

**Westmoreland Town Board  
Regular Meeting  
February 10, 2025**

Supervisor Charles Hebbard called this regular meeting to order at 6:00 pm on February 10, 2025. Present at this meeting were Councilpersons Burton Seymour Jr., Randy Rundle, Kirk Donley and Pete Smith. Also present were Highway Superintendent Russell Young, Sole Assessor Holly Osterhoudt, Codes Enforcement Officer Fred Fox Jr., Attorney Gregory Mattacola and two (2) audience members. Absent from this meeting was Building Inspector Patrick Baron and Tax Collector Margaret Leone.

Supervisor Hebbard asked all to stand for the Pledge of Allegiance.

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

There being no one wishing to address the board, he reconvened to the regular session.

Highway Superintendent Russell Young submitted this report:

- Highway Dept. has been very busy plowing
- Poland Sand is having more material in this week, it's getting low
- Chuck and myself attended an emissions meeting. We met with New York state government officials at Utica Mack.

Councilperson Seymour asked Highway Superintendent Young if the town currently has enough salt for the remainder of the winter, and how much will we need. Highway Superintendent Young responded that we do not have enough at this time, but how much more is needed will depend on the upcoming weather.

Sole Assessor Holly Osterhoudt submitted the following report:

This month is devoted to exemption processing and adding value for the 2025 assessment roll. If you received a renewal application at the end of December. Please complete it and return it and required documentation to the assessor's office no later than March 1, 2025. If there are any questions for you, the assessment office will reach out to you. If you have any questions, please feel free to call @ 315-853-8001, ext.#8

Supervisor Hebbard thanked the Assessor.

Codes Enforcement Officer Fred Fox submitted the following report:

**Complaints**

**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.

3-9-20 Spoke with deceased owner's son, Brian Grant. Going to work with him on cleaning up property. He has already started. Photo(s) taken 3-12-20.

11-23-21 Re-Checked property. Vast improvement noted from initial inspection. Re-cited under Brian Grants name with an OTR date set for June 1, 2022.

7-12-22 Re-Checked progress still being made. Have to track down owner again, phone numbers I have are disconnected.

10-23-23 inspected property. high grass made it hard to view. Majority of junk and debris from initial violation notice was abated. To date no contact with owner's son, Brian Grant.

**6-4-19 5651 Blackman Corners 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.

8-2-22 Spoke with Owner, gave him the number to call Dept of Labor to determine if house can be declared an agricultural bldg. or get an asbestos contractor to determine if there is any in the building. Owner indicated he will be demolishing the building. 5-9-23 spoke with owner and advised he would need an asbestos testing report before filing for demo permit. A letter will be sent to owner giving him until 5-23-23 to apply for his demo permit barring any scheduling conflict with third party company assigned to conduct testing. He has applied for demo permit, waiting on asbestos report.

3-19-24 Demolition permit picked up.

2-4-25 Building is down and cleanup is in progress.

**10-11-22 (6000) Greenway-Lowell Rd.** Notice of violation written for unsafe structure and junk and debris. Building placarded for unsafe structure (foundation wall). OTR set for 11-8-22. 11-8-22 No progress made. Preparing paperwork for court. 11-15-22 Court paperwork filed. Court date set for 12-7-22. 12-6-22 No contact with owner as of this date. 12-20-22 I have to file court paperwork after the 1<sup>st</sup> of the year.

6-4-24 Sent a certified letter requesting owner to contact our office immediately upon receiving the letter. 6-26-24 Certified letter was received, no contact from owner to date.

7-9-24 Court paperwork submitted and mailed certified letter. Court date set for 8-28-24.

8-28-24 Owner appeared in court. Progress made on clean up. On site inspection set for 9-3-24. Adjourned until 10-23-24. 10-23-24 Cleanup is done, adjourned until April 2025 to finish structural repairs on the building.

**8-30-23 6385 Rt.26** Notice of Violation written for junk and debris and junked vehicles (camper and boat). 7-9-24 Bank foreclosed on property, emailing Notice of violation to property management company.

