

Town of Westmoreland
Regular Meeting
February 10, 2020

Supervisor Ken Eisnor called this meeting to order at 6:30 P.M. at the Westmoreland Town Hall, 100 Station Road, Westmoreland, New York, with the following Board members present; Burton Seymour Jr, Charles Hebbard, and Randy Rundle. Also present was Highway Superintendent Russell Young, Sole Assessor Bernard Szarek, Town Attorney Gregory Mattacola, Codes Enforcement Officer Fred Fox, Reading Center Clerk Tammie Aylesworth, Tax Collector Margaret Leone, and four (4) residents. Councilperson Barbara Phillips was absent.

Supervisor Eisnor asked all to stand and join him in the Pledge of Allegiance, after which he recessed the regular meeting to allow comments from the floor.

There being no one wishing to address the Board, the Supervisor re-convened to the regular meeting and asked for the Highway report.

Highway Superintendent Russell Young reported;

The Highway Dept. would like the Board to sign the 284 Highway Law Hot Mix 4.96 miles of Roads agreement.

Ken Holmes has officially retired and is off the payroll as of January 29, 2020. His position has been filled.

We would like to replace the floor in truck #13 as we use it every day in the summer and this time of year would be a good time to complete.

Superintendent Young provided each Board member with a copy of the Roadwork Agreement. A short discussion commenced and Supervisor Eisnor questioned the hot pave on all the dead end roads. Highway Superintendent Young stated that if we hot pave them now they will be done for ten (10) to twelve (12) years. Councilperson Seymour asked if the entire length of Station Hill Road will be done. Superintendent Young replied, yes and two (2) culverts will be replaced also.

Supervisor Eisnor asked why the striping on Station Hill Road is so uneven. The Highway Superintendent indicated that the County does the striping, so something must have been off that day.

Councilperson Hebbard brought up the subject of brining and asked at what point brining becomes ineffective. Highway Superintendent Young replied that brining works well on frequently travelled roads. It is not proving to be effective when there is a large snowfall, severely cold weather or on roads with intermittent traffic. Discussion continued.

Councilperson Seymour asked if the repair to the box on truck 13 could be handled in house. The Highway Superintendent replied that the box is in really bad shape and feels it is beyond the Highway Departments capabilities. Councilperson Seymour asked who would be doing the repairs and was told Steel Sales, for \$4,100.00.

37 A motion was advanced by Councilperson Hebbard, seconded by Councilperson Rundle to accept the 2020 Highway Work Agreement for general repairs of 47.43 miles of Town roads in the amount of \$407,612.76. All Board members present voted AYE and the Supervisor declared the motion carried.

Supervisor Eisnor thanked the Highway Superintendent for his report and asked for the Assessors report.

Sole Assessor Bernard Szarek reported;

The Exemptions are coming in at a good pace. Warren is in the office from 9am to Noon daily. The data collection for this year's permits is on way. I will be doing a final sweep of the town the last week of this month. I will be going to Jefferson Com. College March 26th for classes.

The Supervisor thanked the Assessor for his report and asked for the Codes Report.

Codes Officer Pat Baron submitted the following building permits report issued in the month of January:

Month	Jan. 2020	Westmoreland Town Board: Building Permits/ Septic Systems Monthly Report					
Date	NO.	Last Name	First Name	Address	Tax Map ID #	Type Of Permit	Fee Paid
1/7/20	2020-0001	Foley	Anna	5475 NYS Route 233	302.000-1-51	Sign	\$60.00
1/14/20	2020-0002	Vaccaro	John/Toni	5983 NYS Route 233	289.000-2-1.1	Single fam/septic	\$487.20
1/20/20	2020-0003	Evans	Robert	5593 Bartlett Road	302.000-1-4.1	Modular/septic	\$290.00

Codes Enforcement Officer Fred Fox submitted the following report;

Complaints

Update on 5939 Route 26, house is scraped ready to paint.

4-15-19 5845 Scadden Rd. Violation notice sent for junk and debris on the entire property (scrape metal, demolished trailer etc...) property maintenance on the house, garbage & junk vehicles. Order to Remedy Date 5-21-19

4-15-19 5223 Albrecht Rd. Violation sent for junk and debris strewn about the yard. (Metal, scrap wood piles, plastic, furniture, tires, appliances). Order to Remedy date 6-25-19. Progress being made abating violations.

6-4-19 5651 Blackman Rd Burn out house on Cattle Farm. Zoned Agriculture, researching how to pursue posting property.

7-2-19 No permits pulled to demolish or repair. Will move to post building unfit/unsafe and move the case to court. Property posted. Owners indicated through counsel that they would like some time to consult a contractor for advice how to proceed, either demo or repair.

9-10-19 5401 Moore Rd. cited for high grass and property maintenance on garage. OTR set for 10-15-19

10-15-19 Court Paperwork Drafted. Court scheduled for 11-6-19

11-6-19 Defendant appeared, court adjourned until 12-4-19. Defendant has made progress on property, boarding up garage. Court adjourned until 4-22-20 at 3:00PM.

