

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 October 23, 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, October 23, 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

Kurt Allman; Highway Superintendent, John Manahan; Wastewater Treatment Plant Operator, Rick Vos, George Harland, Keegan Catalano, Zachary Wilbur, Sam Vocnaran, Gage Germann, Hanna Shaffner, Shelby Luck, Wilma Young; Sun & Record, Monica Deyo; Times of Wayne County and the undersigned Town Clerk were also present.

A notice having been published for a Public Hearing on the Preliminary 2013 Budget; Supervisor Hoffman read the rules of a Public Hearing. Supervisor Hoffman declared the Hearing open at 7:33 PM. Supervisor Hoffman gave highlights beginning with the Summary of the Preliminary Town Budget explaining each fund. As no one wished to comment or ask questions, the Public Hearing was closed at 7:35 PM on motion by Councilman Verno, seconded by Councilman Orbaker. The motion was carried.

A notice having been published for a Public Hearing regarding proposed Local Law #3-2012, entitled "Real Property Tax Levy Limit". He declared the Hearing open at 8:00 PM. Supervisor Hoffman reviewed and explained the intent of the law. Supervisor Hoffman stated the law was to protect the Town against any penalties or fines in case the Board had to go over the 2% cap mandated by the State. He also explained the law had to be done every year. As no one wished to comment or ask questions, the Public Hearing was closed at 8:03 PM on motion by Councilman Verno, seconded by Councilman Orbaker. The motion was carried.

Public Comment: No one wished to comment.

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

- a. previous minutes: October 9, 2012
- b. accept the Supervisor's Report for September
- c. pay the Library bills as audited by the Library Board of Trustees:
vouchers 1785 - 1794 total \$3,433.69
- d. approve the following budgetary transfers:

| <u>From</u> | <u>Amount</u> | <u>To</u> |
|--------------------------------|---------------|------------------------------------|
| <i>General Fund</i> | | |
| A1110.2 Justices EQ | \$ 769.97 | A1110.4 Justices CE |
| A1220.2 Supervisor EQ | \$ 36.74 | A1220.4 Supervisor CE |
| A1990.9 Contingency | \$ 2,950.00 | A1320.4 Independent Auditing |
| | \$ 1,529.41 | A1620.4 Buildings CE |
| | \$ 634.23 | A3310.4 Traffic Control |
| <i>Highway Fund</i> | | |
| DA5140.1 Misc (Brush/Weeds)PS | \$ 6,984.96 | DA5114.4 General Repairs CE |
| | \$ 1,006.05 | DA5140.43 Misc. (Brush/Weeds)CE |
| | \$ 331.20 | DA9040.83 Workers Comp |
| <i>Water Fund</i> | | |
| F8320.421 Source Power Pump CE | \$ 1,974.00 | F1440.4 Engineer CE |
| | \$ 1,744.54 | F8310.46 Admin CE |
| | \$ 249.50 | F8310.44 Admin CE |
| | \$ 9,537.80 | F8320.41 Source Power Pump CE |
| F9901.9 Interfund Transfer | \$60,312.38 | F8340.2 Trans/Dist |
| | \$ 2,233.78 | F8340.414 Trans/Dist |
| | \$ 3,194.58 | F8340.417 Trans/Dist |
| | \$ 8,081.64 | F8340.442 Trans/Dist |
| <i>Sewer Fund</i> | | |
| SS1990.9 Contingency | \$ 1,599.47 | SS8120.442 Collecting System/Lines |
| | \$ 2,176.29 | SS8120.4 Collecting System/Lines |
| SS8130.446 Treatment/Disposal | \$14,684.75 | SS8130.441 Treatment/Disposal |
| <i>Drainage District</i> | | |
| SD8540.4 Drainage CE | \$ 324.35 | SD9040.8 Workers Comp. |

The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Verno, to authorize the Town Clerk to advertise in the appropriate papers the week of October 28, 2012 to receive applications for a seasonal employee for snow and ice removal from the sidewalks at the Town Complex. Job descriptions can be obtained from the Town Clerk's office. The rate of pay will be \$10.20 per hour. Applications will be received until November 21, 2012 at 4:00 PM. The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to adopt proposed Local Law #3, 2012, Real Property Tax Levy Limit.

Local Law #3 -2012
“Real Property Tax Levy Limit”

Section 1. Legislative Intent

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Williamson pursuant to General Municipal Law §3-c, and to allow the Town of Williamson to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by the vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Williamson, County of Wayne, is hereby authorized to adopt a budget for the fiscal year 2013 that requires a real property levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

* * * * *

The motion was carried.

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

WHEREAS: The Town Board has met at the time and place specified in the notice of hearing on the 2013 Preliminary Budget and heard all persons desiring to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED: That the Town Board does hereby adopt such Preliminary Budget, pursuant to Section 109 of the Town Law, as the Annual Budget of this Town for the fiscal year beginning the first day of January 2013, and that such budget as so adopted be entered in detail in the minutes of the proceedings of this Town Board Meeting, and

BE IT FURTHER RESOLVED: That the Town Clerk of this Town pursuant to Section 115 of the Town Law shall prepare and certify, in duplicate, copies of said Annual Budget as adopted and deliver them to the Town Supervisor for presentation to the Board of Supervisors of Wayne County.

