

REGULAR MEETING
October 11, 2017

46 COUNTY ROUTE 11 TOWN HALL
WEST MONROE, NY

Present: Vern Sundet --- Supervisor
Gary Harrington --- Councilor
Dale Maher----Councilor
Michael Walker----Councilor
Michael Hickey --- Councilor
Cortney Rhinehardt --- Town Clerk

Others present: Mary Lesnau, Assessor; Kevin Davis, Highway Superintendent; Patrick Dolan, CEO; Brian Skidmore, Barton & Loguidice; Courtney Hills, Attorney.

Vouchers were reviewed by the town board members at 6:30 PM and at 7:00 PM Supervisor Sundet called the regular meeting to order.

RESOLUTION #82-2017 APPROVAL OF THE MINUTES FROM THE SEPTEMBER 13, 2017 REGULAR MEETING Moved by Councilor Walker, seconded by Councilor Harrington

Ayes-4 Sundet, Harrington, Walker, Maher
Abstain-1 Hickey

RESOLUTION #83-2017 APPROVAL OF BUDGET TRANSFERS, AS FOLLOWS:

TRANSFER \$100.00 FROM A1355.2 TO A1355.12
TRANSFER \$4,000.00 FROM A1990.4 TO A1650.4
TRANSFER \$2,000.00 FROM A1990.4 TO A3620.4
TRANSFER \$3,000.00 FROM A5010.11 TO A5010.11
TRANSFER \$15,220.61.00 FROM DA9010.8 TO DA5130.2
TRANSFER \$5,000.00 FROM DA5130.1 TO DA5110.1
TRANSFER \$6,000.00 FROM DA5142.1 TO DA5110.1
TRANSFER \$6,000.00 FROM DA5148.1 TO DA5110.1
TRANSFER \$59.10 FROM UNASSIGNED FUND BALANCE TO SW1-8340.4
TRANSFER \$127.63 FROM SW2-9710.7 TO SW2-8340.4
TRANSFER \$485.15 FROM SW3-9710.6 TO SW3-8340.4

Resolution moved by Supervisor Sundet, Seconded by Councilor Hickey

Ayes-5 Sundet, Harrington, Hickey, Maher, Walker

RESOLUTION #84-2017 APPROVAL OF THE BILLS AS AUDITED Moved by Supervisor Sundet, Seconded by Councilor Hickey

CONSOLIDATED FUND, abstract #10, vouchers #548 through #598 in the amount of \$38,452.33

Ayes-5 Sundet, Harrington, Hickey, Maher, Walker

Supervisor Report of Activities:

-2018 Budget workshop is scheduled for October 18, 2017 at 7:30 PM in the Town Hall.

-Supervisor Sundet reports that he has submitted to EFC for reimbursement the bills for Contract 1, Contract 2A, Barton & Loguidice construction phase 1318.001.005, and the OGS permit.

RESOLUTION #85-2017 APPROVAL FOR SUPERVISOR SUNDET TO PREPAY THE ABOVE BILLS IF REIMBURSEMENT IS RECEIVED FROM EFC BEFORE THE NEXT BOARD MEETING Moved by Supervisor Sundet, Seconded by Councilor Harrington

Ayes-5 Sundet, Harrington, Hickey, Maher, Walker

-Met with the DEC regarding the Town Park. They are concerned about the improvements to the Park that were not DEC approved. No more additions can be made to the Park, only routine maintenance. No major repairs are allowed, if equipment requires major repair, it is to be removed. Mowing will only be allowed from Memorial Day to Labor Day. Supervisor Sundet would like to look for land to purchase to build a park that belongs to the Park.

-State Aid was \$29,435 for this year. That amount has not increased in at least 4 years and directly affects property taxes. Supervisor Sundet feels that by not increasing this amount, Governor Cuomo is hurting our citizens.

Board Forum:

Councilor Harrington thanked CEO Dolan for his persistence on the Jones property on State Route 49, it is appreciated.

Councilor Walker asks that CEO Dolan make a list of all vacant properties that may need to be condemned in Town.

