

Westmoreland Town Board
Regular Meeting
October 13, 2014

Supervisor Kenneth Eisnor called this meeting to order at 6:31, October 13, 2014 at the Westmoreland Town Hall, 100 Station Road, Westmoreland, New York. Present at this meeting are Councilpersons Hubert Pritchard, Charles Hebbard and Scott Brown. Also present was Highway Superintendent Carl Eddy, Codes Officer Terry Williamson, Attorney Lisa Taber, Senior Library Clerk Riley McFadden, Recreation Director Jerrid Otis, Tax Collector Margaret Leone, Highway employee Ron Watson and three (3) residents.

The Supervisor 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 in the audience wishing to address the Board, Supervisor Eisnor reconvened to the regular meeting and asked for the Highway Report.

Highway Superintendent Eddy reported;

- A) We have been busy picking up leaves and brush
- B) In the process of servicing the trucks and putting on the winter equipment
- C) The parking lot at the Town Park has been stoned and oiled
- D) The new truck has arrived in Syracuse
- E) Weather permitting, we will be starting the sidewalk project

Senior Library Clerk, Riley McFadden thanked the Highway Department for completing the shutters and painting at the Reading Center. She stated it looks great.

The Highway Superintendent asked the Board what they wanted to do about the Grant from Soil and Water to replace the culvert on Shed Road. He continued by explaining that the culvert itself will cost \$19,000.00. The grant is for \$20,000.00 but they take out \$5,000.00 in administrative costs. That means the Town will need at least \$4,000.00 to complete the Project.

Councilperson Brown asked when this project would be done. He was told 2015. Councilperson Pritchard stated he was under the impression that the grant application stated "contractor" and asked if this would have to be put out to bid. The Highway Superintendent replied no, he verified with Soil & Water that the Highway Department could do the work themselves. Councilperson Pritchard then asked the Highway Superintendent what he thought should be done. Superintendent Eddy replied he thought we should decline the grant and just install a larger culvert, at a 45 degree angle, to catch the runoff and direct it to the ditch.

161 A motion was advanced by Councilperson Brown, seconded by Councilperson Pritchard to decline the grant from Soil and Water and allow the Highway Superintendent to make the necessary alterations to the culvert pipe on Shed Road as he sees fit. All Board members present voted AYE and the Supervisor declared the motion carried.

The Supervisor stated that money was budgeted for sidewalks in 2015 and that the Superintendent Eddy had commented at the budget meeting that the sidewalks will be finished this year. He asked if the Highway Department could fix the sidewalk leading up to the Reading

Center. Over the years the frost has caused the sidewalk to heave and does impose a hazard. The Highway Superintendent added that the sidewalk in front of the Annunciation Church is turning out to be more of project than anticipated. The Church not only wants the sidewalk replaced but they want it one (1) foot wider, more level and then covered with asphalt. Superintendent Eddy advised the Church that if some of their parishioners would be willing to help he would provide the materials. The Board was all in agreement with this scenario.

The Highway Superintendent asked the Board to reconsider their decision to remove Boyd Road from the list of Highway repairs in 2015. He added that he would much rather make the appropriate repairs before the road got too bad. The amount needed is \$67,000.00.

Supervisor Eisnor again thanked the Highway Department for all the work they did at the Park and for his report and asked for the Recreation Directors Report.

Recreation Director Jerrid Otis announced that between the payroll and tax and the last round of chemicals, the pool came up about \$4,000.00 short for the 2014 season. He also stated that Mike Calogero, president of the association has resigned. He queried as to whether the Board intends to reopen the pool next year. Mr. Otis acknowledged that even with a grant to make the appropriate repairs, the pool will still require around \$30,000.00 to operate each year. He added that it would not be financially beneficial to the Town to accept the grant and then close the pool after a couple of years.

Mr. Otis continued stating that any fundraising efforts for the pool need to be started now and he can't do that with the fate of the pool still undecided.

Councilperson Husted arrived at 6:44 P.M.

Supervisor Eisnor asked if Mr. Otis had any ideas for the space on Furnace Street if the pool were not to reopen. Mr. Otis replied that there are many grants available for playgrounds and playgrounds do get a lot of use.

The Supervisor stated that he would like to have answers concerning the status of the pool by the end of next month.

