

**REGULAR MEETING
MAY 14, 2008**

**46 CO RT 11 TOWN HALL
WEST MONROE, NY**

Present: Supervisor Gary Ross; Councilwomen Kelley Davis, Michael Hickey and Debra Macdougall
Town Clerk, Christine Shaw, Deputy Town Clerk Louise Herbert
Superintendent of Highways Randall Shaw
Town Justices John DeMong and Kimberly Inman
Oswego County Legislator Arthur Gearsbeck
Paul Baxter, Tug Hill Commission
24 people in the audience

Absent: Councilmen Tim McCarthy

Supervisor Ross called the regular meeting to order at 7:05 PM and everyone pledged allegiance to the flag of the United States of America, then Mr. Ross moved to approve the minutes of the April meeting as presented. Ms. Macdougall seconded the motion with the vote of the board: Ms. Macdougall-yes, Ms. Davis-yes, Mr. Hickey-abstained and Mr. Ross-yes. Motion Carried.

Ms. Davis moved to approve the Supervisors reconciliation report; Ms. Macdougall seconded the motion with the vote of the board Ms. Macdougall-yes, Ms. Davis-yes, Mr. Hickey-yes and Mr. Ross-abstained, Report approved.

Mr. Ross then asked for comments from the audience:

Mr. McKittrick, Shaw Rd. commented that the State law prohibits the town from doing repair work on private drives, then questioned why did the town highway dept. fill the holes on Woodland Drive. Mr. Ross explained due to unusual circumstances the town did top off the holes, created by the fence posts, which were removed from on Woodland Dr. by the resident. Mr. McKittrick asked if any other private drives would be given this treatment and Supervisor Ross said no. Residents of Wedgeworth Point expressed concerns about the size of the pot holes on their private drive and concerns for safety and asked why the town could not repair their drive or at least drop off a load of stone as has been done in the past. The residents of Wedgeworth Point stated that their private drive has much traffic looking for the State property. Mr. Ross agreed to contact DEC to request directional signs to the State launch, to be placed on Toad Harbor . After a lengthy discussion, Mr. Hickey suggested that the highway dept. supply a load of stone to Wedgeworth Pt. Ms. Davis asked if all private drive would get the stone and Mr. Ross responded no. The board was in agreement to have the highway dept. drop off the stone at Wedgeworth Pt. Ms. Sims, of Wedgeworth Pt., also mentioned that Toad Harbor Road needs to have lines painted on the road, as was done many years ago. It was explained that stripping the roads is very costly and that is why there are no town roads that are stripped.

David Hanson, President of the West Monroe Fire Dept. explained that the Fire Dept. needs to renovate and add to the firehouse. In order for the Fire Dept. to request grants and financing a resolution by the West Monroe Town Board needs to be adopted.

Therefore Supervisor Ross moved:

That the West Monroe Town board supports the application of the West Monroe Fire Dept. for funding from USDA. That the facility provides needed community services and will have no adverse impact on other community facilities providing similar services.

Mr. Hickey seconded the motion with unanimous approval of the board members present.

Jeff Fuegel, Breckheimer Rd., addressed the town board asking why the Code Enforcement Officer, Town Justices and Assessor does not attend the board meetings. Supervisor Ross pointed out that the Judges are in attendance, the Assessor is not required to attend meeting or submit monthly reports and the Code Enforcement officer reports monthly and is present upon request from the board.

Mr. Ross moved to pay the bills as audited with Mr. Hickey seconded the motion.

GENERAL FUND, abstract #5, vouchers #134 to #171 in the amount of \$17,288.91
HIGHWAY FUND, abstract #5, vouchers #107 to #130 in the amount of \$10,077.97
BIG BAY SEWER FUND, abstract #5, vouchers #36 to #43 in the amount of \$4,709.14

The motion was passed on a unanimous approval vote of all board members present.

Next the town board addressed the Service Award Program, which is being proposed for the West Monroe Vol. Fire District #1. The board has a resolution before them that requires additional information before it could be voted on by the board. After some discussion Mr. Ross moved to schedule informational meetings for: Saturday May 31st at 10:00 am, Wednesday June 4th and Thursday June 5th at 7:00 at the Fire Dept. Maltese Room due to the limited amount of space in the town hall. Mr. Hickey seconded this motion and the vote of the board members was all in favor of the dates of the informational meetings. Then Mr. Ross moved to hold a vote on this proposition on Tuesday June 17th, from noon to 9:00 PM in the town hall. Mr. Hickey seconded that motion and again the vote of the town board members was unanimous in favor of the June 17th date for the vote.