Reports for the month of September 2017 received from:

Town Clerk

Justice Office- Judge Sullivan submitting \$2,810.00

Codes

Highway

Paul Baxter reported on his activities with the Tug Hill Commission:

- Tonight I have for you the **annual comparison** I prepare between **Oswego County towns** in various budget categories. I hope you find this useful. As always, I appreciate any suggestions you have on how it might be more useful.
- The **Tug Hill Commission** is planning on having its **annual meeting** and dinner on **Thursday, November 2** at the Boonville VFW.
- I provided an **update of the town of West Monroe road inventory** to superintendent of highways Kevin Davis toward the goal of moving forward on a town of West Monroe official road map.
- Plans are currently underway for a **fall meeting of the North Shore Council of Governments**

Brian Skidmore of Barton & Loguidice updated the Board on the Big Bay/Toad Harbor Sewer Project:

Big Bay and Toad Harbor Sewer Districts:

Construction progress:

- Main from Big Bay P.S. to (T) Hastings has been drilled and pulled, drilled
- sections have to be fused together.
- Approximately 20% of sewer mains in Toad Harbor have been installed.
- Approximately 40% of grinder pump basins have been put in the ground in Toad
- Harbor. These were installed in part to reduce stored inventory.
- Big Bay grinder pump replacements started 2 weeks ago.

Upcoming construction schedule: continue Big Bay grinder pump replacements and Toad

Harbor sewer main installation, install additional Toad Harbor grinders as filler work.

Start Lake crossing at end of the month.

Contractor claims submitted for unknown water line on Bradbury Road, and grinder floodplain cover vent piping inadvertently omitted from plans. Change Order No. 2 is before the Board for approval tonight.

Easement update:

- Big Bay grinder pumps: 71 unsigned (86 last month)
- Toad Harbor grinder pumps: 6 unsigned (21 last month)

DEC and EFC have approved the Contracts 1 and 2 Contract Documents, and the first disbursement request for construction phase expenses will be submitted this week. The OGS permit fee for the Lake crossing has been deemed an eligible project expense and will be included in the first disbursement request.

DEC commented that Big Bay equalization tank overflow cannot be designed to discharge to grade. B&L proposed to remove the overflow, which led to a follow-up discussion with tank manufacturer. Tank roof cannot withstand overflow, and manufacturer will void warranty for any damage from an overflow. Overflow can be diverted to a holding tank. B&L discussed this with DEC and they do not need to review this change. B&L has drafted plans for the overflow tank.

Contract No. 2 (Pumping Stations) Notice to Proceed has not been issued pending location for Toad Harbor P.S. A willing land owner with space has been identified and negotiations are ongoing.

WMA TRP has not been issued. This is preventing construction of the sewer mains on Toad Harbor and McCloud Roads. DEC recently met with the Town to discuss issues related to the road right-of-way along these roads.

RESOLUTION #86-2017 APPROVAL OF AMENDMENT #7 TO AGREEMENT OF MARCH 13, 2013 BETWEEN TOWN OF WEST MONROE AND BARTON & LOGUIDICE FOR PROFESSIONAL SERVICES, moved by Supervisor Sundet, seconded by Councilor Hickey

Ayes-3

Sundet, Hickey, Walker

Nay-2

Harrington, Maher

RESOLUTION #87-2017 APPROVAL OF CHANGE ORDER #2 AS WRITTEN, moved by Supervisor Sundet, seconded by Councilor Harrington

Ayes-5 Sundet, Harrington, Maher, Walker, Hickey

RESOLUTION #88-2017 RESOLUTION CHANGING DESCRIPTION OF TOAD HARBOR ROAD, moved by Supervisor Sundet, seconded by Councilor Maher as follows:

Whereas after a review of our road inventory it was noted that Toad Harbor Road (DOT ID 136657) was 0.43 miles short;

Whereas Toad Harbor Road being described as beginning at the intersection of Shaw Road (DOT ID 136652) and Wedgeworth Drive (DOT ID 136660) and ending at NY State Route 49 is 3.35 miles; and

Whereas the Town of West Monroe affirms ownership, responsibility and maintenance of Toad Harbor Road; now, therefore, be it

Resolved, the Town Board of the Town of West Monroe has determined that Toad Harbor Road (DOT ID 136657) actual mileage is 3.35 miles in total length and should be added to the towns road inventory

Supervisor Sundet, and seconded by Councilor Maher, the foregoing resolution was put to a roll call, which resulted as follows:

Vern O. Sundet, Supervisor	<u>aye</u>
Michael Hickey, Councilperson	<u>aye</u>
Gary Harrington, Councilperson	<u>aye</u>
Dale Maher, Councilperson	<u>aye</u>
Michael Walker, Councilperson	<u>aye</u>

The foregoing resolution was thereupon declared duly adopted.