**3-19-24 6613 Cooper St.** Notice of violation & posted unfit/unsafe written for partial collapsed building. OTR to have demolition permit set for April 19, 2024. 9-10-24 mailed final notice with OTR set for 9-24-24. Set for court 11-13-24. Adjourned until 1-8-25 for owner to find a demolition company. 1-8-25 Owner failed to show. Trial set for 3-12-25.

**3-19-24 6645 Cooper St.** Notice of violation & posted unfit/unsafe written for partial collapsed building. OTR to have demolition permit set for April 19, 2024. 9-10-24 mailed final notice with OTR set for 9-24-24. Set for court 11-13-24. Owner did not show. Adjourned until 1-8-25. 11-19-24 emailed court paperwork to a process server per town attorney. 11-26-24 Owner has been served by process server. 1-8-25 Case is put on hold. Owner is deceased and Greg Mattacola will try and reach out to the attorney for the estate.

**5-22-24 4783 Stop 7 Rd.** Notice of violation written for multiple unregistered/inoperable vehicles on the property. OTR set for 6-25-24. 7-2-04 spoke with owner, extend to 8-27-24. 12-10-24 spoke with owner extend until 12-17-24. 1-14-25 extending to 2-4-25. 2-4-25 summons to court on 3-12-25.

**6-11-24 4741 French Rd.** Notice of violation written for property maintenance issues with an order to remedy set for 7-30-24.

**6-11-24 6858 Fairway Dr.** Notice of violation written for j/d, j/v and w/g with an order to remedy set for 7-16-24. Extended. 9-10-24 j/v has been removed.

**7-23-24 6368 Rte. 5.** Notice of violation written for property maintenance issues with an order to remedy set for 8-27-24. 9-24-24 majority of the work is complete.

**1-7-25 5273 Furnace St.** Notice of violation written for junk and debris in front yard. Order to remedy set for 1-21-25. 1-21-25 Extend one week, emailed owner. 1-28-25 summons to court on 3-12-25.

**1-21-25 7327 E Main St.** Notice of violation written for junk and debris on side yard and on front porch. Order to remedy set for 2-4-25. 2-4-25 Abated.

#### **1203 Fire Prevention Inspections:**

**6-25-24 4769 Rte. 233 Ballet Arts of Central NY.** Notice of violation written with an OTR set for 7-30-24. .

**10-29-24 45 Seymour Ln. Borza's Rec Center.** OTR set for 12-3-24. Extended.

**11-11-24 4836 Rte. 233 Station 233 The Simple Bar.** OTR set for 12-18-24.

Building Inspector Patrick Baron reported that there were no building permits issued this month.

Codes enforcement Officer Fox stated that the property on Blackmans Corners Road has completed clean-up as of today. Councilperson Smith mentions a garage that has collapsed across from Circle K. Codes enforcement Officer Fox says that he has written it up, and it will be on next month's report. Councilperson Seymour a truck that has been parked on a property on Route 233 that is blocking the sidewalk. Supervisor Hebbard states that that situation has been addressed and is in progress. A discussion followed about the sidewalk ordinances and expectations in the town.

Water Plant Operator Ted Flint submitted the following report:

#### **Westmoreland Water District**

- Completed monthly sampling requirements - no issues.

- Performed several UFPO dig requests.
- Working on getting quotes for a “Water Main Leak Detection Maintenance Program” through two different vendors. This program could save us a ton of money mitigating unknown leaks throughout of water system.
- Scheduled our annual Sanitary Survey for the second week of February with the Oneida County Health Department.

#### **Tindall Corners Water District**

- Completed monthly sampling requirements - no issues.
- Performed several UFPO dig requests and 2 Emergency UFPO’s.

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

- Completed monthly sampling requirements - no issues.

Supervisor Hebbard advises the board that Water Plant Operator Flint is going to bring in the leak detection company to Spence Settlement Water District. There are discrepancies in the amount of water usage that is metered by MVWA, and the amount that the City of Rome is billing for, per their master meter.

Town Attorney Greg Mattacola reports that the new town Codes Fee Schedule is complete and pending a public hearing.

