

Wawayanda Town Board Meeting 12/27/07

December 27, 2007

A Special Meeting of the Town Board of the Town of Wawayanda for was called to order at 7:34P.M., on Thursday, December 27, 2007, at the Town Hall, Ridgebury Hill Road, Slate Hill, NY. The purpose of this meeting was to pay outstanding bills and to close all business for Fiscal Year 2007.

Those present were:

John R. Razzano	Supervisor
David S. Cole	Councilman
Edward Krajewski	Councilman
Gail M. Soro	Councilwoman
Richard Penaluna III	Councilman (Arrived 7:41 PM)
Richard Guertin	Attorney for the Town
Teresa Pierce	Town Clerk

Also Present: Howard Goldstein - Bookkeeper for the Town; Susan Hutchings - Assistant Budget Officer; Denise Quinn - Councilwoman Elect; Kathryn Sherlock - Deputy Town Clerk; Barbara Parsons & Mary Markiewicz - Planning Board Members; and 6 other individuals.

PLEDGE TO THE FLAG

Supervisor Razzano read the Public Notice as it appeared in the Times Herald Record on December 15, 2007, advising of the cancellation of the December workshop/meeting, and the scheduling of this final meeting for 2007.

PUBLIC HEARING ON THE PROPOSED ACQUISITION OF THE ROBINN MEADOWS WATER COMPANY:

Supervisor Razzano read the 'Notice of Public Hearing' as it appeared in the Times Herald Record on December 16, 2007.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to open the Public Hearing.

ALL IN FAVOR - CARRIED

PUBLIC COMMENTS & QUESTIONS:

Supervisor Razzano invited public comments and questions. There were no comments or questions from the public.

Supervisor Razzano noted, for the record, that no correspondence or e-mails have been received from any of the property owners in the district, and advised that individual letters had been sent to the residents within the district to inform them of the towns intent to purchase the water company.

Attorney Guertin stated that the record should reflect that this public hearing was published and posted, and that the Engineering report, as well as all information gathered for the purpose of this purchase indicate that all residents, included within the limits of the proposed district, stand to benefit. Also, the record should reflect that a Preliminary Informational Public Hearing took place, that the matter was discussed, and all those who were in attendance certainly indicated their approval to the process.

Wawayanda Town Board Meeting 12/27/07

Supervisor Razzano stated that since the preliminary hearing there has been one notable change, and that is an increase in the capital cost to property owners. At that hearing, it was stated that the annual charge would be \$185.00 for eight years. Due to additional Engineering and Attorney fees, that figure is now \$211.00 per year for eight years.

Supervisor Razzano then advised that at the preliminary hearing, it was suggested that a Leak Test be conducted by the current owners. Mr. Myers had been contacted about this and responded by e-mail that New York Rural Water has conducted the test. However, the test results were not provided. At this time the Myers are on vacation, and we awaiting their return.

Attorney Guertin stated that he has received notification from the New York State Comptrollers office advising that under town law the State Comptroller's office is required to publish, to all municipalities, the average maximum cost of a district, and to all property owners if it is over a certain costs. For the year 2008, the maximum cost at which the Comptroller must approve the creation of a district, is \$613.00 in capital costs per property. Added that this proposed purchase is nowhere near that amount.

Councilwoman Soro questioned the fate of the pump station.

Supervisor Razzano explained that a 'Certificate of Occupancy' has been requested for a few of the newly constructed homes, and that all that remains is obtaining the approval for the pump station from the Orange County Board of Health. At this time the pump station is independently owned by the developer. At some point it is anticipated that it will be turned over to the owners of the water company, whether it be the town or the Myers.

Attorney Guertin commented that the district would encompass the new 44 lots once the parcel is dedicated.

No other comments or questions.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to close the public hearing.

ALL IN FAVOR - CARRIED

Supervisor Razzano explained that Attorney Guertin has advised him that the next chain of events to take place is to first adopt a resolution approving the establishment of the district, along with adoption of a SEQRA resolution. Advised that these two items can be handled at the next meeting, at which point the 30 day waiting period begins. Although these actions still do not entail the purchasing of the district, they will keep the ball rolling. Added that the 30 days will provide an ample amount of time to address a number of issues, such as the signing of contracts.

