

Wawayanda Town Board Meeting 3/08/07

March 8, 2007

A Regular monthly business meeting of the Town Board of the Town of Wawayanda was called to order at 7:32 P.M., on Thursday, March 8, 2007, at the Town Hall, Ridgebury Hill Road, Slate Hill, New York.

Those present were:

	John R. Razzano	Supervisor
	Edward Krajewski	Councilman
	Gail M. Soro	Councilwoman
	Richard Penaluna III	Councilman
	Richard Guertin	Attorney for the Town
	Teresa Pierce	Town Clerk
Absent:	David S. Cole	Councilman

Also Present: Mary Markiewicz -Planning Board Member; Gladys Hall - Historian; and approximately 10 other individuals.

PLEDGE TO THE FLAG**REGULAR BUSINESS:****PRESENTATION OF BILLS AND DEPARTMENT REPORTS:**

Reports from the Supervisor, Town Clerk, Planning Board, and the Building & Fire Inspector/Code Enforcement Officer, and the bills from the General Fund, Highway Fund, and Water & Sewer Districts were presented to the Board for review.

APPROVAL OF DEPARTMENT REPORTS:

MOTION by **Councilman Krajewski**, seconded by **Councilwoman Soro**, to accept the various departmental reports, as submitted.

ALL IN FAVOR - CARRIED

PAYMENT OF BILLS:

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize the payment of bills in the amount of \$4,702.72 from the General Disbursement Account, representing bills that were payable upon receipt. Breakdown as follows:

PPG 07-00225	\$ 874.39
PPG 07-00229	\$3,828.33

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize payment of bills from the General Disbursement Account in the amount of \$96,989.96 Breakdown as follows:

General Fund	G07-232 thru 312	\$45,270.26
Highway Fund	H07-313 thru 340	44,606.36
Water/Sewer Districts	WS07-341 thru 371	7,113.34

WATER/SEWER BREAKDOWN:

Robinn Meadows Sewer District	\$2,859.81
Ridgebury Lake Acres Sewer District	1,505.59
Ridgebury Lake Water District	480.49

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Denton Hills Water District	503.81
Arluck Water District	777.61
Water/Sewer Dist. #1	986.03
Water/Sewer Total =	\$ 7,113.34

ALL IN FAVOR - CARRIED**APPROVAL OF MINUTES:**

The Town Clerk, requested approval of the minutes of the February 8th and February 15th, 2007, Town Board meetings.

Amendment: Councilwoman Soro noted that on **page 6 of the February 8, 2007 minutes**, under the title ‘McVeigh Road/Speed Control Road Signs’ it reads “**Councilwoman Soro** thanked Highway Superintendent Green for his quick response to having the speed control signs installed on Lower Road”. Actually, instead of Lower Road, it should state “**McVeigh Road**”. She recommended that the minutes be corrected to state, “**Councilwoman Soro** thanked Highway Superintendent Green for his quick response to having speed control and ‘School Bus Stop’ signs installed on McVeigh Road”.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to approve the February 8th, 2007 minutes with the amendment as noted by Councilwoman Soro, and the February 15th, 2007 minutes, as presented.

ALL IN FAVOR - CARRIED

ANNUAL TOWN CLERKS’ CONFERENCE: Teresa Pierce, Town Clerk, submitted a request that she and her Deputy, Kathryn Sherlock, be authorized to attend the annual New York State Town Clerks Association Conference which will be taking place in Rochester, NY, from April 29th through May 2nd, 2007. The conference provides a wide variety of training sessions associated with all aspects of Town Clerk’s duties and obligations. The cost is \$517.00 per person for lodging and meals, plus there is an additional cost of \$110.00 per person to cover the conference registration and the Monday night activity. The Town’s Jeep will be used for transportation.

Each year the Association offers scholarships to help defray the expense of the conference, and Ms Sherlock has submitted an application for such. In the event that a scholarship is not received, there is sufficient money in the Town Clerk’s budget to cover the expense.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize Teresa Pierce, Town Clerk, and Kathryn Sherlock, Deputy Town Clerk, to attend the annual New York State Town Clerks Association Conference in Rochester, NY, on April 29th through May 2nd.