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 Town of Williamson received insurance claim proceeds in the amount of \$2,475.00 from NGM Insurance Company for *road damage on Salmon Creek Road due to a car fire, and

WHEREAS: The Williamson Town Budget needs to be amended to reflect receipt of these funds,

NOW, THEREFORE, BE IT RESOLVED: That the Highway Fund be amended as follows: line item DA2680 be increased from \$0 to \$2,475.00 and line item DA5110.400 be increased from \$81,712.73 to \$84,187.73.

Supervisor Hoffman amended the Resolution to read *”road damage on Salmon Creek Road due to an excavator”. It was seconded by Councilman Orbaker.

Roll call vote on the amended 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 amended Resolution was declared adopted.

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

WHEREAS: The Town of Williamson determined that the parking lots up town needed to be redone, and

WHEREAS: The General Fund has sufficient monies in the fund balance,

NOW, THEREFORE, BE IT RESOLVED: The Town Board has determined that it is in the best interest of the Town to transfer \$85,924.78 from the General Fund, fund balance to the General Fund Operating Budget line item A5650.4 Off Street Parking CE.

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 made a motion, seconded by Councilman Verno, to authorize the Town Supervisor to sign a lease agreement with Boy Scout Troop 90 for use of property to the north of the Town Complex from November 1, 2012 to December 31, 2012. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Bixby, to authorize the attendance of up to 4 Town personnel to attend the Association of Towns Fall Personnel & Ethics School to be held on Friday, November 2, 2012 at the Double Tree by Hilton in East Syracuse, New York. The registration fee is \$75.00 per person with all other actual and necessary expenses a Town charge. The motion was carried.

Councilman Watson made a motion, seconded by Councilman _Verno, for the Town Clerk to advertise for the upcoming opening on the Zoning Board of Appeals. The Term of office will be for a five-year term beginning on January 1, 2013 and will expire on December 31st, 2017. The advertisement will appear in the designated Town papers the week of November 11th, 2012 with applications accepted until December 5th, 2012 at 4:00 PM. The motion was carried.

Councilman Watson made a motion, seconded by Councilman Bixby, for the Town Clerk to advertise for the upcoming opening on the Planning Board. The five-year term of office will begin January 13, 2013 and expire on January 12, 2018. The advertisement will appear in the designated Town papers the week of November 11th, 2012 with applications accepted until December 5th, 2012 at 4:00 PM. The motion was carried.

Councilman Verno made a motion, seconded by Councilman Watson, to authorize the Town Clerk to advertise for a new Stainless Steel Dump Body, Plow Equipment and Stainless Steel "V" Box Spreader for a Kenworth, 6 wheel dump truck. The advertisement will appear in the official Town papers the week of October 28, 2012. Bids will be accepted until November 19, 2012 at 11:00 AM at which time they will be opened and read. The motion was carried.

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

WHEREAS: The Town of Williamson by agreement from 1983 between the Town and Ray Lang, invoices Ray Lang for \$1.00, which is the annual rental for a parcel of land owned but not utilized by the Town(formerly Pearsall Street) which is currently used as parking area by Breen's Market, and

WHEREAS: The rental value of the property is nominal at best and the cost for processing the invoice and sending it to Mr. Lang exceeds the \$1.00 received from him annually,

NOW, THEREFORE, BE IT RESOLVED: That the Town of Williamson has determined to discontinue invoicing him for the annual rental for that parcel of land.

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 Supervisor to sign a Certificate of Substantial Completion for the Williamson Biological Treatment Units – Improvements and Upgrades at the WWTP. The motion was carried.

The Board discussed the Williamson Gravel Pit that is located on Centenary Road. Kurt Allman; Highway Superintendent stated it no longer is being used by the Town as of at least the last five years. Mr. Allman recommended that it be sold. The Board agreed to looking into getting a value on the property.

Public Comment: George Harland; Park Clerk of the Works thanked the Board and Town Departments for their participation in the development of the Town Park. Councilman Bixby in turn thanked Mr. Harland for his dedication in over seeing all the work that has been done at the Park.

Supervisor Hoffman announced he will be attending the Naturalization Ceremony being held at the old Wayne County Court House in Lyons at 10:00 AM on October 25, 2012.

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

Abstract Number: 19

Youth Voucher Numbers: 1721 – 1783

All Other Voucher #s: 1784, 1795 - 1855

| | <u>AMOUNT</u> |
|---------------------|---------------------|
| GENERAL FUND | \$137803.60 |
| YOUTH | |
| HIGHWAY | \$ 14,928.01 |
| WATER | \$ 91,359.44 |
| SEWER | \$ 15,085.16 |
| LIGHTING DIST. | \$ 3,340.34 |
| <u>DRAINAGE</u> | <u>\$ 4,337.23</u> |
| GRAND TOTAL: | \$266,853.78 |

The motion was carried

Supervisor Hoffman made a motion, seconded by Councilman Bixby, to adjourn the meeting at 8:05 PM. The motion was carried.

Respectfully Submitted,

Marlene A. Gulick

Marlene A. Gulick
Town Clerk