REGULAR BUSINESS:

PAYMENT OF BILLS:

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize the payment of bills in the amount of \$6,002.74 from the General Disbursement Account, representing bills that were payable upon receipt. Breakdown as follows:

PPG 07-02012 & PPG07-02013	\$2,000.56
PPWS 07-02014 - 07-02016	\$4,002.18

ALL IN FAVOR - CARRIED

Wawayanda Town Board Meeting 12/27/07

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize payment of bills from the General Disbursement Account in the amount of \$126,570.08. Breakdown as follows:

General Fund	G07-02018 - 02075	\$22,217.35
	G07-02114 - 02143	\$24,575.17
Highway Fund	H07-02078 - 02113	\$64,918.65
Water/Sewer Districts	WS07-02144 - 02168	\$ 6,708.91

WATER/SEWER BREAKDOWN:

Robinn Meadows Sewer District	\$ 597.24
Ridgebury Lake Acres Sewer District	1,337.83
Ridgebury Lake Water District	345.82
Denton Hills Water District	229.42
Arluck Water District	957.34
Water/Sewer Dist. #1	

Water/Sewer Total = \$6,708.91

ALL IN FAVOR - CARRIED

ROBINN MEADOWS SEWER DISTRICT/LOAN:

Supervisor Razzano explained that a bill in the amount of \$8,150.00 for Engineering costs in relation to the proposed upgrade to the Robinn Meadows sewer plant has been received, and that authorization is needed for the General Fund to loan Robinn Meadows Capital Account the funds to make payment. The money will be repaid to the General Fund, once bonding is secured.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to authorize a loan in the amount of \$8,150.00, from the General Fund to the Robinn Meadows Capital Fund.

VOTE

Supervisor Razzano	- Aye
Deputy Supervisor Cole	- Aye
Councilman Krajewski	- Aye
Councilwoman Soro	- Nay
Councilman Penaluna	- Aye

MOTION CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to reimburse **Karen Arent Landscape Architect**, for services rendered in reference to:

- Bradley's Corner - \$227.50
- Panattoni Development - \$437.50
- Smoke Shop/Oceanview Realty - \$87.50
- Middletown Nissan - Kia - \$315.00

Payment will be made through the Special Trust and Agency account and charged to the individual escrow account listed above.

ALL IN FAVOR - CARRIED

PLEASE NOTE **At the December 6, 2007 Town Board Meeting a Motion was made to pay Karen Arent Landscape Architect \$87.50 and charge it to RR&M Used Car Dealership escrow account. This motion was made in error and the \$87.50 was to be paid through the General Fund.

Wawayanda Town Board Meeting 12/27/07**APPROVAL OF MINUTES:**

MOTION by **Councilman Krajewski**, seconded by **Councilman Cole**, to approve the minutes of the October 16th, November 8th, and November 20th, 2007 Town Board meetings, as presented by the Town Clerk.

VOTE

Supervisor Razzano	- Aye
Councilman Cole	- Aye
Councilman Krajewski	- Aye
Councilwoman Soro	- *** See Below
Councilman Penaluna	- Aye

MOTION CARRIED

*** **Councilwoman Soro** stated that she was not going to approved the minutes of October 16th, 2007, because, in her opinion, they are not accurate, but she voted to approve of the minutes of November 8th, and November 20th, 2007.

TOWN CLERK MEMO/FOR THE RECORD:

The following have been received and filed in the Town Clerk's Office:

1) **DEED**: Dated 3/23/2007 from **1992 Place Associates, Ltd.** to the Town of Wawayanda, which was recorded in the Orange County Clerk's Office on July 30, 2007 in Book#12495, Page 861.

2) **AMENDED PERFORMANCE AND MAINTENANCE AGREEMENT LAKERIDGE SUBDIVISION**, dated July 31, 2007 from Lakeridge Associates to the Town of Wawayanda which was recorded in the Orange County Clerk's office on August 2, 2007 in Book#12498, page 1476.

3) **ORIGINAL IRREVOCABLE OFFER OF DEDICATION OF LAKERIDGE ROAD** dated July 31, 2007 from Lakeridge Associated to the Town of Wawayanda which was recorded in the Orange County Clerk's office on August 2, 2007 in Book #12498, page 1469.

NEW BUSINESS:**BUDGET TRANSFERS & SUPPLEMENTAL APPROPRIATIONS:**

Our Town Bookkeeper provided a list of necessary Budget Transfers and Supplemental Appropriations, as follows:

GENERAL FUND:

FROM	AMOUNT	TO	AMOUNT
ACCT		ACCT	
A1990.4	37,355.00	A1010.1	515.00
A1995.4	32,000.00	A1110.4	10,202.00
A1355.1	5,000.00	A1220.1	111.00
A1420.1	5,000.00	A1220.101	4,107.00
A1490.1	6,000.00	A1315.1	68.00
A1670.4	2,500.00	A1315.2	180.00
A1910.4	926.00	A1355.2	250.00
		A1420.4	17,700.00
		A1440.4	1,995.00
		A1620.4	13,560.00
		A1650.4	336.00
		A1930.4	10,320.00