Then Mr. Ross moved:

**RESOLUTION OF THE TOWN OF WEST MONROE, COUNTY OF OSWEGO, STATE OF NEW YORK, AT
THE REGULAR TOWN BOARD MEETING HELD ON MAY 14, 2008 AT 7:00 P.M
DIRECTING PUBLICATION OF NOTICES OF ELECTION AND
DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.**

**RESOLVED BY THE TOWN BOARD OF WEST MONROE, IN THE TOWN OF WEST MONROE,
COUNTY OF OSWEGO, STATE OF NEW YORK, BY FAVORABLE VOTE OF NOT LESS THAN THREE-
FIFTHS OF THE MEMBERS OF SAID BOARD, AS FOLLOWS:**

Section 1. The Town of West Monroe shall conduct a mandatory referendum of the eligible voters of the West Monroe Fire Protection District to determine whether the Town Board shall establish a service award program as provided in Section 216 of the General Municipal Law.

Section 2. The type of service award program shall be a defined contribution as described in Section 218 of the General Municipal Law.

Defined Contribution

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Section 3. The estimated annual cost of the service award program shall be \$33,950, plus an administration fee of \$1,050.00.

The initial annual contribution to fund this program is estimated to be \$35,000.00, and the estimated average annual cost per participant will be approximately \$725.00.

Section 4. The Defined Contribution award to be paid to eligible volunteer firefighters shall be \$360.00 per year for each qualified year of active firefighting service not to exceed 40 years, payment to commence when the eligible volunteer firefighter reaches age 62; but not sooner than one (1) year after the adoption of the plan.

Section 5. The Service Award Program will provide for crediting of years of active firefighting service for periods prior to the establishment of such program to a maximum of five (5) years per participant.

Section 6. In the event an active volunteer firefighter becomes disabled and such disability prevents the active firefighter from pursuing such volunteer's normal occupation and if the disability is total and permanent as certified by the Workmen's Compensation Board or other authority approved by the Town, the volunteer firefighter will be entitled to receive the benefits described in this section regardless of age or length of service. Such benefits shall begin on the first day of the first month following the establishment of such disability.

Section 7. In order to qualify for a "year of firefighting service" the firefighter must satisfy the minimum requirements of participation of earning 50 points in such year, such points to be awarded pursuant to Section 217 (c) of the General Municipal Law.

Section 8. An Election of the qualified voters of the West Monroe Fire Protection District, in the Town of West Monroe, County of Oswego, in the State of New York, (herein called "district"), shall be held at the town hall, West Monroe, New York, in said Fire Protection District on June 17, 2008 at 12:00 o'clock noon and the polls shall remain open until 9:00 o'clock p.m. or as much longer as may be necessary to enable the voters then

present to cast their votes.

Section 9. The vote upon the Proposition to be submitted to the qualified voters shall be by paper ballot and the Secretary for the Town of West Monroe is hereby authorized and directed to have the necessary ballots prepared for use in voting.

Section 10. The Secretary of the Town West Monroe Town Board is hereby authorized and directed to give notice of said Election by causing a notice in substantially the form set forth in Section 14 (a) hereof to be published once at least twenty-seven (27) days prior to the Special Election and in substantially the form set forth in Section 14 (b) not more than thirty-four (34) days prior to the date of such Election in the Citizen Outlet, a newspaper published in Oswego County, New York, and having a general circulation within the Town and hereby designated as the official newspaper of the Town of West Monroe for such publication.

Section 11. The following resident electors, each of who is a registered voter of the district, are hereby appointed to act as Chairman, Election Inspectors and Ballot Clerks at the Special Election:

Jan Corcoran, Chairman

Marion Armani and Margaret Whittaker Inspectors of Election and Ballot Clerks

Section 12. The Chairman and Inspectors of election shall each be paid at the rate of \$7.50 per hour.

Section 13. The Inspectors of Election shall meet at the Town Hall, 46 County Route 11, West Monroe, New York in the District on June 5th at 3:00 o'clock p.m. to commence preparation of the register for the Election.

Section 14. In preparing such register, the Inspectors of Election shall comply with the following procedure:

- (a) They shall adopt, use or copy from the registration list certified and supplied by the County Board of Elections the names appearing thereon of all persons residing in the West Monroe Fire Protection District and qualified to vote in such forthcoming election.
- (b) The register shall include as a minimum the space for the name of the voter, his/her address and a space for his/her signature to be signed by the voter on election day.

Section 15. The Town Clerk of the Town of West Monroe Town Board shall furnish the Inspectors of

Election, at the Town's expense, with all necessary registration books, papers, equipment and supplies.

