

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 December 14, 2004.

The following were

PRESENT: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Anthony Verno
Councilman G. Elliott Warren
Councilman Charles R. Monsees

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 December 14, 2004 by Supervisor Hoffman with the Pledge of Allegiance. The following were

PRESENT: Supervisor James D. Hoffman
Councilman Gary Orbaker
Councilman Anthony Verno
Councilman G. Elliott Warren
Councilman Charles R. Monsees

ABSENT: None

Michael Schaffron, Elizabeth Herbert and the undersigned Town Clerk were also present.

A notice having been published for a Public Hearing on the increase of water rates, Supervisor Hoffman declared the Hearing open at 7:31 PM. The Supervisor explained the purpose, recommendation source and the amount of increase. As no one wished to comment, the Hearing was closed at 7:33 PM with a motion made by Supervisor Hoffman, seconded by Councilman Orbaker. The motion was carried.

Public Comment: No one wished to comment.

Mike Schaffron representing Labella Associates spoke to The Board concerning repairs needed to the Upland Reservoir. Discussion on the repairs ensued. The Board agreed to hold a Worksession in February 2005 with Michael Schaffron to discuss cost comparisons of whether to repair or replace the tank.

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

Senator Nozzolio regarding traffic fines

Robert Williams, Dist. Mgr. Wayne County Water & Soil confirming a \$500.00 grant for trees for Williamson

Leigh Semiloff will be donating two elm trees to the Town Complex next Spring
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: November 23, 2004
- b. Town Clerk's report for November
- c. Supervisor's report for November
- d. pay the Library bills as audited by the Library Board of Trustees:
vouchers 297-309, total \$4,804.95
- e. advertise the 2005 Organizational Meeting for Tuesday, January 4th, 2005.
- f. to accept the following budgetary transfers:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
<u>A-GENERAL FUND</u>		
A1220.200 Equip	\$ 500.00	A1220.400 Supervisor-Contr
A1990.900 Conting	3,000.00	A1620.400 Build-Contr
A1990.900 Conting	2,000.00	A1660.400 Cent Storeroom-Contr
A1990.900 Conting	400.00	A3310.400 Traff Contr-Contr
A1990.900 Conting	100.00	A3510.400 Anim Contr Dogs-

Contr		
A1990.900 Conting	1,300.00	A5132.400 Garage-Contr
A1990.900 Conting	111.15	A9055.800 Disabil Ins
<u>DA-HIGHWAY</u>		
DA5140.100 Misc – Pers Srvc	3,000.00	DA5140.400 Misc - Contr
<u>F-WATER FUND</u>		
F1990.400 Conting	3,000.00	F8310.421 Admin-Heat/Gas
F8330.412 Purif-Other Chem	12,000.00	F8320.421 Supp/Pow/Pump-Elect
F8330.200 Purif-Equip	2,000.00	F8320.440 Supp/Pow/Pump-Repair
F8330.411 Purif-Chlor	500.00	F8330.410 Purif-Lab Srvc
<u>SS-SEWER FUND</u>		
SS8130.100 Sew Treat Plant-Pers Srvc	2,000.00	SS8130.421 Sew Treat Plant-Elect
<u>H16-TOWN COMPLEX</u>		
H16-1990.400 Conting	498.00	H16-1620.200 Equip
H16-1990.400 Conting	169.50	H16-1620.250 Legal Exp
H16-1990.400 Conting	38.79	H16-1620.251 Legal Exp-Other
H16-1990.400 Conting	45.60	H16-1620.400 Contract-Misc Exp

The motion was carried.

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

WHEREAS: New York State has created the Empire Zone program to encourage industrial and commercial development in selected areas across the State, and

WHEREAS: Wayne County, as an eligible municipality, received designation of an Empire Zone made up of sub-zones including portions of the Town of Williamson,

WHEREAS: Under the current designation, Wayne County has the ability to amend the Zone boundaries to allow additional acreage, and

WHEREAS: Wayne County intends to revise the Wayne County Empire Zone boundaries to encourage industrial and commercial development and allow for the creation of an additional sub-zone in the Town of Williamson (detailed in attached legal description Schedule B – Town of Williamson – Wayne County 4th Boundary Amendment), and

WHEREAS: The Town of Williamson is committed to the development of new business within the proposed sub-zone, and

WHEREAS: The Town of Williamson wishes to support and concur with the Empire Zone revision application,

NOW, THEREFORE, BE IT RESOLVED: That the Town of Williamson Board, in its capacity as governing body of the Town of Williamson, does hereby support and concur with the Wayne County Empire Zone revision application.

