

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, December 13, 2016. The following were

PRESENT: Supervisor Anthony Verno
Councilman Gary Orbaker
Councilman Michael Bixby
Councilman Thomas D. Watson
Councilman Nancy Gowan

ABSENT: None

The Board reviewed bills for approval of payment:

Supervisor Verno made a motion, seconded by Councilman Gowan, to enter into Executive Session to discuss possible litigation at 6:57 PM. The motion was carried.

Councilman Gowan made a motion, seconded by Councilman Bixby, to return to Open Session at 7:15 PM. The motion was carried.

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 called to order at 7:30 PM on Tuesday, December 13, 2016 by Supervisor Verno with the Pledge of Allegiance. The following were

PRESENT: Supervisor Anthony Verno
Councilman Gary Orbaker
Councilman Michael Bixby
Councilman Thomas D. Watson
Councilman Nancy Gowan

ABSENT: None

Ian Ciulla, Phil Dean, Randy Peck, Kurt Allman, Highway Superintendant and the undersigned Town Clerk was also present.

Public Comment: Randy Peck addressed the Board regarding disbanding of the Drainage Council Committee. He is strongly opposed to the Board putting the responsibilities on the Planning Board. He stated having the Drainage Council Committee is very important in minimizing future problems. If the Board chooses to keep the Committee, the law needs to be changed excluding the Bldg. Inspector and Outside Water Forman to be present. Also, a clerk is needed to take the minutes. Phil Dean questioned who was going to have the time to do all the foot work needed for permission from property owners in order to fix drainage issues. The Board thanked them both for their input and service they have provided since the Committee was established thirteen years ago.

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

- a. previous minutes: November 8, 2016
- b. Town Clerk's report for November

c. accept the Town Supervisor's reports for October, November

d. accept monthly departmental reports

e. to approve the following budgetary transfers:

<u>From</u>	<u>Amount</u>	<u>To</u>
General Fund		
1320.4 Independent Auditing	\$1,646.92	1110.1 Justices PS PT Clerk
	\$1,143.09	1110.4 Justices CE
1410.2 Town Clerk EQ	\$571.56	1330.4 Tax Collection CE
1930.4 Judgments and Claims	\$191.32	1440.4 Engineer CE
	\$19.78	1460.1 SARA Records Mgmt
	\$389.76	1620.1 Buildings PS
	\$164.81	1660.4 Central Stores CE
5650.4 Sidewalks CE	\$1,505.60	1620.4 Buildings CE
6410.425 Publicity CE	\$1,408.10	
7989.4 Trails CE	\$473.06	
3620.1 Safety Inspection PS	\$528.19	3620.4 Safety Inspection. CE
5410.4 Sidewalks CE	\$1,505.60	5132.4 Garage CE
6410.425 Publicity CE	\$450.00	6410.4 Publicity CE
7110.1 Parks PS	\$192.00	7110.105 Parks PS
7110.107 Parks PS	\$1,140.00	7110.106 Parks PS
	\$870.00	7110.400 Parks CE
7550.444 Celebrations	\$179.69	7550.4 Celebrations CE
	\$4,040.75	9010.8 State Retirement
9901.9 Interfund Transfer	\$531.91	8160.4 Refuse/Garbage
	\$138.00	8810.4 Cemeteries PS
	\$912.68	8810.4 Cemeteries CE
	\$557.57	9030.8 Social Security
	\$130.49	9032.8 Medicare
Highway Fund		
5110.4 General Repairs CE	\$11,021.23	5110.1 General Repairs PS
	\$18,013.74	5112.1 Permanent Imprv. PS
	\$426.07	5112.4 Permanent Imprv CE
9901.9 Interfund Transfer	\$60,000.00	5112.4 Permanent Imprv. CE
5130.4 Machinery	\$1,019.44	5130.2 Machinery EQ
	\$5,763.44	5140.4 Misc. CE
	\$1,810.00	9010.8 State Retirement
	\$8,119.42	9060.8 Medical Insurance
Water Fund		
8310.460 Admin CE	\$66.08	8310.422 Telephone
	\$706.16	8310.440 Training
	\$7,200.00	8320.421 Source Pwr/Pmp
8310.461 Admin CE	\$615.56	8320.421 Source Pwr/Pmp
8320.2 Source Pwr/Pmp EQ	\$900.00	8320.441 Source Pwr/Pmp
8310.461 Admin CE	\$3,214.55	8320.441 Source Pwr.Pmp
8320.2 Source Pwr/Pmp EQ	\$52.29	8320.460 Source Pwr/Pmp
8330.411 Purification CE	\$5,388.64	8330.413 Purification CE
	\$510.98	8330.441 Purification CE
8340.2 Trans/Dist EQ	\$2,361.72	8340.414 Trans/Dist CE
	\$3,319.00	9010.8 State Retirement

