

Westmoreland Town Board
Regular Meeting
April 14, 2025

Supervisor Charles Hebbard called this regular meeting to order at 6:00 pm on April 14, 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, Tax Collector Margaret Leone and two (2) audience members. Absent from this meeting was Building Inspector Patrick Baron.

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

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

Supervisor Hebbard mentions that the Westmoreland Days event will be held June 13 & 14, 2025.

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

Highway Superintendent Russell Young submitted this report:

- Need town board to sign 284 Agreement
- All town roads have been swept
- First part of May, they are coming in to pave 4.8 miles of roads
- Guys have been chipping brush and cleaning intersections. They have also been picking up garbage on town-owned roads

Supervisor Hebbard states that the board needs to approve the hot pavement agreement with Gorman.

44 Councilperson Seymour advanced a motion to accept the quote from Gorman Construction for a total of \$531,574.00. Councilperson Smith seconded the motion. All Board members voted AYE and the motion was declared carried.

Councilperson Seymour asked Superintendent Young if he has any idea when the two new trucks will arrive. Superintendent Young believes one will be in the fall, and one will be in July or August.

Supervisor Hebbard tells the board that he and Superintendent Young have discussed raising the price for the highway department to install culvert pipes for driveways, due to increased cost of the stone. Starting May 1, the price will be \$500 minimum, and that includes stone and labor for a standard 20ft driveway. The homeowner will have to purchase the pipe.

Superintendent Young tells the board that the price of sand from Poland Sand & Gravel has increased, and wants to make sure the board accepts the increase before he begins hauling it in. He is estimating that it will go up another 20 dollars per ton more, making it difficult to plan budgets. The board agrees that it is a necessity.

Superintendent Young says his new employee is working out well.

Sole Assessor Holly Osterhoudt submitted the following report:

Grievance day is May 27th 4-8 pm in the Town Hall. If you feel your assessment is incorrect, please contact the assessor's office and leave a message. Be sure to include your name, address and phone number. Email would be helpful as well. Please also leave a short message as to why you are calling.

Sole Assessor Osterhoudt states that the tentative roll is in, there will be an adjustment for solar projects, when the state finalizes those models.

Sole Assessor Osterhoudt has not received any grievances yet, but they could pick up when the tentative roll comes out on May 1st. Anyone with changes will receive a notice.

Councilperson Smith asked Sole Assessor Osterhoudt if there are any updates on the fire department tax code, referencing last month's meeting when some omissions were discovered. Sole Assessor Osterhoudt says she will be working on that next month.

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.

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 1st 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 Clean-up 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. Court case dropped, Seymour excavating hired for demolition. 4-1-25 Demolition completed. Violation Abated.

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. 3-18-25 Only one more vehicle left to be removed, owner stated that was being removed this evening. Changed to 3-26-25 for court appearance. 3-25-25 ABATED. Cancelled court.

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.

2-4-25 5218 Rte 233. Notice of violation written for garage roof. Order to remedy set for 4-4-25. 4-1-25 Building down, owner applied for demolition permit.

2-26-25 5483 Rte 233. Notice of violation written for collapsed barn. Order to remedy set for 4-29-25.

4-8-25 6385 Rte. 26. Notice of violation written for junk and debris. Order to remedy set for 4-22-25.

4-8-25 6379 Rte. 26. Notice of violation written for junk and debris. Order to remedy set for 4-22-25.

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. 2-10-25 Verified two of three violations have been abated.

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

2-11-25 6506 Rte. 5 Hodge Podge. OTR set for 3-4-25. Extended to 3-11-25. 3-10-25 Abated.

2-25-25 6505 Rte 5 Olde Kountry Market. OTR set for 3-10-25. 3-10-25 Abated.

2-26-25 6541 Rte 5 Just Like Grandma's. OTR set for 3-19-25. 3-10-25 Abated.

2-26-25 6541 Rte 5 Hill Top Repair. OTR set for 3-19-25.

3-10-25 7356 E Main St. Mo Athari. No Violations.

3-11-25 6544 Rt. 5 Gary Spavin & Sons. OTR set for 4-8-25. 4-2-25 Abated.

3-11-25 7325 Rt. 5 Clinton Therapy & Testing Center. OTR set for 4-1-25. 4-1-25 Abated.