9-10-19 7323 E Main St. cited for high grass. OTR set for 10-8-19. Re-mailed to different owner address found.

10-15-19 Court Paperwork drafted. Court scheduled for 11-6-19

Defendant failed to show adjourned until 12-4-19.

12-4-19 Case adjourned until 4-22-20 at 3:00PM. Town's attorney will attempt to contact defendants to clarify ownership of property.

9-24-19 5413 Jenkins Rd cited for high grass and property maintenance violations. The house is a foreclosure. Notice was emailed to property preservation company. Order to Remedy set for October 29, 2019. No response from property preservation company.

11-5-19 6139 Skinner Rd cited for unsafe structure due to structure fire damage. Letter for board approval to placard on agenda. OTR to take out a permit to demolish is 12-5-19. 11-19-19 Placard placed on building.

11-23-19 6157 Skinner Rd inspected with Fire Chief Grube. Notice of violation written 11-27-19 with an order to remedy set for 12-27-19.

12-4-19 7202 Cooper St. Being posted Unfit for Human Occupancy 12-9-19 Unsanitary conditions, Order to vacate by December 18, 2019. Order to Remedy by January 6, 2020.

1-6-20 Owner currently living in placarded building with very little progress. 9 cats have been placed in a shelter by the owner. The matter will be brought to court.

2-5-20 scheduled court appearance adjourned until 4-1-20 after attorneys conferred.

1203 Fire Prevention Inspections:

7537 E South St The Milk House B and B 10/25/2018. Re-inspected 11-27-18 all violations corrected except the zoning issue. Owner was advised to use house as single family dwelling and remove all advertisement as a B & B until such time the case is brought before the appropriate boards for approval.

1-29-19 McFadden will be summons to court for zoning violations tentatively scheduled for February 20, 2019. Court adjourned to March 6, 2019.

3-6-19 Defendant entered not guilty plea. Case adjourned to April 17, 2019. Trial set for 7-31-2019.

7-31-19 Defendant did not show for court, case adjourned until 10-30-19 at 2:00 PM. Case adjourned until 11-6-19. Adjourned, pending defendant going through the zoning board process.

7-29-19 1203 Inspection 7105 Norton Ave. Skenandoa Golf Club OTR 8-20-19

7-29-19 1203 Inspection 6906 Fairway Dr. Westmoreland Golf Club OTR 8-20-19

9-24-19 1203 Inspection 7277 West Main St. Masonic Lodge OTR 11-26-19 1-6-20 re-inspection scheduled for

1-13-20 All violations have been abated at this time.

11-2-19 1203 Insp 4836 Route 233 Seymour's Diner. OTR set for 12-7-19.

12-16-19 1203 Insp 6333 Route 233 Patrick Heating. OTR set for 1-6-20.

The Supervisor thanked the Codes Officer and stated that Water Plant Operator, Ted Flint submitted the following water report.

Supervisor Eisnor thanked the Codes Officer and indicated the following Water District report was submitted by Water Plant Operator Ted Flint.

Westmoreland Water District

- Completed monthly sampling requirements – no issues.
- Performed several UFPO dig requests.
- The water softening system was repaired the second week of January. All the valves and flow meters in the system were rebuilt. The system is now up and generating as it is supposed to.
- Getting bids on a new chlorinator. One of our chlorinators was sent out last year to get repaired but is now in need of replacing because of internal corrosion.
- Going to get quotes on repainting the floor and piping inside of the pump house this summer. Also replacing the old steel storage racks which are falling apart because of the chlorine gas inside the building.
- Replaced all the filters in the first filter bank. This is only the 4th time these filters have been changed since the pump house was put in service.

Tindal Corners Water District

- Completed monthly & end of year sampling requirements – no issues.
- Performed a couple UFPO dig requests

Spencer Settlement Water District

- Completed monthly & end of year sampling requirements – no issues.

Councilperson Hebbard asked if it is still the Town's responsibility to shut off water service at the road when requested. Supervisor Eisnor replied that it was.

Supervisor Eisnor then asked for the Reading Center Report.

Library Clerk Tamara Aylesworth submitted the following report:

In Dec. we loaned out 526 books, 61 DVDS for a total of 587. We had 98 people come into the library. We had 188 holds on books and DVDS from Mid-York library system. The library had 15 renewals, 2 new users signed up. We discarded 46 books.

Reading Center Clerk Tamara Aylesworth added that Jack McCabe has been hired to cover for the Reading Center Clerks when they are unable to come in. Mid-York came to the Reading Center to explain the importance of completing the 2020 Census and Councilperson Phillips was given a tour of the Reading Center.

The Supervisor thanked the Reading Center Clerk for her report, and asked for the Attorney's report.

Town Attorney Gregory Mattacola stated he has been working on the lingering issues of codes violations, the solar farm permit, and a flag lot case.

Supervisor Eisnor thanked the Attorney for his report.

Supervisor Eisnor asked for the Town Clerks report.