Section 16 (a). Such Notice of Preparation of Registration Rolls shall be in substantially the same form:

PROPOSITION

Shall the Resolution of the Town Board of West Monroe, in the Town of West Monroe, State of New York, entitled:

“RESOLUTION OF THE TOWN OF WEST MONROE, COUNTY OF OSWEGO, STATE OF NEW YORK, ADOPTED ON May 14TH, 2008 AUTHORIZING THE ESTABLISHMENT OF A SERVICE AWARD PROGRAM FOR THE VOLUNTEER FIREFIGHTERS OF THE WEST MONROE FIRE PROTECTION DISTRICT STATING THE ESTIMATED ANNUAL COST TO BE THIRTY FIVE THOUSAND DOLLARS (\$35,000.00). BASED ON THE EXISTING NUMBER OF (47) FIREFIGHTERS: STATING THE ESTIMATED ANNUAL ADMINISTRATION FEE TO BE ONE THOUSAND FIFTY DOLLARS (\$1,050.00). STATING THE ESTIMATED AVERAGE ANNUAL COST PER FIREFIGHTER TO BE APPROXIMATELY \$725.00. STATING THE PROJECTED MONTHLY AWARD TO BE THREE HUNDRED SIXTY DOLLARS (\$360.00) PER YEAR OF ACTIVE SERVICE WITH A MAXIMUM OF 40 YEARS OF SERVICE; STATING THAT PAYMENT OF THE BENEFIT SHALL BE IN AN ANNUITY WITHOUT SURVIVOR BENEFITS BUT WITH A 10-YEAR PERIOD CERTAIN; AUTHORIZE 5 YEARS PRIOR SERVICE; PROVIDING FOR BENEFITS TO BE PAID IN THE EVENT OF DISABILITY OR DEATH PRIOR TO RECEIVING THE SERVICE AWARD, BENEFITS TO BE PAID 12 MONTHS AFTER ESTABLISHMENT OF PROGRAM.” be approved?

Christine Shaw, Town Clerk

By order of the Town of West Monroe Town Board

The adoption of the forgoing resolution was seconded by Michael Hickey and duly put to a vote on roll call which resulted as follows:

AYES: 3

NAYS: 0

ABSTAINED: 1 (KELLEY DAVIS)

ABSENT: 1 (TIMOTHY MCCARTHY)

The Resolution was declared adopted.

Miss McDougal again stated that she feels that everyone qualified to vote on this proposition should receive information regarding this proposition via mail to be sure everyone knows about it. The board was in agreement that the information would be mailed to all registered voters of fire district #1.

Judge DeMong and Judge Inman then addressed the town board regarding a need to have a bailiff in

attendance during court. The judges contacted a service for trained Peace Officers that would provide their service for \$15.00 per hour (with a 3-hour minimum). The town would need to purchase an insurance rider at a cost of \$1,000 as well. The judges figured that a total cost to the town of West Monroe for this service would be just about \$3,400.00. The Civil Justice System trains the bailiff's. There have been several instances that the judges felt that a bailiff was needed in court, as well as the State requirement of metal detectors, which need to be monitored. After a brief discussion, Miss MacDougal felt she would like to think about it until the June meeting therefore the request would be put on the agenda for June.

Ms. MacDougal then questioned the board as to how the Master Plan Committee should be run. She explained that she was questioned if the "Roberts Rules of Order" needed to be followed as the Committee has not voted on a Chairman, Co-Chair and secretary; instead one person has just taken charge and is organizing and basically chairing the meetings. Ms. Davis commented that this is a committee and that she feels that there should be someone taking notes/minutes but the intent of appointing this committee is that it be community driven. The other board members agreed with Ms. Davis, then added that there will be times that require voting to add/subtract things but until that time, whatever works the best and gets the job done. Ms. MacDougal then asked for an additional key to be issued so that if she is running late the committee could get in and get started. Ms. Macdougall then moved to appoint the following as members of the Master Plan Committee:

Dale Maher, 46 Wheeler Rd.
Dave Maher, 27 Wheeler Rd.
Dale Gass, 2665 St. Rt. 49
Doug Fuegel, 207 Breckheimer Rd
Al Gerisch, 386 Co. Rt. 11
Jim Kelley, 259 Pinnacle Rd
Randall Shaw, Superintendent of Highways, 548 Lower Rd

Miss Davis seconded the motion with unanimous board approval.