Reading Center Clerk Sarah Pullman submitted the following report:

- For the month of January, we were open for a total of 30 ½ hours. (shorter hours due to Sarah out for surgery) We welcomed 52 visitors into the reading center. We checked out 25 items within the reading center, 44 e-books, 39 audio books, 28 e-
- magazines, and 69 holds filled for other libraries, giving us a total of 180 items circulated in January.
- We continue to provide our winter-time puzzle swap.
- We continue to promote the available snowshoes to borrow with your library card.
- We continue to announce our first book club meeting coming up in February.
- Our museum pass for the Corning Museum of Glass expires on 2/28/2025. We are encouraging patrons to utilize it with their library card before the expiration date. In addition, we are reviewing new passes available this 2025 year from Mid-York, and will announce which passes we receive when available.

#### **Building Maintenance Notes:**

- Thank you for having our light bulbs changed! We have 3 fixtures totally out and were told we need to have the ballast’s replaced by an electrician.
- Our water fountain in the building has been out of order for a while (to my knowledge since before covid). It leaks underneath when the bar is pushed for water. Can we have the water fountain either removed or repaired?
- The component for the handicap accessible door unit does not work and we do have some patrons that use wheelchairs or walkers. Is it possible to have that repaired?

Town Clerk Anna Storey submitted the following report:

In January, the Town Clerk’s office sold two (2) new dog licenses and renewed twenty-one (21) individual dog licenses, for \$214.00 Of that, \$35.00 was sent to the Department of Ag & Markets for New York State’s Dog Population Control Program. The Town Supervisor received \$179.00.

On January 30, 2025, late renewal notices were sent out for all overdue dogs in 2024, totaling sixty (60). Renewal notices for thirty-four (48) dogs due in February were sent out on January 30, 2025.

There were no DECALS sales in January.

There were no marriage licenses or marriage officiant licenses sold in January.

There were no peddler's permits issued in January.

Thirty (30) certified copies were issued for \$300.00. There were no fire inspections conducted in January. There were no building or septic permits, or area variances issued in January.

Four (4) permanent handicapped parking permits were issued or renewed during the month. There were no temporary parking permits issued in January.

All 2025 appointments were sworn in, and oath-of-office cards were sent out.

Checks Received:

|                                         |                                       |              |
|-----------------------------------------|---------------------------------------|--------------|
| 1. Town of Westmoreland Fire District   | Nov 2024                              | \$795.77     |
| 2. Town of Westmoreland Fire District   | 4 <sup>th</sup> Qtr WC B Szarek       | \$3,484.00   |
| 3. Town of Westmoreland Clerk           | Jan. 2025                             | \$479.00     |
| 4. County of Oneida                     | 3 <sup>rd</sup> Qtr Traffic Diversion | \$3,166.67   |
| 5. Clark Mills Fire District            |                                       | \$389.37     |
| 6. Town of Westmoreland                 | Tax Collector Account                 | \$564,470.00 |
| 7. COCVAC                               |                                       | \$3,169.79   |
| 8. County of Oneida                     | Sept. 2024 Mortgage Tax Distribution  | \$43,057.45  |
| 9. County of Oneida                     | 2024 Mowing                           | \$15,794.85  |
| 10. Westmoreland Central Schol District |                                       | \$9,035.10   |
| 11. Allied American Abstract Corp.      | Water Search                          | \$20.00      |

Communications Received:

|                                 |                                |
|---------------------------------|--------------------------------|
| 1. Department of Transportation | Speed Limit Study No. 02240132 |
| 2. Department of Transportation | Speed Limit Study No. 02240133 |
| 3. DEC Delivers                 | January Newsletter             |
| 4. Social Security Star         | February Newsletter            |

Oriskany Creek Watershed Commission representative Roger Potenski submitted the following report:

Meeting held at Waterville NY town offices, Thursday, January 16, 2025

Present for Westmoreland were town OCWC representative Roger Potenski (PB/ZBA member) and Supervisor Chuck Hebbard.

A voting quorum was not obtained at this meeting due to absences.

Discussions held on the FEMA BRIC application. From the survey of projects, the commission has selected four needs, that will be combined into a formal FEMA application.

- Valley Road embankment stabilization. Town of Whitestown, Village of Oriskany.
- Big Creek clearing. Town of Sangerfield, Village of Waterville.
- Bridge into Waterville sewage plant. Village of Waterville.
- Flood mitigation control measures. Town of Kirkland, Village of Clinton.