The Recreation Director stated that the Park looks really good and thanked the Highway Department again for all their work. He added that he has many ideas to promote the Park next year.

The Supervisor thanked the Recreation Director for his report and stated that the Assessor submitted the following report.

Sole Assessor Bernard Szarek reported that he will be taking the disk down to the County with the transfers and the new address changes done for the county and town tax bills. Most new exemption forms are in the hall for those who need them like the Snow Birds or new residents. I am still getting the building permits ready for field work.

The Supervisor then asked for the Codes Report.

Codes Officer Terry Williamson reported the following permits were issued in September.

Date	NO.	Last Name	First Name	Address	Tax Map ID #	Type Of Permit	Fee Paid
9/2/14	2014-0078	Nolan	Robert	5277 Eureka Road	302.000-1-72.2	Shed	\$20.00
9/2/14	2014-0079	Moore	William	12 Hillcrest Drive	274.000-1-21.3	Garage	\$40.00
9/2/14	2014-0080	Caouette	Shibley	6039 NYS Route 26	272.000-1-46.1	Home	\$150.00
9/2/14	2014-0081	Caouette	Shibley	6039 NYS Route 26	272.000-1-46.1	Septic	\$45.00
9/2/14	2014-0082	Bonsel	Brooke	5910 Skinner Road	300.000-1-33.11	Horse Barn	N/C
9/9/14	2014-0083	Kinsella	Kevin	6321 Cooper Street	313.000-1-32	Septic	\$45.00
9/9/14	2014-0084	Archer	Michael	5758 NYS Route 25	287.000-2-55	Addition	\$120.00
9/11/14	2014-0085	Miller	Regina	5911 Lower Lawrence St	288.000-2-66.8	Addition	\$95.00
9/16/14	2014-0086	Gibbs	Kevin	6075 NYS Route 233	274.000-2-42	Trailer permit	\$30.00
9/18/14	2014-0087	Grabski	Dean	6578 W South Street	325.000-1-19	Septic	\$45.00
9/25/14	2014-0088	Krug	Ken	5949 Springhouse Road	301.000-1-1.1	Accessory Bldg	\$40.00
9/25/14	2014-0089	Crane	Christopher	5867 Springhouse Road	300.000-1-12	Deck	\$20.00
9/30/14	2014-0090	Camelot Village		2 Sunrise Blvd	274.000-1-21.3	Shed	\$20.00
							\$670.00

Codes Officer Williamson advised the Board that the Medical building being constructed on Route 233 is having trouble locating the water line. He added that Buzz Storey told him that line is very deep. There was a short discussion involving the reconstruction of Route 233 in 1999 and some suggestions the Codes Officer could relay to the construction crew.

The Supervisor thanked the Codes Officer for his report; mentioned that no water report was submitted this month; but stated he spoke with Ted Flint and there are still four (4) meters that have not been installed in the Tindall Water District. The Supervisor announced that the Town will now attempt to contact these individuals.

Councilperson Husted asked if the wooden box at the water tower had ever been replaced or repaired. Supervisor Eisnor stated that a metal box is being constructed to replace the wooden one. He also advised the Board that Ted Flint will be making contact with Mr. Seymour on Thursday, October 16, 2014 regarding the meter status on Seymour Lane.

The Supervisor asked for the Reading Center Report.

Senior Library Clerk Riley McFadden reported that in September we loaned out 1,003 items, registered four (4) new patrons, and purchased twenty-nine new books for \$439.55. We

received a donation of forty, very nice Easy Reader books that we cataloged and put on our shelves.

The Supervisor thanked Riley for her report and asked for the Attorneys Report.

Lisa Taber of the Mattacola Law Firm reported that they have received correspondence from the County regarding the Town's withdrawal from the Workers Comp Program. Mainly, it concerned the fact that the Town must not only take our open claims with us but any closed claims as well. The correspondence directed the Town to make arrangements with our new carrier to have the records transferred and not to expect any further contact until the end of the year.

Ms. Taber mentioned that the hydro-fracturing ban is being modified to be submitted back to the Planning Board and the inter-municipal agreement between Rome, Whitestown and Westmoreland is still being rewritten but will also be ready very soon.

Supervisor Eisnor asked Ms. Taber of the status on the tow truck resolution and the snow and ice agreement with the County. She indicated that she was not aware of these items but would follow up.