4-1-2025 7505 Rt. 5 The Consignment Chick & 3 family unit. OTR set for 4-22-25.

4-2-25 7295 W Main St. Franco's Pizza. OTR set for 5-12-25.

4-8-25 7474 Rt. 5 Pryor Tec Services Garage. No Violations.

4-8-25 7474 Rt. 5 Pryor Tec Services Office/Apt. No Violations.

4-8-25 7311 Rt. 5 Maxam Pole Barn/Apt. No Violations.

Building Inspections: By Pat Baron

Month	Mar-25	Westmoreland Town Board: Building Permits/ Septic Systems Monthly Report					
Date	NO.	Last Name	First Name	Address	Tax Map ID #	Type Of Permit	Fee Paid
3/4/2025	2025-04	COMMUNITY	BANK	4675 NY RT 233	327.000-6-1.2	SIGN	\$ 60.00
3/4/2025	2025-05	EVANS	ROBERT	5593 BARTLETT RD	302.000-1-4.1	DEMO GARAGE	\$ 50.00
3/4/2025	2025-06	PERRY	JACOB-BROWNE	5961 LOWER LAWRENCE S	288.000-2-22.16	ROOF SOLAR	\$ 300.00
3/11/2025	2025-07	BONANZA	JOSEPH	5259 JENKINS RD	300.000-1-45.2	ADDITION 1 FAM TRUSS ID	\$ 118.00
3/11/2025	2025-08	TKACHUK	OLEG	6087 SKINNER RD	300.000-1-21.21	SIDE DECK	\$ 25.00
3/11/2025	2025-09	GEDDED	EDEE	7563 STONE RD	303.000-1-59.2	DEMO POLE BARN	\$ 50.00
3/18/2025	2025-10	SECOND GARDEN	PARK LP	6 NOBLE LN	287.000-1-23	DEMO MOBILE HOME	\$ 50.00
3/18/2025	2025-11	SECOND GARDEN	PARK LP	6 NOBLE LN	287.000-1-23	NEW SINGLE WIDE	\$ 150.00
3/18/2025	2025-12	ALLEN	TIMOTHY	6913 FAIRWAY DR	326.000-1-14	FRONT PORCH	\$ 25.00
3/25/2025	2025-13	JOHNSTON	THOMAS	4420 DEANS HWY	325.000-1-27	ROOF SOLAR	\$ 300.00
							\$ 1,128.00

Councilperson Seymour asks if any buildings that have collapsed from the snow have been addressed, and Codes Officer Fox states that at least three have been demoed and cleaned up already.

Councilperson Rundle thanks Codes Officer Fox for getting some violations taken care of on Stop 7 Rd. Supervisor Hebbard questions if there is an ordinance for how many cars can stay on a property unregistered. Attorney Mattacola says if all the cars are registered and insured and driven, they are acceptable.

Water Plant Operator Ted Flint submitted the following report:

Westmoreland Water District

- Completed monthly and quarterly sampling requirements - no issues.
- Performed several UFPO dig requests and 1 Emergency UFPO.
- Received a quote from GPRS to perform a "Leak Survey" on our entire water system. This has been tentatively scheduled for the second week of May.
- Getting pricing on replacing 2 fire hydrants in front to the High School. Both are in very bad shape and do not work well. They need to get replaced before an emergency comes up. They were on my list of replacements that was turned in a couple years ago.

Tindall Corners Water District

- Completed monthly & quarterly sampling requirements - no issues.
- Performed 1 UFPO dig requests and 2 Emergency UFPO'S.

Spencer Settlement Water District

- Completed monthly & quarterly sampling requirements - no issues.
- Murphy Excavating dug up and repaired a leaking water line that ran under the road and feeds 6334 Rte. 26. This leak was detected using GPRS and their leak detection equipment.

Supervisor Hebbard tells the board that the leak in Spencer Settlement Water District has been fixed, but he still intends to reach out to the city of Rome regarding the readings on their master meters.

Reading Center Clerk Sarah Pullman submitted the following report:

- The Month of March was a busy time at the Reading Center! We had 90 visitors, with 8 new user/Library Card holders issued. The Reading Center checked out 127 items within our library, we filled 70 holds for transfer to other libraries, there were also checkouts of 38 e-books, 40 audiobooks, and 28 e-magazines for a total of 303 items circulated by The Reading Center
- We held our Monthly Book Club Meeting and chose a book for our meeting in May
- We recently were able to purchase some new activities for our Children's section and provide our monthly take and make craft.
- We had a visit from Mid-York to train on some use of our software OCLC system and also met the new Director Mandy Travis.

