

Regular Town Board Meeting

September 14, 2020 6:00 pm

PRESENT: Supervisor S. Broderick; Councilmembers A. Bax, W. Geiben, J. Jacoby & J. Myers; Dep. Sup. W. Conrad; Police Chief F. Previte; Bldg. Insp. T. Masters; Finance Director J. Agnello; Atty. T. Seaman; Eng. B. Lannon; Water Foreman D. Zahno; Highway Supt. Trane; 1 Press; 4 Residents and Clerk D. Garfinkel

Supervisor opened the meeting with the Pledge of Allegiance and a moment of Silent Reflection.

Geiben announced the Town Board meeting is being streamed live on the Town Facebook page.

AGENDA APPROVAL

Agenda Additions: Broderick: Water/Sewer / Grass Cutting re-levy to taxes; Geiben: Clean-Energy Community.

Bax MOVED to approve the Agenda as Amended, Seconded by Jacoby and Carried 5 – 0.

DEPARTMENT HEAD STATEMENTS

Water Foreman D. Zahno – 2018 Waterline Replacement Project is moving along. Creek Road and Country Club Trail are complete.

Recreation Director Dashineau – The Fall Recreation programs are dependent on the Schools, and they have said they are shut down until December 1st.

Geiben thanked Dashineau for arranging the opening of washrooms at the Town Parks for the Boards and Committees that are holding outside meetings.

ABSTRACT APPROVAL

Geiben MOVED to approve the Regular Abstract of Claims numbered 20-00641 to 20-00802 and recommend payment in the amount of \$343,758.61, plus a Post-Audit of \$10,031.94, Seconded by Jacoby and Carried 5 – 0.

Geiben thanked Carole Schroeder and Linda Kreps for the great job they are doing on the abstract.

APPROVAL OF MINUTES – 8/24/2020 – Regular Town Board Meeting

Geiben MOVED to approve the Public Hearing – Final Plat Application – Oak Run Subdivision and Regular Town Board Meeting minutes of August 24, 2020, Seconded by Bax and Carried 5 – 0.

UPPER MOUNTAIN ADDITION TO ROSTER

Broderick MOVED the addition of Joseph, Paul – Lockport Road to the Upper Mountain Fire Company roster, Seconded by Geiben and Carried 5 – 0.

The Board received a letter from Building Inspector Masters requesting Grass Cutting fees be relieved to 2021 Town & County tax bill.

Bax MOVED to re-levy Grass Cutting fees of 20 parcels for a total of \$3,866.25 and the \$100 administration fee/each parcel, for a total of \$5,866.25 onto the 2021 tax bills, Seconded by Jacoby and Carried 5 – 0.

POND CONSTRUCTION PRIOR TO BUILDING PERMIT

Jonathan Waggoner is requesting to construct a pond at 4579 Porter Center Rd, which is vacant, in order to raise the grade of a building lot, to build a home in near future.

Seaman said this is a unique request and a unique scenario within the Town Code. What they are requesting is a non-residential use, within a residential district. They are asking just for the pond;

therefore that needs Site Plan review and it would need to go through the Planning Board. Seaman recommends the Board refer this to the Planning Board.

The applicant also could prepare his house plans and submit both to Masters for the permits.

Waggoner reiterated that the pond construction is to use the dirt to raise the land to grade for the home construction. Waggoner was told that when the dirt is placed where the home will be built, it needs to settle, so he is trying to get it dug while the weather allows it.

There is no action the Board can take at this time to say go ahead and build the pond.

SEWER REFUND

Bax MOVED to refund the sewer portion of the water bill for DeFazio – 569 Oak Run Drive in the amount of \$93.87, Seconded by Myers and Carried 5 – 0.

NOTIFICATION – Demolition of unsafe structure – Model City Road

Seaman has reviewed the situation with Masters and McAuliffe, and there are extra steps the Town needs to comply with, in order to demolish. Seaman recommends tabling until next session.

Bax MOVED to table discussion on the Demolition of 4612 Model City Road and place under old business for September Board meeting, Seconded by Jacoby and Carried 5 – 0.

CLEAN ENERGY COMMUNITY

Geiben received an e-mail from Jason Kulaszewski, Clean Energy Coordinator, indicating new grants are coming available that the Town may be eligible to peruse, and hopefully obtain. Grant Writer - Connie Miner, has been updated.

The Board received a letter from Deputy Town Clerk / Water Clerk Meogrossi requesting unpaid water and unpaid sewer be placed on the 2021 Town & County tax bill. They are as follows: Water - \$112,189.18; Sewer (Master) - \$61,306.20; Sewer (South) - \$7,155.00; Town Charge - \$41,400.00 for a total of \$222,050.38.