Mr. Ross explained that in April the board members pass a resolution concerning borrowing \$109,162.00 for the New Holland Wheel Loader W170B that was purchased, however there were two (2) board members absent at that meeting therefore the 2/3 majority was not reached and the board needs to pass this resolution again. Therefore Mr. Ross moved:

BOND RESOLUTION

A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO ONE HUNDRED NINE THOUSAND ONE HUNDRED SIXTY-TWO DOLLARS (\$109,162.00) IN SERIAL BONDS OF THE TOWN OF WEST MONROE, OSWEGO COUNTY, NEW YORK, FOR THE PURCHASE OF 2007 NEW HOLLAND WHEEL LOADER W170B

WHEREAS, the Town Board of the Town of West Monroe has authorized the purchase of a 2007 New Holland Wheel Loader W170B, with ancillary equipment thereon; and

WHEREAS, such 2007 New Holland Wheel Loader W170B was duly purchased in accordance with applicable provisions of the General Municipal Law and such truck has since been delivered to the dealer and is ready for delivery to

the Town;

NOW, THEREFOR, BE IT

RESOLVED, by the Town Board of the Town of West Monroe, County of Oswego, State of New York, as follows:

SECTION 1. The specific object or purpose for which the obligations of the Town will be issued pursuant to this resolution is to finance the purchase of a 2007 New Holland Wheel Loader W170B with ancillary equipment thereon, which purchase is hereby authorized.

SECTION 2. The total maximum estimated aggregate cost for such purchase shall be \$109,162.00. The plan for financing the improvement thereof is by the issuance of serial bonds of said Town, which bonds are hereby authorized to be issued pursuant to the provisions of the Local Finance Law. Such bonds are to be payable from amounts which shall annually be levied on all taxable real property in said Town and the faith and credit of the Town of West Monroe, County of Oswego, State of New York, are hereby pledged for the payment of said bonds and the interest thereon.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen (15) years pursuant to Subdivision 28 of Section 11.00 of the Local Finance Law and the proposed maturity of the obligations issued pursuant to this resolution will not exceed fifteen (15) years.

SECTION 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell Bond Anticipation Notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewal of such notes, is hereby delegated to the Supervisor of the Town of West Monroe, the chief fiscal officer. Such notes shall be of such terms, form and contents and shall be sold in such manner, as may be prescribed by said Supervisor of the Town of West Monroe, consistent with the provisions of the Local Finance Law.

SECTION 5. The validity of such bonds and Bond Anticipation Notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with as of the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

SECTION 6. This resolution, which takes effect immediately, shall be published in full in the Central Square Citizen Outlet, a newspaper having general circulation in said Town, together with a notice by the Town Clerk substantially in the form provided in Section 81.00 of the Local Finance Law.

Miss Davis seconded the motion

GARY ROSS	YES
KELLY DAVIS	YES
MICHAEL HICKEY	YES
DEBORAH MACDOUGAL	YES
TIMOTHY MCCARTHY	absent

Motion Carried

Monthly REPORTS:

- Justice Reports were received from Judge Inman and Judge DeMong
- Town Clerk
- Supervisor's financial Report
- Highway Superintendent reporting:
 - Camic Road is to be paved
 - Sewer Dept: blower motor caused a fire at the plant, the Brewerton Fire Dept. was able to put the fire out and saved the building.
 - Chlorinating sewage will start May 15th per DEC regs.
 - Stearns and Wheeler Environmental Engineers proposal for the study to upgrade, build new or install a pumping station will cost \$10,000.
 - The highway dept. will have 2 people retiring in March of 2009. There is a need to hire replacement so that required training and schooling can be completed prior to losing qualified personnel. Mr. Ross suggested that the board address the Stearns & Wheeler Report at the June Meeting after the board has a chance to review it.
- Code Enforcement Report

CORRESPONDANCE:

- NYS Public Service Commission notification of public hearings regarding the Area Code relief in the 315 Region
- Ft. Brewerton/Greater Oneida Lake Chamber of Commerce new letter
- Tug Hill Times
- Notification of renewal of liquor license of KML Management Inc.
- Notification from Time Warner that the franchise fee of \$7,802.51 would be mailed within the week. Christine Shaw, Town Clerk, reminded everyone that the franchise fee in the amount received will be deducted from the land taxes due.
- Oswego County Health Dept. release of NYS Dept of Health Individual Water Supply Wells – fact sheet #5

Paul Baxter, Tug Hill Commission Representative, reported that he did attend April's meeting of the OLWSAC. Also that the NORCOG annual meeting will be on 30th of May at Karl & Kate's in Camden.

Mr. Ross then addressed the Building Committee and moved to scheduled a special meeting on June 2 at 8:00 PM for the sole purpose of presenting the options of the building. Ms. Davis seconded the motion with unanimous board approval.

Mr. Hickey mentioned that the recreation dept. will hold sign ups on the first 2 Friday's in June at 6. He also stated that the Nutting Cemetery needs to be taken care of before the Memorial Day Holiday. Superintendent Shaw reported that it was done already.

The boy scouts are going to use the town park during June for meetings.

The Town Board meeting was adjourned at 8:42