Sewer Fund

8120.421 Collecting System CE	\$967.39	8120.442 Collecting System CE
8130.421 Treatment/Disp CE	\$382.87	8130.424 Treatment/Disp CE
	\$1,365.75	9010.8 State Retirement

The motion was carried.

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

WHEREAS: The Town of Williamson received a grant from NYSERDA for a community based solar project, and

WHEREAS: An RFP was compiled and published and three companies responded,

NOW, THEREFORE, BE IT RESOLVED: That the Town of Williamson is awarding the contract to CIR Electric Company for the solar project in Williamson.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Anthony Verno
Councilman Gary Orbaker
Councilman Michael Bixby
Councilman Thomas D. Watson
Councilman Nancy Gowan

NAYES: None

The Resolution was declared adopted.

Councilman Bixby made a motion, seconded by Councilman Gowan, to authorize the Town Clerk to advertise, in the Official Town papers, the week of December 18, 2016 that the 2017 Organizational Meeting will be held on Tuesday, January 3rd, 2017 at 7:00 p.m. The motion was carried.

Councilman Bixby made a motion, seconded by Councilman Orbaker, to authorize the Town Supervisor to sign a service agreement with Postler & Jaeckle Corp. for maintenance to the Aercos boiler system. The agreement will be in effect from January 1, 2017 through December 31, 2017 at a cost of \$882.00. The motion was carried.

FYI – The cost last year was \$856.00

Councilman Bixby made a motion, seconded by Councilman Watson, to authorize the Town Supervisor to sign a janitorial cleaning agreement with Making Business Better for janitorial cleaning services for the Town Complex. The cost for these services will be \$140.00 per week and \$550.00 for spring and fall cleaning each. The motion was carried.

Supervisor Verno made a motion, seconded by Councilman Gowan, to authorize the Town Clerk to sign a Tax Collector software support agreement with Williamson Law Book Co. The agreement will be in effect from January 1, 2017 through December 31, 2017 at a cost of \$515.00. The motion was carried.

(FYI –The cost last year was \$505.00)

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

WHEREAS: The Court Clerk, Elizabeth Dibble, retired and it was approved she use her sick leave credit to pay her medical premiums until such time that the funds have all been utilized, and

WHEREAS: The budget needs to be amended to appropriate the funds needed,

NOW, THEREFORE, BE IT RESOLVED: To increase the General Fund line 2801 Interfund Revenues from \$56,000 to \$74,961.80 and increase line 9060.800 Medical Insurance from \$142,732 to \$161,693.80, and

BE IT FURTHER RESOLVED: The Senior Account is authorized to transfer \$19,378.48 from the General Fund to the Trust & Agency Account Fund in these amounts: \$18,961.80 to line 20.99.0.94 Retiree Medical and \$416.68 to line 20.99.0.90 Flexible Spending.

Roll call vote on the Resolution was as follows:

- AYES: Supervisor Anthony Verno
- Councilman Gary Orbaker
- Councilman Michael Bixby
- Councilman Thomas D. Watson
- Councilman Nancy Gowan

NAYES: None

The Resolution was declared adopted.