Balance in OCWC treasury stands at \$23,431

Consulting engineers Rambol will be presenting their findings and study at the upcoming Mohawk Watershed Symposium with the State of New York on March 21, 2025 at Union College. Displaying the study and work of the OCWC, and benefits of active participation of member municipalities, Oneida County, local state DEC and DOT staffs.

Next OCWC is scheduled for Thursday, February 20, 2025 in the Town of Westmoreland offices.

Supervisor Hebbard states that the town's proposed water project was not chosen by FEMA. This could be a good thing, as there are so many natural disasters nationwide at the moment, FEMA could be very slow and delayed. Roger Potenski advises that at this point we will pursue assistance from the county. Councilperson Donley reached out to the DEC regarding the project and they have certain requirements, including a freshwater wetlands permit, relocation of the soil to 100ft from wetlands, disposing invasive plants, and signatures from landowners. They also advise to contact the Army Corps of Engineers and an environmental consultant. Councilperson Donley says he will reach out to the school to use their environmental consultant. Then a meeting of the DEC, Oneida County, the Town of Westmoreland, and the contractor will take place to discuss the project, the expected costs and man hours.

#### **Board Comments:**

Councilperson Donley would like to schedule the public hearing to finalize the update codes fee schedule.

Councilperson Donley states that Gray Owl Works will soon have a preliminary design of the new website to share with the board.

Councilperson Seymour lets the board know that the new window installation will hopefully begin in March, weather permitting.

Councilperson Smith brings up the topic of mailboxes being knocked down by snow. Highway Superintendent Young says that whenever possible, highway department goes back and fixes the mailboxes as soon as weather permits. Residents can call the highway department and leave their information.

**29 Councilperson Seymour advanced a motion to approve and place on file the Supervisor, Town Clerk and Codes Reports for January 2025. Councilperson Rundle seconded the motion. All Board members voted AYE and the motion was declared carried.**

**30 Councilperson Smith advanced a motion to approve and place on file the minutes of the Regular Meeting January 20, 2025 and the Audit Meeting January 28, 2025. Councilperson Donley seconded the motion. All Board members voted AYE and the motion was declared carried.**

**31 Councilperson Donley advanced a motion to approve and order paid the vouchers of the General fund, vouchers #27 through #48, which total \$16,255.99. Councilperson Seymour seconded the motion. All Board members voted AYE and the motion was declared carried.**

**32 Councilperson Smith advanced a motion to approve and order paid the claims of the Highway fund, vouchers #17 through #35, which total \$74,351.37. Councilperson Rundle seconded the motion. All Board members voted AYE and the motion was declared carried.**

**33 Councilperson Seymour advanced a motion to approve and order paid the claims of the water districts as follows:**

|                             |                |              |             |
|-----------------------------|----------------|--------------|-------------|
| Tindall Water District      | voucher #2     | which totals | \$ 30.00    |
| Westmoreland Water District | vouchers #6-12 | which totals | \$ 5,723.63 |
| Spencer Water District      | voucher #2     | which totals | \$ 30.00    |

**Councilperson Donley seconded the motion. All Board members voted AYE and the motion was declared carried.**

Supervisor Hebbard stated the next Regular Meeting will be held March 10, 2025 at 6:00pm, and a Public Hearing on the new Codes Fee Schedule will be held at 5:45pm on the same day.

Supervisor Hebbard paused the regular meeting to allow comments from the floor.

Chuck Smith inquired if the board has heard from the NYS Thruway Authority about the Aplin Haus. Supervisor Hebbard states that the town Planning/ZBA Board has approved everything, but Aplin Haus is waiting for the NYS Thruway and property owners. The NYS Thruway Authority has many requirements. Roger Potenski says that if the Thruway makes changes to Alpin Haus plans, it will have to get approved by the town again.

There being no one else wishing to address the Board, Supervisor Hebbard reconvened to the regular session and asked for a motion to adjourn.

**34 Councilperson Seymour advanced a motion to adjourn this meeting. Councilperson Rundle seconded the motion. All Board members voted AYE. Supervisor Hebbard declared the motion carried and adjourned the meeting at 6:39 pm.**

Respectfully submitted,  
Anna C. Storey  
Town Clerk