RESOLUTION 89-2017 APPROVAL OF SUPERVISORS BANK RECONCILIATION REPORT FOR SEPTEMBER 2017, moved by Supervisor Sundet, seconded by Councilor Harrington

Ayes-4 Harrington, Hickey, Maher, Walker
Abstain-1 Sundet

RESOLUTION 90-2017 AUTHORIZING THE SALE OF CERTAIN LANDS OWNED BY THE TOWN OF WEST MONROE TO JAMES BULSON, moved by Supervisor Sundet, seconded by Councilor Maher as follows:

**RESOLUTION AUTHORIZING THE SALE OF CERTAIN LANDS
OWNED BY THE TOWN OF WEST MONROE TO JAMES BULSON**

The Town Board Members of the **TOWN OF WEST MONROE**, in the County of Oswego, State of New York, met at a regular meeting held in the Municipal Building, located at 46 County Route 11, West Monroe, New York 13167, on the 11th day of October, 2017 at 7:00 p.m.

Vern O. Sundet, Supervisor, and the following board members were present:

Michael Hickey
Gary Harrington
Dale Maher
Michael Walker

Absent: None

Also present: Cortney A. Rhinehardt, Town Clerk
 Courtney M. Hills, Primo & Hills Law Firm, Attorneys for the Town

The following resolution as drafted and proposed by the Attorney for the Town, was moved, seconded and adopted:

WHEREAS, the Town of West Monroe owns a parcel of land situate in the Town of West Monroe, same being a 60' x 150' vacant strip of land as shown on the Map on Schedule "A" and described on Schedule "B", both attached hereto and made a part hereof ("Subject Parcel"); and

WHEREAS, the Town Board of the Town of West Monroe has determined that the said land is not needed for town purposes and declared it surplus at is regularly scheduled meeting on September 13, 2017; and

WHEREAS, at said September 13, 2017 meeting the Town Board discussed the possible sale of same for a price that, at a minimum, would represent the fair value of the encroachment; and

WHEREAS, a Contract of Sale by and between the Town and James Bulson (“Bulson”) has been negotiated and reviewed by the Town Board and by the Attorney for the Town of West Monroe, a copy of which is attached hereto and made a part hereof as Schedule “C”; and

NOW THEREFORE, BE IT HEREBY RESOLVED, pursuant to the provisions of Town Law Section 64, and subject to a permissive referendum, as follows:

Upon being provided a proposed deed and closing documents acceptable to the Attorney for the Town, the Town Board authorizes the Town Supervisor to execute all documents and instruments necessary to convey to Bulson the Subject Parcel; and be it further

RESOLVED, prior to the above conveyance, Bulson shall deliver to the Town either an attorney or bank certified check in the sum of \$400.00 payable to the Town of West Monroe as consideration for the conveyance, and in addition, prior to the conveyance Bulson shall be responsible for all transfer tax and recording fees imposed by the State of New York and the County of Oswego at the time of recording of the deed; and is further

RESOLVED, that the Town Board has determined this transaction to be an Unlisted Action pursuant to the New York State Environmental Quality Review Act (“SEQRA” (6 NYCRR 617), and that the sale of the Subject Parcel will not have a significant adverse effect on the environment; and it is further,

RESOLVED, that pursuant to Town Law Section 90, and within ten (10) days from the effective date of this Resolution, the Town Clerk shall post and publish a notice which shall (a) set forth the date of the adoption of the Resolution, (b) contain an abstract of said Resolution concisely setting forth the purpose and effect thereof, and (c) specific that this Resolution was adopted subject to a Permissive Referendum; and is further

Supervisor Sundet, and seconded by Councilor Maher the foregoing resolution was put to a roll call, which resulted as follows:

Vern O. Sundet, Supervisor	<u>aye</u>
Michael Hickey, Councilperson	<u>aye</u>
Gary Harrington, Councilperson	<u>aye</u>
Dale Maher, Councilperson	<u>aye</u>
Michael Walker, Councilperson	<u>aye</u>

Resolution was adopted on October 11, 2017.

RESOLUTION #91-2017 MOTION TO CLOSE THE REGULAR MEETING moved by Supervisor Sundet, seconded by Councilor Harrington

Ayes-5 Sundet, Harrington, Maher, Walker, Hickey

The meeting was closed at 10:10 PM.