

Town of Westmoreland  
Regular Meeting  
March 9, 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 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. Councilpersons Barbara Phillips and Charles Hebbard were 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;

- A) Russell and Doug attended Advocacy Day in Albany on March 4th and met with several members of the Assembly. It was a record turnout for Highway Superintendents.
- B) The Highway Department has been dealing with more ice than snow this season

Councilperson Seymour spoke of a post he received on Facebook regarding the speed limit on Skinner Road and asked the Highway Superintendent for his thoughts. Superintendent Young said that he has driven the entire length of Skinner Road and there are no speed limit signs of any kind. This indicates that the speed limit is 55mph. Superintendent Young does not feel that installing 55mph speed limit signs will slow anyone down. Councilperson Seymour stated that he will reply to the post stating the above and explain the process needed if a lower speed limit is requested.

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

Sole Assessor Bernard Szarek reported;

The Exemptions are in. Warren is in the office from 9am to Noon daily. The data collection and Permits for 2019 as well as the first two months of 2020 permits will be done. I will be going to Jefferson Com. College March 26th. The equal rate should be 58% this year down .5%. Last year was 58.5%

Assessor Szarek added that the Highway Superintendent is allowing him to take a pickup truck to training at Jefferson Community College.

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 February:

Month	Feb. 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
1/21/20	2020-0004	Fenus	Victor	6139 Skinner Road	301.000-1-32	Demolition	\$50.00

Codes Enforcement Officer Fred Fox submitted the following report;

Update on 5939 Rte 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 precede, 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

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

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

2-10-20 1203 Inspection 6168 Rte 233 MBCI. No violations.

2-18-20 1203 Inspection 5549 Rte 233 R.B. Humphreys. OTR set for 3-11-20

2-18-20 1203 Inspection 5325 Rte 233 Apex Surgical Cntr. No violations.

2-19-20 1203 Inspection 7295 W Main St. Tony's Pizzeria & Deli. No Violations

2-19-20 1203 Inspection 6201 Rte. 233 Burdick Paving & Excavating. OTR set for 3-11-20.

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 & quarterly sampling requirements – no issues.
- Performed several UFPO dig requests. Also preformed 2 Emergency UFPO's.
- Keith Fazekas from Gartner Equipment is getting me pricing on a new chlorinator. Keith came in and had to reset all the setting on our back-up chlorinator but our main chlorinator had a bearing that is wearing out. The cost for repairs is too much compared to replacing it with a new one.
- Spoke with Sherwin Williams & Passano Paints on getting us quotes for repainting the floor and piping inside of the pump house this summer.
- Repaired water leak at a house on East Main St. Had to get Seymour Excavating in to dig up the shut off that was broken off inside the curb box.
- Purchased 2 spare curb boxes from Seneca Plumbing. It is cheaper to have our own curb boxes rather than have our contractors charge us for one when replacing them.
- Received a quote from NY Rural Water for mapping out our water system. Still need to sit down with the Town Supervisor to go through the quote.

#### **Tindal Corners Water District**

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

#### **Spencer Settlement Water District**

- Completed monthly & quarterly sampling requirements – no issues.

Supervisor Eisnor worked with the water department on Sunday to try and find a leak that was reported at the Little League Field. One valve has a small leak that will be repaired. A procedure was discussed to ensure that the main water valves leading to the Little League Field are shat off each fall.

Supervisor Eisnor then asked for the Reading Center Report.

Library Clerk Tamara Aylesworth submitted the following report:

In February we loaned out 689 books and 59 DVDS for a total of 748. We had 91 people come into the library. We had 202 holds on books and DVDS from Mid – York library system. The library had 11 renewals, 7 new users sign up. We discarded 208 books.

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

Town Attorney Gregory Mattacola stated the codes case involving the flag lot has been settled. It was agreed that the parcel would be split into two (2) relatively equal lots.

Supervisor Eisnor thanked the Attorney for his report.

Supervisor Eisnor asked for the Town Clerks report.

Town Clerk, Jody Burdick reported;

In February, the Town Clerk's office sold five (5) new dog licenses and renewed thirty-seven (37) individual dog licenses for \$300.00. Of that, \$50.00 was sent to the Department of Ag & Markets for New York State's Dog Population Control Program. The Town Supervisor received \$250.00. Renewal notices for fifty (50) dogs due in March were sent out on February 29, 2020. Late notices for seventeen (17) dogs due in January were sent out on February 18, 2020.

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

There was one marriage licenses sold for \$40.00; \$22.50 was sent to the New York State Department of Health and the Town received \$17.50.

Ten (10) permanent handicapped permits and one (1) temporary handicapped permit was issued or renewed during the month.

Thirty-three (33) certified copies were issued for \$330.00.