Broderick MOVED to place unpaid water and unpaid sewer on the 2021 Town & County tax bill - Water - \$112,189.18; Sewer (Master) - \$61,306.20; Sewer (South) - \$7,155.00; Town Charge - \$41,400.00 for a total of \$222,050.38, Seconded by Geiben and Carried 5 – 0.

SITE PLAN – LOWER RIVER ROAD – Quiett, Stairway, deck, dock project

The Planning Board and the Environmental Commission reviewed this Plan and approved it.

Jacoby MOVED to declare a Negative Declaration for the Site Plan – 4577 Lower River Road, stairway, deck and dock project, Seconded by Geiben and Carried 5 – 0.

Jacoby MOVED to approve the Site Plan – 4577 Lower River Road, stairway, deck and dock project, Seconded by Geiben

Geiben said the Environmental Commission requests the least amount of foliage be removed and more foliage be planted to secure the bank.

Jacoby MOVED to amend his motion to include the Environmental Commissions request that the least amount of foliage be removed and more foliage to be planted to secure the bank, Seconded by Geiben and Carried 5 – 0.

Jacoby said the Town Seal is still being worked on. Maggard hopes to present at the September Board meeting. Geiben asked that the Board receive it ahead of time.

MOUNT SAINT MARY'S HOSPITAL – Helipad Application

Seaman said the Planning Board has reviewed the Concept Plan application, and the next step is a Public Hearing.

Jacoby MOVED to schedule a Public Hearing for September 28, 2020 at 6:00 pm, on the Concept Plan to construct a helipad at Mt. St. Mary's Hospital, Seconded by Geiben and Carried 5 – 0.

THE PATIOS AT ESSEX RIDGE

Seaman said there have been conversations with the applicant, and the Board knows what the applicant is seeking, but they have never made an application, letter or any type of record of what they are seeking.

Lannon has reached out on a couple of occasions and has heard nothing back.

Jacoby MOVED to table, Seconded by Bax and Carried 5 – 0.

POLICE DEPT. AGREEMENT – Evidential Breath Testing Equipment Program

Previte is requesting the Board approve him to sign a Memorandum of Understanding with Division of Criminal Justice Services for the loaning of the Evidential Breath Testing Equipment Program. There is no cost to the Town training wise or maintenance wise.

The Town has been considered for this because numbers are high, as a department, productivity wise, as far as DWI enforcement.

Seaman reviewed the Memorandum. This is for loaning the equipment to the LPD.

Bax MOVED to authorize Chief Previte to sign the Memorandum of Understanding with the Division of Criminal Justice Services for the loaning of the Evidential Breath Testing Equipment Program, Seconded by Geiben and Carried 5 – 0.

BUDGET REVISIONS

Budget Revisions – Agnello requests as outlined in a memo dated September 14, 2020.

Geiben MOVED to approve the following budget transfers: Transfer \$1,500.00 from Engineering PIP Revenue - B00-1000-1589-0700 to PIP Engineering Contractual - B00-1440-0440-0100; Transfer \$9,342.00 from Police Personnel - B00-3120-0100-0000 to Police Special Project Personal - B00-3120-0100-0040; Transfer \$5,126.00 from Police Personnel - B00-3120-0100-0000 to Police NF Assist Personal - B00-3120-0100-0055; Transfer \$341.00 from General Repairs Personal - DB0-5110-0100-0000 to General Repairs Out of Department Personal - DB0-5110-0100-0100, Seconded by Jacoby and Carried 5 – 0.

MOODY'S RATING

Agnello announced that on August 27th Moody's upgraded the Town from a rating of A-1 to Aa-3, which is great news. This will assist in the Town obtaining a lower interest rate when bonding the water project.

The Town lost its Aa3 rating in 2015, and then lowered to an A1, which is a negative outlook. The negative outlook was removed in 2017, and today back to the Aa3 rating.

Agnello said this is management; the Board's practices have a significant financial impact. Agnello said the Department heads working with the Board also helps.

RESIDENT STATEMENTS

Geiben reminded Village residents to go out and vote tomorrow.

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The Board received notification of the upcoming Mighty Fitz 5K. This takes place totally in the Village therefore is being forwarded to them. Previte will address at their meeting.

Geiben MOVED to adjourn the meeting, Seconded by Bax and Carried 5 – 0. (6:31 pm)

Transcribed and respectfully submitted by:

Donna R. Garfinkel, Town Clerk