Town Clerk, Jody Burdick reported;

In January, the Town Clerk's office sold five (5) new dog licenses and renewed forty-three (43) individual dog licenses for \$384.00. Of that, \$64.00 was sent to the Department of Ag & Markets for New York State's Dog Population Control Program. The Town Supervisor received \$320.00.

Renewal notices for forty-four (44) dogs due in February were sent out on January 31, 2020. Late notices for seventeen (17) dogs due in December were sent out on January 10, 2020. One dog redemption fee was collected for \$10.00.

There were no DECALS (sporting license) sales in December.

There were no marriage licenses sold.

Nine (9) permanent handicapped permits were issued or renewed during the month.

Twenty-one (21) certified copies were issued for \$210.00.

Three (3) building permits were issued for \$837.20.

Communications Received:

1. Town Supervisor- reimbursement notice to Historical Society.
2. NYS Association of Towns- Budget highlights.

Checks Received:

1. Clark Mills Fire Dept.	Fuel-Oct. & Nov.	\$ 314.57
2. Tax Collector	Tax Receipts	\$ 495,708.00
3. Westmoreland Cemetery	Fuel	\$ 575.91
4. Westmoreland Cemetery	Fuel	\$ 117.00
5. Westmoreland Fire Dist.	Fuel	\$ 809.26
6. Westmoreland Justice Court	Judge Ossont-December	\$ 5,230.00
7. Westmoreland Justice Court	Judge Bowers- December	\$ 5,815.00
8. Stanwix Heights VFD	Fuel	\$ 36.61
9. Clark Mills Fire Dept	Fuel	\$ 120.52
10. Westmoreland Justice Court	Judge Ossont-Unclaimed bail	\$ 250.00

The Supervisor thanked the Town Clerk for her report.

Councilperson Rundle voiced his concern over the \$5.00 balance the court has been carrying on their books for years and feels that something should be done to rectify that. Attorney Mattacola stated that the Board has no jurisdiction over the Justice Courts books and surmised that the \$5.00 was used to open the account years ago.

The Supervisor advised the Board that Councilperson Phillips fell and broke her hip. The Board agreed to send her a get well plant.

Supervisor Eisnor told the Board that the Westmoreland Summer Activities Association has been given the 2020 Pool Agreement.

The Supervisor stated that the Zoning Board is asking for a copy of the Zoning map.

Supervisor Eisnor has researched the Solar Energy law and has determined that the fencing requirement for a solar farm was addressed in the new law. The Supervisor added that he would like to expand that requirement to include smaller free standing solar arrays when located within public places.

The Supervisor spoke of an article Mr. Richard Story brought him concerning the costs associated with commercial site plan reviews. The Supervisor feels the Town's fees are substantially lower than they should be and would the Board to revisit this subject.

38 A motion was advanced by Councilperson Seymour, seconded by Councilperson Hebbard to approve and place on file the Supervisor, Town Clerk and Codes Reports. All Board members present voted AYE and the motion was declared carried.

39 A motion was advanced by Councilperson Hebbard, seconded by Councilperson Rundle to approve and place on file the minutes of January 13, 2020, January 28, 2020 and January 31, 2020, as written. All Board members present voted AYE and the motion was declared carried.

Supervisor Eisnor advised the Board that the second request for reimbursement from the Grant was denied due to inadequate proof of purchase on the electrical supplies. We are attempting to obtain proof and will resubmit the reimbursement request when received.

40 A motion was advanced by Councilperson Seymour, seconded by Councilperson Hebbard to approve and order paid the vouchers of the Water Districts as follows:

Spencer Water District	Voucher #2	which totals	\$ 75.00
Tindall Water District	Voucher #2	which totals	\$ 75.00
Westmoreland Water District	Vouchers #5-#14	which total	\$3,142.90

All Board members present voted AYE and the motion was declared carried.

41 A motion was advanced by Councilperson Hebbard, seconded by Councilperson Rundle to approve and order paid the claims of the Highway fund, vouchers #17 through #66 totaling \$304,143.96. All Board members present voted AYE and the motion was declared carried.

42 A motion was advanced by Councilperson Rundle, seconded by Councilperson Hebbard to approve and order paid the General Fund vouchers #28 through #67 which totals \$27,350.83. All Board members present voted AYE and the motion was declared carried.

The Supervisor stated that the next Regular Meeting will be March 9, 2020 6:30pm.

The Supervisor then recessed the regular meeting to allow comments from the floor.

Charles Smith, Dix Road stated that he pasted several of the new LED street lights on the way to this meeting and the light they give off does not even meet the center line of the road. A short discussion followed and Supervisor Eisnor agreed to try and increase the wattage on some of the busier intersections.

There being no one else wishing to address the Board, the Supervisor reconvened to the regular meeting.

43 A motion was advanced by Councilperson Hebbard, seconded by Councilperson Rundle to adjourn this meeting. All Board members present voted AYE and the Supervisor declared the motion carried and adjourned this meeting 7:05 pm.

Respectfully submitted,

Jody S. Burdick
Town Clerk