Roll call vote on the agreed decision was as follows:

AYES: Supervisor Hoffman
Councilman Orbaker
Councilman Warren
Councilman Monsees
Councilman Verno

NAYES: None

It was declared adopted.

Schedule B:

Parcel N-04-3

2004 Wayne County Empire Zone Addition

MOTTS

Town of Williamson

Beginning at a point having a New York State Plane Coordinate (NAD 83, Central Zone, US Foot) value of N 1180301.02, E 662756.80, thence southerly 180.67 feet to a point N 1180120.74, E 662768.55, thence westerly 240.33 feet to a point N 1180103.43, E 662528.85, thence southerly 64.95 feet to a point N 1180038.63, E 662533.37, thence easterly 71.37 feet to a point N 1180043.52, E 662604.57, thence southerly 65.29 feet to a point N 1179978.38, E 662608.93, thence easterly 17.96 feet to a point N 1179979.64, E 662626.85, thence southerly 18.81 feet to a point N 1179960.87, E 662628.14, thence easterly 106.92 feet to a point N 1179967.96, E 662734.82, thence northerly 101.01 feet to a point N 1179867.18, E 662741.53, thence easterly 202.71 feet to a point N 1179880.38, E 662943.81, thence southerly 162.92 feet to a point N 1179717.83, E 662954.83, thence easterly 85.05 feet to a point N 1179723.43, E 663039.69, thence southerly 70.22 feet to a point N 1179653.37, E 663044.49, thence westerly 85.03 feet to a point N 1179647.81, E 662959.64, thence southerly 133.69 feet to a point N 1179514.43, E 662968.77, thence westerly 823.89 feet to a point N 1179458.82, E 662146.76, thence northerly 131.74 feet to a point N 1179590.26, E 662137.88, thence easterly 122.19 feet to a point N 1179598.80, E 662259.77, thence northerly 29.82 feet to a point N 1179628.54, E 662257.68, thence easterly 121.47 feet to a point N 1179637.46, E 662378.82, thence northerly 23.41 feet to a

point N 1179660.83, E 662377.52, thence westerly 483.10 feet to a point N 1179627.76, E 661895.55, thence northerly 281.38 feet to a point N 1179908.51, E 661876.68, thence easterly 243.05 feet to a point N 1179924.83, E 662119.18, thence northerly 148.31 feet to a point N 1180072.81, E 662109.29, thence easterly 66.95 feet to a point N 1180077.64, E 662176.07, thence northerly 123.26 feet to a point N 1180200.59, E 662167.29, thence easterly 223.55 feet to a point N 1180216.72, E 662390.26, thence northerly 23.72 feet to a point N 1180240.38, E 662388.60, thence easterly 70.44 feet to a point N 1180245.47, E 662458.87, thence northerly 33.57 feet to a point N 1180278.98, E 662456.84, thence easterly 300.76 feet to the point of beginning comprising an area of 589,711 square feet or 13.538 acres.

Parcel N-04-2

2004 Wayne County Empire Zone Addition

Seneca Food Corporation

Town of Williamson

Beginning at a point having a New York State Plane Coordinate (NAD 83, Central Zone, US Foot) value of N 1179807.39, E 670264.00, thence southerly 51.15 feet to a point N 1179756.36, E 670267.53, thence easterly 235.64 feet to a point N 1179772.63, E 670502.61, thence southerly 202.02 feet to a point N 1179571.10, E 670516.56, thence westerly 500.68 feet to a point N 1179536.52, E 670017.07, thence northerly 42.98 feet to a point N 1179579.39, E 670014.10, thence westerly 82.00 feet to a point N 1179581.52, E 669932.13, thence southerly 69.41 feet to a point N 1179512.27, E 669936.96, thence westerly 245.17 feet to a point N 1179495.21, E 669692.38, thence northerly 261.75 feet to a point N 1179756.33, E 669674.17, thence easterly 261.11 feet to a point N 1179774.50, E 669934.65, thence southerly 17.05 feet to a point N 1179757.49, E 669935.84, thence easterly 165.89 feet to a point N 1179769.04, E 670101.32, thence northerly 27.02 feet to a point N 1179795.99, E 670099.46, thence easterly 164.94 feet to the point of beginning comprising an area of 191,078 square feet or 4.387 acres.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to authorize the Town Supervisor to sign an agreement with Raymond F. Wager, CPA, P.C. to conduct an audit for the Town of Williamson Court records. The cost for this service as described is \$1,500.00. The motion was carried.