Wawayanda Town Board Meeting 12/27/2007

	A3510.4	650.00		
	A5010.4	625.00		
	A7020.4	1,125.00		
	A7110.4	4,015.00		
	A7140.2	5,300.00		
	A7510.2	366.00		
	A7520.4	190.00		
	A8020.4	11,400.00		
	A9010.8	136.00		
	A9040.7	5,630.00		
Total	88,781.00			88,781.00

HIGHWAY FUND:			
FROM	AMOUNT	TO	AMOUNT
ACCT		ACCT	
DR3501.0	50,000.00	DR5110.4	50,000.00
Total	50,000.00		50,000.00

RIDGEBURY LAKE SEWER DISTRICT:			
FROM	AMOUNT	TO	AMOUNT
ACCT		ACCT	
SS8120.2	1,000.00		
SS9730.7	1,013.00	SS8130.4	52.00
		SS8120.4	1,961.00

ARLUCK WATER DISTRICT			
SUPPLEMENTAL BUDGET APPROPRIATIONS;			
FROM	AMOUNT	TO	AMOUNT
ACCT		ACCT	
FAWD2770.0	12,425.00	FAWD8320.4	12,425.00

BUDGET TRANSFERS:			
FROM	AMOUNT	TO	AMOUNT
ACCT		ACCT	
FAWD8320.2	800.00	FAWD8320.4	800.00
Total	13,225.00		13,225.00

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to authorize the Town's Bookkeeper, Howard Goldstein, to make Budget Transfers and Supplemental appropriations, as recommended.

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize Howard Goldstein, Town Bookkeeper, to make any additional Budget Transfers and Supplemental Appropriations, as deemed necessary to balance the ledgers for the year 2007.

ALL IN FAVOR - CARRIED

2007 BUDGET ENCUMBRANCES:

A list of proposed encumbrances from the 2007 Budget was presented, as follows:

Wawayanda Town Board Meeting 12/27/2007**GENERAL FUND ENCUMBERED FUNDS FROM 2007 BUDGET****As follows:**

<u>AMOUNT</u>	<u>VENDOR</u>	<u>ACCT. #</u>
\$ 1,200.00	Warex Terminal Corp. (Fuel)	7110.4A (Park)
37.80	Leisure Time (water)	7610.4A (Seniors)
48.75	Times Herald Record (legals)	8010.4A (ZBA)
716.46	Times Herald Record (legals)	1620.4A (General)
189.00	Williamson Law Book Co. (Min. Book)	1410.2A (Twn Clerk)
196.50	General Paper Control (record desctuction)	1460.4A (Rec. Mngt.)
120.00	Teresa Pierce (Death Certificates)	4020.1A (Vital Rec.)
857.95	Staples (File cabinents & scanner)	1460.4A - \$300.00 1410.4A - \$557.95
404.25	Staples (Misc. Supplies)	8020.4A - \$ 19.80 1440.4A - 19.80 5010.4A - 9.51 1220.401A - 278.89 1110.4A - 72.44 1410.4A - 3.81

HIGHWAY FUND ENCUMBRANCES:

\$ 108.20	Automotive Brake	5110.4DR
994.08	Beyer Brothers	5110.4DR
69.49	Bigelow	5110.4DR
111.17	G & T Auto Parts	5110.4DR
33.50	Ganin Tires	5110.4DR
128.39	Lains Auto Parts	5110.4DR
448.62	Mid-Hudson Mack	5110.4DR
105.01	Sunoco	5110.4DR
30.39	Tractor Supply	5110.4DR
1,817.86	Warex	5110.4DR
\$16,647.68	Gargill Salt	5142.4DS
87.00	Nextel	5010.4A

Total:\$20,581.39		

WATER & SEWER ENCUMBRANCES:

\$ 116.46	New Hampton Lumber
285.09	Combined Energy Services
768.19	USA Bluebook

Wawayanda Town Board Meeting 12/27/2007

894.21	Ramapo Wholesalers, Inc
1,378.76	Schmidt's Wholesale, Inc.
213.40	R.I. Suresky & Son, Inc.
198.09	LAM Electrical Supply
150.00	NFPA

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize **encumbrances** from the 2007 Town Budget, as per the list that had been presented to the Board.
ALL IN FAVOR - CARRIED

Councilwoman Soro questioned the budget transfer of \$10,202.00 into the Town Justice account.

Supervisor Razzano explained that this was to cover the salary of Attorney Kessler. Since he was hired after the 2007 Budget had been adopted, there was no line item appropriation to cover the expense of his fees..

For the benefit of the Board Members, **Supervisor Razzano** proceeded to explain the reasoning for all of the other larger amounts.

Supervisor Razzano announced that as of December 24th, 2007, the dollar amount of surplus for the General Fund is \$1,029,190., and the Highway Department is \$290,359. Added that the revenues for the town are \$300,000 more than expected.