One (1) building permit was issued for \$50.00. Five (5) Fire Inspection payments were received for \$250.00

#### Communications Received:

1. Family of Marjorie Lacell - Thank you.
2. NYS Association of Towns- Meeting notice- March 19, 2020.
3. Westlanders- Thank you.

#### Checks Received:

1. County of Oneida	4th Quarter Sales Tax	\$348,835.85
2. County of Oneida	Mortgage Tax	\$ 44,286.93
3. County of Oneida	Snow & Ice Control	\$109,151.00
4. C.O.C.V.A.C.	Fuel	\$ 2,540.67
5. Westmoreland Fire Dist.	Fuel-Dec 2019	\$ 487.30
6. Westmoreland Fire Dist.	Fuel-Oct 2019	\$ 520.62
7. Westmoreland Fire Dist.	BS Qtr. 1 2020	\$ 3,484.00
8. Westmoreland Justice Court	Judge Bowers-January	\$ 4,490.00
9. Westmoreland Justice Court	Judge Ossont- January	\$ 4,580.00
10. Stanwix Heights VFD	Fuel	\$ 50.63



11. Clark Mills Fire Dept	Fuel	\$ 120.52
12. Westmoreland CSD		\$ 14,831.05
13. Westmoreland CSD		\$ 9,676.70
14. Camelot	Water Payment	\$ 4,173.45
15. Camelot	Water Payment	\$ 9,000.00
16. Town of Bridgewater	½ Assessor Dues.	\$ 157.50
17. State of NY Dept. of Law	Antitrust Litigation	\$ 24.79
18. MDS of NY Corp	Water Search	\$ 20.00

The Supervisor thanked the Town Clerk for her report.

Supervisor Eisnor presented the Board with a revised fee schedule for the Town Park. After a brief discussion;

**44 A motion was advanced by Councilperson Seymour, seconded by Councilperson Rundle to set the 2020 Park Rental Fees at \$75.00 for a resident, \$100.00 for a non-resident and both will have a \$25.00 deposit; refundable if the pavilion is left in good order. All Board members present voted AYE and the motion was declared carried.**

The Supervisor spoke of starting to refurbish the Lowell fields. Different scenarios were discussed as to where to start. Highway Superintendent Young stated the Highway Department would be able to level off the fields and remove the existing ruts. From there the plan will be to restore the fields first, then work on installing a new fence. After that a building would be erected to house bathrooms, equipment storage area and a concession stand.

Supervisor Eisnor announced the fourth quarter sales tax revenues were up \$14,900.00.

The Zoning Board of Appeals has asked that the Codes Officer (Patrick Baron) be present at all of their meetings. Supervisor Eisnor advised the Zoning Board that the Codes Officer has prior commitments for Monday nights. If the Zoning Board would be willing to change their meeting night to Tuesday, Mr. Barron would be able to attend.

Supervisor Eisnor stated the next Association of Towns meeting will be held on March 19, 202 and will discuss renewable energy. Anyone interested in attending should inform the Town Clerk no later than Wednesday.

**45 A motion was advanced by Councilperson Seymour, seconded by Councilperson Rundle 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.**

**46 A motion was advanced by Councilperson Rundle, seconded by Councilperson Seymour to approve and place on file the minutes of February 10, 2020 as written. All Board members present voted AYE and the motion was declared carried.**

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

Westmoreland Water District	Vouchers #15-#24	which total	\$57,919.79
Tindall Water District	Voucher #3-#4	which totals	\$18,247.91
Spencer Water District	Voucher #3	which totals	\$ 228.00

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

**48 A motion was advanced by Councilperson Rundle, seconded by Councilperson Seymour to approve and order paid the claims of the Highway fund, vouchers #36 through #52 totaling \$41,853.40. All Board members present voted AYE and the motion was declared carried.**

**49 A motion was advanced by Councilperson Rundle, seconded by Councilperson Seymour to approve and order paid the General Fund vouchers #68 through #93 which totals \$16,641.56. All Board members present voted AYE and the motion was declared carried.**

The Supervisor stated that the next Regular Meeting will be April 13, 2020 6:30pm.

Supervisor Eisnor asked for a moment of silence in honor of George Bowers who passed away recently. Mr. Bowers was a past Councilman and Town Supervisor. He was very involved in this community and served the Westmoreland Town Pool, Little League, the Historical Society and more.

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

Tinney Green, Route 233, asked if any progress has been made on the Community sign. Supervisor Eisnor replied not yet, he is still looking for a grant that would help to defer the costs.

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

**50 A motion was advanced by Councilperson Rundle, seconded by Councilperson Seymour to adjourn this meeting. All Board members present voted AYE and the Supervisor declared the motion carried and adjourned this meeting 6:55 pm.**

Respectfully submitted,

Jody S. Burdick  
Town Clerk