Supervisor Hoffman discussed a revised Park Rules packet that was presented to the Town Board for their review. The Board agreed to review it at the December 28, 2004 meeting. Lakeside Roofing donated aluminum to the Park. Councilman Warren and George Harland covered all the wood roofs on the dug-outs with the aluminum.

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

WHEREAS: The New York State Deferred Compensation Board (the "*Board*"), pursuant to Section 5 of the New York State Finance Law ("*Section 5*") and the Regulations of the New York State Deferred Compensation Board (the "*Regulations*"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Town of Williamson (the "*Model Plan*") and offers the Model Plan for adoption by local employers;

WHEREAS: Town of Williamson, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Town of Williamson;

WHEREAS: Effective May 21, 2004, the Board amended the Model Plan to adopt provisions relating to

- Authorization to reject a participant investment request if the request is contrary to the rules, regulations or prospectus of the affected investment fund.
- Authorization to distribute assets that have been rolled into the plan from another qualified retirement plan in accordance with the distribution rules of the plan that previously held the assets.
- Limitations on a participant's eligibility to obtain a loan in the event that the participant has previously defaulted on a loan.
- Modifications related to comments provided by the Internal Revenue Service in response to the Board's request for a private letter ruling stating that the Model Plan document constitutes an "eligible deferred compensation plan."
- Technical amendments pertaining to plan loan rules and the status of plan loans and other withdrawals upon the death of a participant.

WHEREAS: The Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS: Upon due deliberation, Town of Williamson has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Town of Williamson by adopting the amended and restated Model Plan.

NOW, THEREFORE, BE IT RESOLVED: That Town of Williamson hereby amends the Deferred Compensation Plan for Employees of Town of Williamson effective December 14, 2004 by adopting the amended and restated Model Plan effective May 21, 2004, in the form attached hereto as Exhibit A.

Roll call vote on the agreed decision was as follows:

AYES: Supervisor Hoffman
Councilman Orbaker
Councilman Warren
Councilman Monsees
Councilman Verno

NAYES: None

It was declared adopted.

Councilman Monsees made a motion, seconded by Councilman Warren, to hire Jessie Purdy, as a seasonal worker for snow removal from sidewalks and salting sidewalks at the Town Complex. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Verno, to authorize the Town Assessor to attend the a one-day seminar at the Holiday Inn in Rochester, New York on January 21, 2005. The registration fee is \$95.00 with all other actual and necessary expenses to be a town charge. The motion was carried.

Councilman Warren made a motion, seconded by Councilman Verno to authorize the Town Supervisor to approve the renewal of the existing preventative maintenance agreement with Lang Heating & Cooling Inc. for the Water Department Barn on Ridgeway Avenue. The agreement will be in effect from January 8, 2005 to January 8, 2006 at a cost of \$239.90. The motion was carried.

Supervisor Hoffman has received several complaints concerning skateboarding at the Town Complex. Discussion ensued. The Board suggested talking to the Library Board about their concerns and also the Town Attorney concerning liability.

Councilman Verno made a motion, seconded by Councilman Monsees, to set the water rates as follows: minimum 6,000 gallons or less - \$16.00; and \$2.50 per thousand gallons over the 6,000 gallons, to go into effect for water billed in April 2005. The Town Clerk is authorized to advertise the increase in an issue of the Sun & Record. The motion was carried.

Public Comment: No one wished to comment.

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

Account:	Voucher No.:	Totals:
General Fund	662 through 711	\$ 23,166.66
Youth	76 through 83	
Highway Fund	393 through 426	6,846.06
Water Fund	335 through 353	20,911.21
Sewer District No. 1	240 through 255	12,445.02
Lighting District	12	2,952.71
Business Improv. District	7 through 8	693.02
<u>Capital H – 16</u>	<u>101 through 104</u>	<u>783.48</u>
Total:		\$ 67,798.16

The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Orbaker, to enter into Executive Session for discussion regarding personnel reasons at 8:32 PM. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Orbaker, to return to Open Session at 9:04 PM. The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Verno, to adjourn the meeting at 9:05 PM.

Marlene A. Gulick
Town Clerk