

Present: Supervisor S. Reiter (6:05 PM); Councilmen A. Bax, M. Marra, E. Palmer and R. Winkley; Dep. Sup. G. Catlin; Eng. R. Smith; Atty. M. Davis; Highway Supt. D. Janese; WPCC Admin. J. Ritter; Police Chief C. Salada, Bldg. Insp. T. Masters; 3 Press; 5 Residents and Dep. Clerk C. Schroeder

Also Present: Rec. Director M. Dashineau

In the absence of the Town Supervisor, the Dep. Supervisor, Gary Catlin, opened the meeting. Councilman Winkley lead the Pledge of Allegiance. A moment of silent reflection followed.

AGENDA:

Additions:

Winkley MOVED the agenda, as written. Seconded by Marra and carried 4-0.

ABSTRACT:

Marra MOVED for approval of the regular Abstract of Claims #1761 to #2120 and recommended payment in the amount of \$416,571.68, plus a Post Audit of \$116,592.62. Seconded by Palmer and carried 4-0.

ACQUISITION OF LEGACY DRIVE: Winkley said he had spoken to Atty. Dowd earlier. The matter is still in litigation.

Bax MOVED to table. Seconded by Winkley and carried 4-0.

Supervisor Reiter arrived at this time and assumed Chair of the Meeting.

DATE TO ADVERTISE REFERENDUM:

Reiter said the date for the Referendum on the Proposed Recreation Center is set for July 15, 2013. Voting will take place at the Town Hall. Polls will be opened from 6 AM to 9 PM. Reiter said he is waiting for the wording for advertising in the newspaper from Atty. Dowd.

Reiter said he spoke with the Town Clerk regarding the costs associated with the referendum. They will need to determine where the funds would be allocated from. At this time he had nothing to report.

Bax MOVED to table. Seconded by Palmer and carried 5-0.

TRANSFER OF FUNDS: Reiter referred to correspondence from the Town Clerk requesting that \$700 be transferred from A 1620.0400 to A 1620.0200 to cover the remaining costs for 2 copy machines.

Bax MOVED for approval, Seconded by Palmer and carried 5-0.

UNIFORM NOTICE OF CLAIMS: The Clerk said a resolution would need to be approved designating a Town officer to receive notices of claims served upon the Secretary of State. Effective June 15, 2013, a person wishing to sue a town will have another option for serving a notice of claim upon the town. A notice of claim may be delivered to the Secretary of State. The Secretary of State will then forward the notice of claim to the person designated by the town board to receive the notice of claim from the Secretary of State (General Municipal Law, §53). A person filing a notice of claim with the Secretary of State may be charged a fee of up to \$250, half of which shall be forwarded to the town providing the town files its certificate of designation with the Secretary of State within 30 days of June 15, 2013 (approx. July 14, 2103).

Bax MOVED to table for further review by the Town Attorney. Seconded by Winkley and carried 5-0.

RADIO TOWER BROOKSIDE DRIVE: Reiter said two names have been submitted for appointment to the Tower Committee. Charlene McDonald and Terry Vargo submitted applications for this position.

BAX MOVED to appoint Terry Vargo and Charlene McDonald to the Tower Committee, Seconded by Marra and carried 5-0.

BAX MOVED that the Tower Committee re-consider the Brookside Drive Radio Tower Application. Seconded by Marra and carried 5-0.

SEWER CREDIT REFUND: Reiter referred to a request from Barbara Chirello for a sewer credit for repair of their swimming pool.

Palmer MOVED to approve the exemption of the sewer for the pool repair at 4769 East Eddy Drive. Seconded by Marra and carried 5-0.

PEACH FESTIVAL PROGRAM ADVERTISEMENT:

Bax MOVED to place a Full-Page Ad in the Annual Niagara County Peach Festival Program Book in the amount of \$150.00, Seconded by Marra and carried 5-0.

WATER/SEWER REFUND: A request was made of behalf of the Deputy Receiver of Taxes and Assessments to approve a check in the amount of \$69.12 to Michael Trane for a water/sewer credit due him for services at 729 Scovell Drive.

Marra MOVED for approval, Seconded by Bax and carried 5-0.

Lastly, Reiter asked for the following fund transfers submitted on behalf of the Finance Director:

1) \$8,900 from Contingency A-1990.0400 to Niagara Power Coalition Account A-1420.044-0200 to pay the annual dues.

Marra MOVED for approval, Seconded by Palmer and carried 5-0.

2) \$40,000 from Fund Balance to BD 5110.0100 for summer personnel.

Bax MOVED for approval, Seconded by Marra and carried 5-0.

3) \$100,020 from Power Allocation Account (M&T Bank) to Water Dept. revenue SW-1000-2140-0000 for water credit in the first billing cycle.

Marra MOVED for approval. Seconded by Palmer and carried 5-0.

The Highway Supt. said he and the Dep. Supervisor are waiting for a proposal to repair the Muck Pumps.

Also, Janese said he submitted copies of the 284 Agreement. He urged the Board to review these do he could start the summer paving season.

Reiter asked to go into executive session re two contractual issues:

1. Proposed Recreation Center
2. Information re Village Water Credits

In addition, Reiter asked to address a Police Personnel matter (potential litigation) re a situation with a domestic animal.

Marra MOVED to enter into Executive Session. Seconded by Bax and carried 5-0.

Time 6:18 p.m.

EXECUTIVE SESSION:

Present: Reiter, Bax, Marra, Palmer, Winkley, Catlin, Davis, *Salada;
**Dashineau

Also Present: **Gary Rose and Ron LaDuca (Recreation Center)

Issued Discussed:

*1. Police issue – Resident complaint about dogs possibly shot on Reservation.

2. Village Water Bills – Discounts from monetarization of Hydropower

** 3. Recreation Center – Possible contract for Economic Impact and Proforma and cost.

Bax MOVED to exit executive session and re-conven Worksession. Seconded by Plamer and carried 5-0. Minutes taken by Supervisor Reiter.

No Action Taken:

Bax MOVED to adjourn the Worksession. Seconded by Palmer and carried 4-0. Marra absent at this time. 7:00 p.m.

Transcribed and
Respectfully submitted by:

Carole N. Schroeder
Deputy Town Clerk