Councilperson Pritchard stated that Attorney Mattacola was concerned over a clause in the snow and ice agreement stating that the County could withhold payment to the Town if they were not satisfied with the job. The Attorney was going to adjust that clause to state that the Town be given an opportunity to rectify the problem before any payment could be withheld. He then asked when the agreement had to be returned to the County. The Clerk replied the agreement must be returned by October 27, 2014.

162 A motion was advanced by Councilperson Pritchard, seconded by Councilperson Hebbard to authorize the Supervisor and the Highway Superintendent to sign the Snow and Ice Agreement with the County once the wording meets with their approval. All Board members voted AYE and the motion was declared carried.

Supervisor Eisnor asked for the Town Clerk's Report.

Town Clerk Jody Burdick reported in September, the Town Clerk's office sold eleven (11) new dog licenses, renewed sixty-six (66) individual dog licenses and one (1) purebred dog license, for \$595.00. Of that, \$104.00 was sent to the Department of Ag & Markets for New York State's Dog Population Control Program. The Town Supervisor received \$491.00, which includes \$1.00 in late fees.

On September 8, 2014 twenty-one (21) late notices were sent out for dogs due in August 2014. Renewal notices, for eighty-three (83) dogs due in October, were sent out September 25, 2014.

DECALS sales totaled \$4,640.00, of which the Town realized \$238.93 in commissions.

There were two (2) marriage licenses issued in September for a total of \$80.00, of which the Town realized \$35.00. Thirteen (13) certified copies were issued for \$130.00 and two (2) dog redemption fee for \$20.00.

Ten (10) permanent handicapped permits and three (3) temporary handicapped permits were issued or renewed during the month.

Our next Blood Drive is set for November 8, 2014.

Communications received:

1. MVEDD-survey for Comprehensive Economic Development Strategy.
2. Supervisor-copy of letter sent to Tindall Water Users concerning the urgency in installing the new meter.
3. Association of Towns- Personnel Management School application.
4. Williamson Law Books- information on credit card application through Williamsons.
5. Supervisor- acknowledgement letter sent to Skyler Wolsey concerning traffic patterns in Westmoreland.
6. NYSDEC- announcement of grant eligibility.
7. Office of the State Controller- announcement of State Aid payment.
8. NYMIR- proposed rate adjustments for 2015.
9. Donna Clark, Vienna Town Clerk- spreadsheet of salaries and budget information for Towns in Oneida County.
10. NYS DOT- designation of restricted highway, Route 233 over unnamed creek.
11. NYS Environmental Facilities Corporation- revised construction and non-construction Bid Packets.
12. Supervisor- thank you to Clinton Tractor for use of the roto-tiller/tractor.
13. Supervisor-copy of water shut off letter sent to Tindall residents that have updated their meter.
14. Office of the State Comptroller- training seminar on Property Tax Cap Review and Tax Freeze Details.

Checks received:

1. Camelot Village	water payment	\$19,944.25
2. Westmoreland Justice Court	Justice Ossont-September	\$12,868.00
3. Bank of Utica		\$ 471.34
4. Ed Fall	Town Park rental	\$ 25.00

Councilperson Brown notified the Board that he will be working on the Workers Comp transfer to the new carrier. Councilperson Brown will contact Comp-Alliance and NYMIR on October 14, 2014 and update them on where we stand.

Councilperson Hebbard advised the Board that he spoke with George Joseph and the County is now prepared to fix the Furnace Street Bridge with the stipulation that the Town take over the Road and the Bridge. Councilperson Hebbard suggested that Councilperson Husted oversee that project because it is his area of expertise. The Supervisor stated we will wait for a proposal from the County before making any decisions as we have heard this proposal before and nothing ever came of it.

Councilperson Pritchard reluctantly said that he thinks it may be time to change his mind about the pool. Another \$400.00 electric bill for half a month just is not feasible to continue.

Councilperson Pritchard also added that the County will be offering plowing contracts to all Towns except Vernon and Verona. He indicated he is not sure how of if this will affect Westmoreland but we should be hearing something soon.

Supervisor Eisnor advised the Board that Computel Consultants has completed their initial assessment of the Time Warner accounts and has found underpayments of \$12,238.07 in franchise fees. The fee associated with this service is 40% of whatever is recovered.