ZONING BOARD MEMBERS:

Supervisor Razzano explained that this year both **Joseph Critelli** and **Denise Quinn**, for different reasons, have resigned from the Zoning Board of Appeals. Currently, there are two individuals, **Bruce Lewis** and **Daniel Post** who serve as Alternate members.

Supervisor Razzano stated that he has not had an opportunity to speak to Bruce Lewis, but he has spoken with Chairman Onorati and Daniel Post, and it was determined that the Alternates should be moved up to fill the vacancies.

Teresa Pierce, Town Clerk, reminded Supervisor Razzano that it would have to be determined which vacancy each person would fill, and the duration of the term.

After some discussion **Supervisor Razzano** stated that this will be addressed at the re-organization meeting.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to appoint alternate Zoning Board members Bruce Lewis and Daniel Post as regular members of the Zoning Board of appeals.

ALL IN FAVOR - CARRIED

EMERGENCY MANAGEMENT/LETTERS OF RESIGNATION:

Supervisor Razzano read letters of resignation which were received from **Halsey Decker** and **Thomas Lyons** effective December 31st, 2007. Mr. Lyons had held the position of Emergency Management Coordinator, and Mr. Decker had held the position of Deputy Emergency Management Coordinator.

Supervisor Razzano stated that he personally would like to thank both individuals for their dedication and service to the town. Added that he had spoken with both of them regarding this, and they each are looking to free up time on a personal level.

Wawayanda Town Board Meeting 12/27/07

Supervisor Razzano said they had a few names and will be reaching out to those individuals. Advised that if anyone knew of someone who may be interested in the positions, they are to advise them to contact the Supervisor's office. Explained that the positions require some training and added that he personally believes that some type of compensation should be considered.

TAX COLLECTOR/PETTY CASH:

Catherine Cole, Tax Collector, submitted a memo requesting a petty cash fund in order to make change for the 2008 Property Tax Season.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize a petty cash fund of \$125.00 for the Tax Collector for the 2008 tax season.

ALL IN FAVOR - CARRIED

PERSONNEL POLICY/PROPOSED CHANGE:

Supervisor Razzano discussed a change to the existing personnel policy, and referred to section **31-12 Health Insurance Premiums**. He proposed the following sentence be added to read as follows: **Any Regular full-time employee, as defined in 31-8, A, (1), hired after Jan. 3, 2008 will contribute 20% of the cost of their Health and Dental insurance policies**. He stated that this is something that has been contemplated for sometime now, and as result of comparisons of other municipalities and major corporations this is becoming common practice.

Discussion took place amongst the board members, and they each provided opinions on this matter, as well as addressing comments and questions from members of the audience.

It was unanimously agreed that this matter is inevitable and is a step in the right direction.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to amend Section 31-12 , A,(1), by adding a sentence, as follows: **'Any Regular full-time employee, as defined in 31-8, A, (1), hired after Jan. 3, 2008 will contribute 20% of the cost of their Health and Dental insurance policies'**.

ALL IN FAVOR - CARRIED

CORRESPONDENCE & COMMUNICATIONS:

Reduction of Speed Limit/County Route 93 & South Plank Road: A letter was received from **Nicholas & Debra Scrimbolo** requesting the Board to consider the submission of a TE-9 form to the New York State Department of Transportation to have the speed reduced on County Route 93 (Lime Kiln Road) between South Plank Road and Route 284. In the letter they spoke of numerous accidents that have occurred on that stretch of road, and some have resulted in damage to their property. Also, they indicated that they have sent a request to Caesar Rotundo, County Engineer, to re-evaluate the conditions of the road for any additional safety improvements.

Good News Nursery: The Good News Nursery sent a 'Thank You' note expressing their gratitude for being invited to participate in our holiday tree lighting event. They extended a special 'Thank You' to Diane Morgan for handling all of the arrangements with them.

Supervisor Razzano commented that the children did an excellent job with their performance, and that taking into consideration the bad weather of that day, there were over 200 people in attendance.

Supervisor Razzano extended gratitude to **Councilwoman Gail Soro** for her service and dedication to the Town during her term as a Town Board member, and wished her well in her future endeavours. - His comment was met with applause.

Wawayanda Town Board Meeting 12/27/07

Mary Markiewicz & Dee Vavricka complimented Michael Green, Highway Superintendent on the excellent job of keeping the town roads clear during the recent storms.

NO OTHER BUSINESS OR COMMENTS.

MOTION by **Councilman Cole**, seconded by **Councilman Krajewski**, to adjourn the meeting..
ALL IN FAVOR - CARRIED

MEETING ADJOURNED: 8:39 P.M.

PREPARED BY KATHRYN SHERLOCK

RESPECTFULLY SUBMITTED,

Teresa E. Pierce, Town Clerk/RMC