Councilman Bixby made a motion, seconded by Councilman Watson, to reappoint Edward Merriett to the Park Committee. His term of office will be for three years, from January 1, 2017 to December 31, 2019. The motion was carried.

The Board reviewed the new proposed Park Reservation rates and agreed to have the Town Clerk get comparison fees for other Parks in Wayne County.

Councilman Bixby made a motion, seconded by Councilman Gowan, to adopt the Town of Williamson Cell Phone Policy for Town employees. The policy will be distributed to any employee that currently has a cell phone provided by the Town of Williamson. The motion was carried.

**TOWN OF WILLIAMSON
CELL PHONE POLICY**

The Town Board shall determine which employees and elected or appointed officials shall qualify to be provided with a cell phone or be reimbursed for using their personal cell phone for Town business.

The Town is aware that employees utilize their personal or Town-supplied cell phones for department business purposes. Cell phones are a distraction in the workplace and personal use should be kept to an absolute minimum.

The use of cell phones, both town-issued and personal, while driving a vehicle, operating any form of equipment, or in violation of any state or federal laws is strictly prohibited. Individuals are mandated to pull off the road and cease driving or use an approved hands free device in compliance with NYS law.

TOWN ISSUED CELL PHONES

The Town will provide each eligible and approved employee with a cellular phone package. The package shall consist of, but not limited to, the phone, a/c charger, car charger (if necessary), protective cover or case or other items provided by the cell service provider. Expenses related to cell phones and related items requested by the individual which are in addition to the basic phone package provided by the Town shall be the responsibility of the individual.

All cell phones provided by the Town will be provided under the rate plan selected by the Town. The Town will pay the monthly plan costs, any other cost associated with the procurement of the equipment, plus usage charges and applicable taxes. Cell phone service contract rights and equipment paid for by the Town shall be the property of the Town and any applicable determinations or changes shall be made by Town Board direction.

Employees and officials who are provided with a cell phone paid for by the Town shall receive no compensation for the cell phone.

The use of Town issued cell phones will be monitored to ensure no excessive or inappropriate use occurs.

Town provided cell phones shall not be used for the purpose of illegal transactions, harassment, obscene or offensive behavior, or violations of town policies.

Town cell phones are valuable and should be handled with care. If loss, theft, or damage to a town-issued cell phone results from the negligence of the employee or public official to whom such phone is assigned, the employee or public official will be required to reimburse the Town for the repair or purchase of replacement equipment. Such reimbursement shall be paid within 30 days.

Services provided under the Town’s cell phone plan are not unlimited. The Town reserves the right to recover from any employee or public official those cell phone expenses deemed to be unreasonable, excessive, personal, unauthorized or unwarranted. This includes, but is not limited to, long distance charges, text/picture messaging charges and data overage fees.

Upon termination, employees must surrender their cell phones and associated equipment to the department head prior to leaving their position.

Failure to comply with this policy may result in the loss of cell phone use privileges and/or the imposition of disciplinary action by the Town Board.

DEVICE REIMBURSEMENT

An eligible employee/public official may, at their option, elect to receive reimbursement in lieu of a Town-issued cell phone. An individual receiving reimbursement is responsible for maintaining his/her own cell phone account and paying the monthly fees associated with the expense of the cell phone. Failure of an employee receiving cell phone reimbursement to have a functioning cell phone or service may be subject to disciplinary action.

The employee/public official is responsible for the purchase, care and replacement of their own phone. Personal cell phones that are broken, damaged or lost during working hours will not be replaced or paid for by the Town.

The reimbursement rate shall be set annually by the Town Board at their organizational meeting. Checks for reimbursement shall be issued in July and December each fiscal year. The employee/public official is responsible for submitting a voucher to the Senior Account Clerk. Proof that he/she has a cell phone account must be submitted with the voucher.

Should an employee/public official decide to discontinue reimbursement for maintaining their personal cell phone account and accept a Town issued cell phone, the Town will not pay any early termination fees or other related charges incurred by the individual on their personal cell phone plan.