163 A motion was advanced by Councilperson Husted, seconded by Councilperson Brown to sign and authorize Computel Consultants to investigate and recover any monies due to the Town of Westmoreland. All Board members voted AYE and the motion was declared carried.

The Supervisor stated that a new resolution is need for the NYS Retirement. Councilperson Hebbard asked if anything has changed. The Town Clerk responded stating that the Clerks position is changing. She explained that when keeping the workday calendar, if any vacation or holiday days fall within that three (3) month window, the employee must continue into the fourth (4th) month for that number of days. She did not do that. Retirement Reporting is now asking for the resolution to correct the number of days worked per month for the Clerk's position.

164 A motion was advanced by Councilperson Hebbard, seconded by Councilperson Pritchard to amend the days worked per month for the Town Clerk from 19.24 to 22.68 on the NY State Retirement Reporting System. All Board members voted AYE and the Supervisor declared the motion carried.

Supervisor Eisnor notified the Board that a budget modification is needed in order to satisfy the poll debts.

165 A motion was advanced by Councilperson Hebbard, seconded by Councilperson Brown to approve the budget modification as follows:

From: A1990.400 (Contingent Account)

To: A7140.410 (Equipment & Maintenance) \$3,978.82

All Board members voted AYE and the Supervisor declared the motion carried.

The Supervisor reminded the Board that the Public Hearing for the Preliminary Budget will be October 29, 2014 at 6:00 P.M., the interview meeting for the Codes Officer position will be October 28, 2014 at 6:00 P.M., and the next Board meeting is scheduled for November 10, 2014 at 6:30 P.M.

In response to the Highway Superintendents request to add \$67,000.00 back into the road repair budget for 2015, the Highway Fund was reviewed by the Board. A very lengthy discussion continued and the Highway Superintendent provided copies of his worksheets to aid the Board in their decision. Ultimately, the additional money could not be found and the Board had no alternative but to deny the request.

166 A motion was advanced by Councilperson Hebbard, seconded by Councilperson Brown to approve and place on file the Supervisors, Town Clerk and Codes reports. All Board members voted AYE and the Supervisor declared the motion carried.

167 A motion was advanced by Councilperson Hebbard, seconded by Councilperson Brown to approve and place on file the minutes of September 8, 2014. All Board members voted AYE and the motion was declared carried.

168 A motion was advanced by Councilperson Hebbard, seconded by Councilperson Brown to approve and order paid vouchers #370 through #424 of the General Fund, totaling \$35,106.86. All Board members voted AYE and the motion was declared carried.

169 A motion was advanced by Councilperson Husted, seconded by Councilperson Hebbard to approve and order paid the claims of the Highway fund, vouchers #225 through #255, which total \$206,695.90. Councilperson Husted asked why we were just paying the towing bill for the snowplow that caught fire. The Clerk answered that we have had the bill for quite some time, but just received the payment from the insurance company. All Board members voted AYE and the Supervisor declared the motion carried.

170 A motion was advanced by Councilperson Pritchard, seconded by Councilperson Hebbard to approve and order paid the vouchers of the Water Districts as follow:

Westmoreland Water	vouchers #59 through #66	which totals	\$ 2,020.46
Spencer Settlement	vouchers #11	which totals	\$ 724.60
Camelot Water	voucher #4	which totals	\$ 8,040.34

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

Supervisor Eisnor asked if there was anyone in the audience wishing to address the Board.

Highway employee Ron Watson addressed the Board regarding raises for the Highway Department. He feels the Highway employees should receive a raise this year. He added that because three (3) employees have left the Town's Health Insurance, it has save the Town over \$18,000.00 this year. Mr. Watson adamantly stated that he feels he has provided superior service to the Town and is deserving of a raise. Supervisor Eisnor agreed that the entire Highway Department has gone above and beyond this year and do deserve a raise, however there is only so much money the Town has to work with.

Superintendent Eddy asked the Board to consider giving raises to the three (3) employees that have left the health insurance plan. The Supervisor agreed to discuss this further with the Bookkeeper.

171 There being no other business to be brought before the Board a motion was advanced by Councilperson Hebbard, seconded by Councilperson Pritchard to adjourn this meeting. All Board members voted AYE and Supervisor Eisnor declared the motion carried and adjourned this meeting at 7:42 P.M.

Respectfully submitted,
Jody S. Burdick,
Town Clerk