON AND SODUS, NEW YORK and

BE IT FURTHER RESOLVED: The Town Supervisor is further authorized to sign a cooperative agreement with the PathStone Corporation and the Town of Sodus,

pending approval of the Town Attorney as to form and content entitled
COOPERATION AGREEMENT FOR THE PROVISION OF SERVICES BETWEEN
PATHSTONE CORPORATION AND THE TOWNS OF WILLIAMSON AND
SODUS, NEW YORK.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted with exception of Councilman Orbaker who abstained due to the possibility of being a participant.

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

WHEREAS: A Tax Certiorari was filed by Cadbury Beverages, and

WHEREAS: Price quotes for professional services to defend the assessed value of the manufacturing facility have been obtained,

NOW, THEREFORE, BE IT RESOLVED: That the Town Supervisor be authorized to sign a contract with GAR Associates to retain their professional services for this defense, at a cost not to exceed \$12,000.00: \$4,000.00 for a Preliminary Real Estate Appraisal and \$8,000.00 for a Court-Ready Appraisal with additional charges of \$175.00 per hour for pre-trial preparation and \$225.00 per hour for court testimony if needed, and

BE IT FURTHER RESOLVED: That these expenses will be paid jointly by Williamson Central School District, the County and the Town, with each paying one-third.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted.

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

WHEREAS: A Tax Certiorari was filed by Cadbury Beverages

WHEREAS: The services of a Law Firm are needed for the Tax Certiorari,

NOW, THEREFORE, BE IT RESOLVED: That the Town Supervisor be authorized to sign a contract with Hacker & Murphy, LLP, to retain their professional services for this defense, with fees ranging from \$225.00 per hour as needed, and

BE IT FURTHER RESOLVED: That these expenses will be paid jointly by Williamson Central School District, the County and the Town, with each paying one-third.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted.

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

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: The Town Board of the Town of Williamson hereby authorizes the Williamson Town Justice to file an application for a Justice Court Assistance Program grant for the New York State fiscal year ending March 31, 2013.

Roll call vote on the Resolution was as follows:

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

WHEREAS: The Town of Williamson established a Fee Schedule for Use of Facilities In the Town of Williamson Park Lodge on March 27, 2012, and

WHEREAS: The Town Board of the Town of Williamson has determined that it would be in the best interest of the town to amend the fee schedule,

NOW, THEREFORE, BE IT RESOLVED: That residents will pay \$60.00 and non-residents will pay \$75.00 for a five-hour weekday rental of the Lodge.

Roll call vote on the Resolution was as follows:

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

NAYES: None

The Resolution was declared adopted.

Councilman Verno made a motion, seconded by Councilman Bixby, to authorize the Town Clerk to advertise in the official Town papers the week of August 19, 2012 to receive applications for the upcoming opening on the Board of Assessment Review. Applications will be accepted until September 14, 2012 at 4:00 PM. The motion was carried.

FYI – Curtis DeBrine's term expires – 9/30/2012

Councilman Watson made a motion, seconded by Councilman Orbaker, to authorize the Town Clerk to advertise in the official Town papers the week of August 12, 2012 that the previously scheduled Public Hearing for August 28, 7:30 PM regarding the Zoning Ordinance has been canceled and will be rescheduled at a later time. The motion was carried.

Councilman Watson informed the Board there was going to be another meeting scheduled with Bergman, Assoc. to review the comments and suggestions for the Informational Meeting that was held last Tuesday on the Zoning Code Update. It was also agreed that after the changes were made, there should be another Public Information Meeting.

Councilman Orbaker made a motion, seconded by Councilman Bixby, to advertise in the official Town papers the week of August 12, 2012 to hold a Public Hearing to amend Chapter §54-3 Alcohol Beverages Prohibited Acts. The Public Hearing will be held at the Town Complex during the regular board meeting to be held on August 28, 2012 at 7:30 PM. The motion was carried.

ALCOHOLIC BEVERAGES

54-3. Prohibited acts

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

- A. Consume any alcoholic beverage in any public place within the Town except in town parks as expressly permitted in The Town of Williamson Parks Law section 32-32.
- 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 except as permitted in the Town of Williamson Parks Law section 32-32.
- C. Discard alcoholic or other beverage containers upon, or from any public sidewalk, street, lane, highway, parking lot, park or recreation area or other public property within the Town of Williamson, except in the manner and place expressly designated for discarding trash.

Councilman Orbaker made a motion, seconded by Councilman Bixby, to authorize the Town Supervisor to sign a cooperative agreement between the Town and the Wayne County Soil and Water Conservation District to allow them to provide technical and implementation assistance with drainage projects. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Bixby, to approve the disposal of dirt as per agreement at the north corner of Ridge Chapel and Beach Roads. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Bixby, to declare used 60" HDPR culvert pipe as surplus. The pipe may be inspected by calling the Highway Superintendent at 589-2874 or his cell phone 585-748-6931. The advertisement will appear in the official Town papers the week of August 19, 2012 with sealed bids being accepted until September 5, at 2:00 PM. The motion was carried.

Public Comment: Monica Deyo asked if the fees for the Park Lodge were different for the weekends.

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

| ABSTRACT #14 | 2012 | |
|---------------------|-----------------------------|---------------------|
| | VOUCHER # | AMOUNT |
| GENERAL FUND | 1355 – 1381 | \$ 21,972.64 |
| YOUTH | 1382 – 1388, 1422 – 1434 | |
| HIGHWAY | 1342 – 1354 | \$ 9,269.17 |
| WATER | 1389 – 11404 | \$ 19,667.49 |
| SEWER | 1405 – 1418 | \$ 23,813.12 |
| <u>DRAINAGE</u> | <u>1419 – 1421</u> | \$ <u>5,453.98</u> |
| GRAND TOTAL: | | \$ 80,176.40 |

The motion was carried

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

Respectfully Submitted,

Marlene A. Gulick

Marlene A. Gulick
Town Clerk