Cell phone reimbursements can be discontinued at any time if the Town Board determines that the employee/public official no longer qualifies to be compensated for their cell phone use.

Councilman Gowan made a motion, seconded by Councilman Bixby, to reappoint Timothy Gulick to the Zoning Board of Appeals. His term of office will be for five years, from January 1, 2017 to December 31, 2021. The motion was carried.

Councilman Gowan made a motion, seconded by Councilman Orbaker, to reappoint James Fox to the Planning Board. His term of office will be for five years, from January 1, 2017 to December 31, 2021. The motion was carried.

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

WHEREAS: The water rate agreement between the Town of Williamson and Mott's LLP expires December 31, 2016

NOW, THEREFORE BE IT RESOLVED: That beginning with the April 2017 Billing of Mott's LLP will be charged the rate of 3.05 per thousand gallons, for the guaranteed purchase amount of 36 million gallons per quarter, and will receive a discount of .80 per thousand gallons for water used over that amount, in the quarter, at a rate of 2.20 per thousand gallons,

BE IT FURTHER RESOLVED: That late charges will be assessed in the amount of 10% on any bill not paid before the penalty period of 30 days after bill date, and

BE IT FURTHER RESOLVED: That beginning with the April 2018 Billing of Mott's LLP will be charged the rate of 3.05 per thousand gallons, for the guaranteed purchase amount of 36 million gallons per quarter, and at the rate of 2.25 per thousand gallons over the 36 million gallons, and

BE IT FURTHER RESOLVED: The aforementioned rates will be in place through the billing of January 1, 2018 unless there is a major emergency affecting the ability of the Town of Williamson to provide water to the plant, and

Councilman Bixby made a motion, seconded by Councilman Watson to amend the Resolution changing the discount amount to \$.85. The amended motion was carried.

Roll call vote on the Resolution was as follows:

AYES : Councilman Gary Orbaker
Councilman Michael Bixby
Supervisor Anthony Verno
Councilman Thomas D. Watson
Councilman Nancy Gowan

NAYES: None

The Resolution was declared adopted.

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

WHEREAS: The Water Department has a 2003 John Deere Excavator that needs to be replaced, and a replacement excavator can be obtained under state bid contract #PC67075,

NOW, THEREFORE, BE IT RESOLVED: That the Outside Working Foreman has authorization to trade in the 2003 excavator for \$45,000.00 and purchase a new 2017 John Deere 210GLC Excavator, at a final cost not to exceed \$150,847.48, and

BE IT FURTHER RESOLVED: That the funds will come out of line item F8340.200 Transmission/Distribution Equipment.
Roll call vote on the Resolution was as follows:
AYES : Councilman Gary Orbaker
Councilman Michael Bixby
Supervisor Anthony Verno
Councilman Thomas D. Watson
Councilman Nancy Gowan
NAYES: None
The Resolution was declared adopted.

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

WHEREAS: The Town of Williamson is planning replace and construct sidewalks within the right-of-way along Ridge Road for 1,853 ft beginning at 4167 Ridge Road and to construct sidewalks within the highway right-of-way along Locust Street, pursuant to the provisions of Article 12C of the Town Law in the Town of Williamson, to be known as the Safe Routes to School – Phase 2 Project (the “Project”), and

WHEREAS: In order to aid the Town Board in determining whether such project and financing and other related actions of the Town in connection therewith (the “Action”) may have a significant effect on the environment, the Town Board has caused to be prepared the appropriate Environmental Assessment Form (EAF), and

WHEREAS: The Project has been identified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board has expressed its desire to act as lead agency for SEQRA review purposes, and

WHEREAS: All other potentially involved agencies have been contacted by letter and none have objected to the Town Board of the Town of Williamson acting as lead agency, and

WHEREAS: The Town Board has duly reviewed the EAF, as well as any public comments and any correspondence from interested or involved agencies, and has duly considered the impacts that may be expected from the proposed action and compared the same with the criteria set forth in the applicable SEQRA regulations,

NOW, THEREFORE, BE IT RESOLVED: By the Town Board of the Town of Williamson, Wayne County, New York, as follows:

1. The Town Board hereby declares that it is acting as lead agency for the purpose of SEQRA review concerning the Project and all actions related thereto.