Town Clerk Anna C. Storey submitted the following report:

In March, the Town Clerk's office sold six (6) new dog licenses and renewed thirty-eight (38) individual dog licenses, for \$272.00 Of that, \$54.00 was sent to the Department of Ag & Markets for New York State's Dog Population Control Program. The Town Supervisor received \$218.00.

On March 24, 2025, renewal notices were sent out for fifty (50) dog licenses due in April 2025. Late renewal notices were sent out for February's overdue licenses, totaling sixteen (16).

There was one (1) fishing license sold in March, for a total of \$5.00. The Department of Environmental Conservation received \$4.72 and the Town's commission was \$0.28.

There was one (1) marriage license and zero (0) marriage officiant licenses sold in March, for \$40.00. \$22.50 was sent to NYS Department of Health and the town received \$17.50.

There were no peddler's permits issued in March.

Fourteen (14) certified copies were issued for \$140.00. There were three (3) fire inspections conducted in March, totaling \$150.00. There were eleven (11) building permits issued in March for \$1,128.00.

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

The park pavilions were booked for five (5) events this summer.

Checks Received:

1. Town of Westmoreland Fire District	Jan 2025	\$839.58
2. Town of Westmoreland Fire District	Open Claims Szarek & Rundle	\$36,388.72
3. Town of Westmoreland Clerk	March 2025	\$1557.78
4. Town of Westmoreland Justice Court (2)	Court Funds Feb. 2025	\$10,386.00
5. Town of Westmoreland Justice Court (1)	Court Funds Mar. 2025	\$4,205.00
6. Jennings	Pavilion Rental	\$75.00
7. E-Z Riders Snowmobile Club	Feb-Fuel	\$606.85
8. NYS Municipal WC Alliance	Jan. 2024 Loyalty Awards	\$1,257.00
9. County of Oneida	2024-2025 snow season	\$119,714.00
10. County of Oneida	4 th Qtr. Traffic Diversion Contract	\$3,750.00
11. Stanwix Heights VFD	Feb.	\$119.55
12. Central Oneida County VAC		\$3,082.71
13. Bank of Utica	Certificate Interest Check	\$2,430.00
14. SIMS Metal		\$638.40
15. Lazarra	Culvert	\$300.00
16. Batson	Pavilion Rental	\$75.00
17. Martin	Pavilion Rental	\$75.00
18. Westmoreland Central School District		\$10,184.35
19. Clark Mills Fire District		\$405.66

Communications Received:

1. CORE	Emergency Response Exercise
2. NYAoT	25 th Town Finance & Personnel School Registration
3. The Social Security Star	Newsletter
4. Ride for Missing Children	Roadway Permission Request
5. NYS Department of State	Local Law Filing
6. MVEDD	Newsletter

Oriskany Creek Watershed Committee Representative Roger Potenski submitted the following report:

- Meeting held at the Waterville Municipal offices.
- Attending for Westmoreland were Supervisor Chuck Hebbard and PB/ZBA board member Roger Potenski.
- Discussion on FEMA BRIC Applications that have been submitted. A total of \$745,000 requested, and \$177,000 in matching monies can come from Oneida counties Flood Mitigation Fund.
- Westmoreland has two projects submitted for grants, Shed Road culvert upsizing, and addressing the undersized bridge on Peckville Road.
- Waterville was awarded \$240,000 for the issues on Big Creek where it goes under Main Street. Work to include the removal of a building, stream bank stabilization, and stream bank realignment.
- Rambol Engineering is available (for a fee) to assist any municipality with grant applications
- \$29,439 in commissions bank account.
- County planning representative Jeff Rehler has accepted a position with E.D.G.E.
- Next meeting scheduled for April 17th, 4:30pm in the Westmoreland town office.

Supervisor Hebbard and Roger Potenski advise the board that there are issues getting consistent attendance for the OCWC meetings, so there is discussion of adjusting the meeting times and locations.

