

A Worksession of the Town Board of the Town of Williamson, County of Wayne and State of New York was held in the Town Court Room at 7:00 PM on August 28, 2007. The following were

PRESENT: Supervisor James D. Hoffman
Councilman G. Elliott Warren
Councilman Gary Orbaker
Councilman Anthony Verno
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 Court Room following the Worksession and was called to order at 7:30 PM on August 28, 2007 by Supervisor Hoffman with the Pledge of Allegiance. The following were

PRESENT: Supervisor James D. Hoffman
Councilman G. Elliott Warren
Councilman Gary Orbaker
Councilman Anthony Verno
ABSENT: None

Michael Bixby, Todd Brennessel, Andy Doniger, MD, Wilma Young; Sun & Record, and the undersigned Town Clerk were also present.

Public comment: No one wished to comment.

Dr. Doniger updated The Board concerning the possibility of building a Community Center. On May 30, 2007, a Town Board/School Board and Community Center Committee joint meeting was held. At that meeting the Community Center Committee reviewed the survey with the public. At that time a Parcel Committee was appointed to research what parcels in the Community that could be purchased for the Center. It was also concluded that another joint meeting with the residents should be scheduled in the Fall as there were a lot of residents that could not attend and would have liked to. The Parcel Committee has met twice during the summer and has identified ten parcels having ten acres or more. The Committee also looked into what type of property to be purchased as far as zoning and decided to look at only commercial properties. The Community Center Committee has not met through the summer but intends to meet before the next joint meeting. The main goal of the Community Center Committee is to provide information from the survey to the members of the community. Dr. Doniger feels tax money should not have to be used for this project. He feels with the right fees and memberships, partnerships with businesses, grants, partnerships with facilities like the YMCA and private donations, no tax money would be needed. The YMCA has looked into building future facilities in rural communities. Up to now their main criteria to build was based on a population of 50,000 people with in five miles of the facility. Councilman Warren has spoken to Senator Nozzolio and was advised before applying for grant money, the Community would need land purchased and architect plans for the project. Dr. Doniger also suggested to The Board, a professional finance person would be needed for a serious business plan to be put in place and money raised before anything is done. Discussion ensued. The Board agreed to have a joint meeting on October 15, 2007 to inform the public of the findings from both committees.

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

E-Mail from Joshua Thompson

The motion was carried.

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

- a. previous minutes: August 14, 2007
- b. pay the Library bills as audited by the Library Board of Trustees:

vouchers 627-636, total \$5,487.92

The motion was carried.

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

WHEREAS: Following a construction project to erect the Town building, the Town brought an action against its Architect, Ashley-McGraw Architects, P.C. ("Ashley-McGraw") and a General Contractor, Testa Construction, Inc. ("Testa Construction"); and

WHEREAS: Continuation of the action would be costly and without benefit to the Town; and

WHEREAS: The Town seeks to discontinue this litigation to avoid unnecessary legal fees and to conclude this matter;

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Williamson hereby determines that it is in the best interest of the Town to discontinue the litigation known as *Town of Williamson v. Ashley-McGraw Architects, P.C. and Testa Construction, Inc.*, Supreme Court, Wayne County, New York, Index No. 58484 and to settle the action by accepting payment in the amount of Three Hundred Thousand Dollars (\$300,000) from Ashley-McGraw and/or its insurer and to accept payment from Testa Construction, Inc., and/or its insurer, in the amount of Twenty-Eight Thousand One Hundred Twenty-One Dollars (\$28,121) to settle any and all claims arising out of or relating to the project out of which this action arose.
2. Payment of such sums shall be accompanied by General Releases from Ashley-McGraw and Testa Construction for claims arising out of this action and running to the Town of Williamson.
3. In consideration of such sums, the Town of Williamson shall execute General Releases specific to this action running to Ashley-McGraw and Testa Construction.
4. This resolution shall take effect immediately

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Orbaker
Councilman Warren
Councilman Verno

NAYES: None

The Resolution was declared adopted.

Councilman Warren made a motion, seconded by Councilman Orbaker, for the Town Clerk to advertise an upcoming opening on the Board of Assessment Review. The ad will appear in the Sun & Record issue of September 6, 2007 with applications being accepted until 4:00 p.m., September 21, 2007. The motion was carried.

It has been suggested by a few residents that The Town of Williamson should have an ordinance in place for residents who do not take care of their pet feces in public. Discussion ensued. The Board agreed that Supervisor Hoffman was to ask the Planning Board to research other towns with this ordinance in place.

Councilman Orbaker 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: That the Town Board hereby authorizes the Town Supervisor to file an application for a Justice Court Assistance Program grant for the New York State fiscal year ending March 31, 2008.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Orbaker
Councilman Warren
Councilman Verno

NAYES: None

The Resolution was declared adopted.

Supervisor Steven LeRoy with the Town of Sodus has asked the Town of Williamson to extend water lines from Williamson into Sodus to sell water to approximately 37 residents and two labor camps. Supervisor LeRoy asked if the Board is favorable in doing so, he would look into creating a Water District and a proposal for this group of people. The Board agreed they were interested in doing this.

Councilman Orbaker thanked the fast response of the Water Department to a main water main break on Lake Road today. The Town of Williamson was fortunate to have an outside crew respond so quickly to reestablish water service.

Public Comment: Wilma Young inquired where the money from the Town Complex was going. Councilman Verno explained for now it was going into a Reserve Fund to later take care of the roof problems.

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	574 through 591	
	652 through 654	
Youth	637 through 651	\$ 19,130.89
Highway Fund	592 through 603	\$ 11,307.84
Water Fund	604 through 621	\$ 24,377.41
Sewer Fund	622 through 624	\$ 7,106.41
Lighting Dist.	625	\$ 2,790.17
<u>Drainage</u>	<u>626</u>	<u>\$ 2,490.00</u>
Total:		\$ 67,202.72

The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Orbaker, to adjourn the meeting at 7:52 PM. The motion was carried.

Respectfully Submitted,

Marlene A. Gulick
Town Clerk