2. Based upon its review and consideration of the EAF and other necessary criteria, the Town Board hereby finds that (a) the proposed project does constitute an “Unlisted Action” and that (b) the object of the above-referenced action, therefore will result in no major adverse impacts and, therefore, is not an action which “may have a significant effect on the environment” and that since said action will not have a “significant effect on the environment”, no “environmental impact statement” need be prepared, as such quoted terms are defined in the applicable SEQRA Regulations.

3. By reason of the foregoing, the Town Board hereby authorizes and directs the Supervisor to execute and file a Negative Declaration and to sign the first page of the Full Environmental Assessment Form designating that the Project and all actions related thereto will not have a significant impact on the environment.

4. The Town Board hereby authorizes the Supervisor to forward, upon request copies of this Resolution and the Negative Declaration to all appropriate agencies.

5. The Town Clerk is hereby directed to maintain for public inspection a file containing a copy of this Resolution, the Negative Declaration and all submissions to date concerning the Environmental Review of this project and all actions related thereto.

6. This resolution shall take effect immediately.

Roll call vote on the Resolution was as follows:

AYES : Councilman Gary Orbaker
Councilman Michael Bixby
Supervisor Anthony Verno
Councilman Thomas D. Watson
Councilman Nancy Gowan

NAYES: None

The Resolution was declared adopted.

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

WHEREAS: The Highway Department has a 2010 Ford F250 Pick-up to be declared surplus, and

WHEREAS: A 2017 Ford F-250 XLT Super Cab Pick-up truck can be purchased under the Chautauqua County Bid #E-11-14 PFTH 2017,

NOW, THEREFORE, BE IT RESOLVED: That the Highway Superintendent has authorization to purchase the 2017 Ford F-250 XLT Super Cab Pick-up truck with plow at a cost not to exceed \$40,000.00, and

BE IT FURTHER RESOLVED: That the funds will come out of line item 5130.200 Machinery Equipment.

Roll call vote on the Resolution was as follows:

AYES : Councilman Gary Orbaker
Councilman Michael Bixby
Supervisor Anthony Verno
Councilman Thomas D. Watson
Councilman Nancy Gowan

NAYES: None

The Resolution was declared adopted.

Councilman Orbaker made a motion, seconded by Councilman Bixby, to accept the resignation from Randy Peck, Drainage Committee Chairman. His resignation will become effective as of December 31, 2016. The motion was carried.

Public Comment: Kurt Allman questioned how online park reservations were going to work with residents who live on the town lines for resident and non-resident. It was explained, when making a reservation online, they will need to enter in the zip code. For Williamson residents, there will be three zip codes used for Williamson residents and all the rest will be non-resident reservations.

The following bills were audited and paid on November 29, 2016:

Abstract Number: # 20
Voucher #s: 16-1204 – 16-1227

GENERAL FUND	\$ 67,102.07
HIGHWAY	\$ 48,582.14
WATER	\$ 77,931.75
SEWER	\$ 21,224.96
LIGHTING DIST.	\$ 3,383.90
GRAND TOTAL:	<hr/> \$ 218,224.82

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

Abstract Number: # 21
Voucher #s: 16-1228 – 16-1324

GENERAL FUND	\$ 14,318.46
HIGHWAY	\$ 41,695.25
WATER	\$ 35,644.08
SEWER	\$ 10,402.11
GRAND TOTAL:	<hr/> \$ 102,059.90

The motion was carried.

Councilman Watson made a motion, seconded by Councilman Bixby, to adjourn the meeting at 8:12 P.M. The motion was carried.

Respectfully Submitted,



Marlene A. Gulick
Williamson Town Clerk