Councilperson Donley gives an update on the new town website, he has sent a preview link to all the board members. We are still waiting for the .gov domain name to be approved, as it is a new state requirement for municipal websites. Councilperson Smith says the website looks good and is easy to use. He inquires on who will be the point of contact, and Councilperson Donley says it will be the Town Clerk, working with Jennifer from Gray Owl Works. Councilperson Donley hopes to launch the new website in the next month.

Councilperson Donley updates the board on the status of his water project

Councilperson Seymour brings up the ad for the highway department applicants, and Highway Superintendent Young says he has gotten one call. Councilperson Seymour suggests that the rate of pay be published in the ad.

Councilperson Seymour states that Schwan's building has been purchased by a manufacturing company and wants the codes department to monitor any changes to ensure proper permitting by the new owners.

Councilperson Seymour expresses concern over students crossing Route 233 when walking to the convenience store from the school. A discussion takes place over what, if any, options are available to avoid accidents and get people to cross at the crosswalk. Attorney Mattacola says this is an issue that may need to be brought to the state, as it is a state road. He informs that the process may be similar to getting a speed limit change.

Councilperson Rundle tells the board that Lowell baseball field is planning for a grand opening day on May 10. Supervisor Hebbard says that the bleachers are finished and the grass will be reseeded, and the electrical work is in place.

Supervisor Hebbard asks Councilperson Seymour if he has heard from the construction company regarding the new windows and doors. Councilperson Seymour says they should begin in the next couple weeks.

Mike Smith of the Westmoreland Historical Society asks what will be done with the Leonard Brown sign that formerly stood at the baseball field. Supervisor Hebbard has a plan to refurbish the sign and install at the park in a new location with some decorative landscaping and a memorial plaque.

Supervisor Hebbard says that the town will provide portable toilets to the field if they are needed this season, as the concession stand and bathroom buildings are not complete.

Supervisor Hebbard discusses some possible new options for the town fund balance, that would yield a higher interest rate. Supervisor Hebbard also advises the board members of an email phishing scam making the rounds of local municipal offices regarding direct deposit of payroll.

Supervisor Hebbard would like to get the Historical Society professionally cleaned, as the repair of the water leak created a terrible mess. He got a quote for new flooring as well, but also got a quote for cleaning the current floor. The board agrees that having the current floor professional cleaned is the best option at this time.

Supervisor Hebbard was approached by a resident who wanted to purchase the town land on Berkshire Drive. This land was designated by FEMA as a floodplain that must never be built upon and be a "forever green municipal space." Attorney Mattacola advised that the town could not sell the land. A discussion took place about community gardens, and whether or not that was a viable option.

Supervisor Hebbard informed the board that the price of fireworks for the Westmoreland Days has increased by \$500, for the same caliber of show as last year. The board agreed to go ahead and book the performance at the increased price.

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

46 Councilperson Rundle advanced a motion to approve and place on file the minutes of the Regular Meeting March 10, 2025. Councilperson Donley seconded the motion. All Board members voted AYE and the motion was declared carried.

47 Councilperson Smith advanced a motion to approve and order paid the claims of the Highway fund, vouchers #56 through #78, which total \$69,026.48. Councilperson Rundle seconded the motion. All Board members voted AYE and the motion was declared carried.

48 Councilperson Rundle advanced a motion to approve and order paid the vouchers of the General fund, vouchers #83 through #121, which total \$34,338.41. Councilperson Seymour seconded the motion. All Board members voted AYE and the motion was declared carried.

49 Councilperson Donley advanced a motion to approve and order paid the claims of the water districts as follows:

Spencer Water District	vouchers #5-7	which totals	\$ 6,817.22
Camelot Village Water District	vouchers #2	which totals	\$14,894.10
Tindall Water District	voucher #6	which totals	\$ 30.00
Westmoreland Water District	vouchers #20-28	which totals	\$ 14,016.90

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

Supervisor Hebbard stated the next Regular Meeting will be held Monday May 12, 2025 at 6:00pm.

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

Mike Smith of the Historical Society tells the board that the group hopes to put a historical marker up in Dean’s Cemetery on Smith Rd, recognizing our founder, James Dean. He wants to know if they need board permission for this. Supervisor Hebbard states that the town owns 30ft from the center of the road. If they intend to place it on private property, they will need the landowner’s permission. Either way, the process must be followed through the zoning board to place a sign.

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

50 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 7:06pm.

Respectfully submitted,
Anna C. Storey
Town Clerk