ALL IN FAVOR - CARRIED

JOINT TOWN BOARD & PLANNING BOARD MEETING: Supervisor Razzano announced that on March 28th at 7:00PM, prior to the Planning Board meeting, the Town Board and Planning Board will be conducting a joint meeting.

RYERSON COURT/ROAD BOND REDUCTION: The owners of the Ryerson Court Subdivison have requested a reduction to their road bond which is currently at \$308,000. Representatives from McGoey, Hauser, & Edsall, along with Michael Green, Highway Superintendent, have done an inspection, reviewed the specs for the new road, and have determined that a bond of \$83,000 would be appropriate to complete the road. After some discussions, Board members agreed to decrease the amount of the Ryerson Court road bond to \$83,000, on the condition that the developers first pay the outstanding balance on their escrow account with the Town.

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MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to authorize the reduction of the Road Bond for the Ryerson Court Subdivision to \$83,000.00 pending payment of the outstanding Escrow Account balance.

ALL IN FAVOR - CARRIED

WATER & SEWER CODES: **Supervisor Razzano** went over amendments that were recommended by other departments, as well as his own proposed amendments to both the water & sewer codes.

Attorney Guertin suggested that the proposed codes be sent to Orange County Planning Department for their review..

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to adopt a resolution to introduce a Local Law to Amend the Sewer Code of the Town of Wawayanda.

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to adopt a resolution to set a Public Hearing on March 20th, 2007, on the draft local law which would amend the Sewer Code of the Town of Wawayanda.

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to adopt a resolution to introduce a Local Law to Amend the Water Code for the Town of Wawayanda.

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to adopt a resolution to set a Public Hearing on March 20, 2007, on the draft local law which would amend the Water Code of the Town of Wawayanda.

ALL IN FAVOR - CARRIED

Councilwoman Soro asked if **Attorney Guertin** would be present at the public hearing, and was informed by the Supervisor that he would be.

US SPORTS INSTITUTE: **Supervisor Razzano** said that the liability insurance has been received, and addressed all concerns voiced at the February 27th Workshop meeting. Based upon the discussion that took place, **Supervisor Razzano** asked the Board for authorization to sign the contract with the US Sports Institute.

MOTION by **Councilman Penaluna**, seconded by **Councilman Krajewski**, to adopt a resolution to authorize Supervisor Razzano to sign a contract with the US Sports Institute to conduct a sports camp at Shannen Park during the week of July 23rd - July 27th, 2007.

ALL IN FAVOR - CARRIED

STREET SPECIFICATIONS: **Supervisor Razzano** stated that in light of new proposed Street Specifications, the Attorney for the Town has advised about the need to correct some conflicting legal language in our Subdivision/Street Specs Code.

Supervisor Razzano discussed proposed revisions to our existing specifications. He referred to three of the specifications which he would like to remain in the code, plus he recommended 4 new specs which he explained. To date he has discussed these changes with the Highway Superintendent and with the Fire Chief of the Slate Hill Fire Department. Both of these individuals agreed that the changes would be beneficial to the Town and would not impede emergency services.

CORRESPONDENCE & COMMUNICATIONS:

Hudson Valley Credit Union will be dropping off information regarding services that their institution offers.

Councilwoman Soro questioned other Board members and the Attorney as to their opinion on having the **Town Attorney present at Town Board Workshop Meetings**, and the procedure for proper notice of **Town Board Special Meetings**.

Councilwoman Soro put a motion on the floor to establish an **Ethics Committee**. A discussion took place amongst the board members, and it was determined that such a committee was not required at this time.

Councilwoman Soro put a motion on the floor to establish an **Open Space Committee**, and was advised that one has already been formed.

Ms. Soro said if that is the case, then names should be accepted to serve on that committee.

Supervisor Razzano informed her that names have already been received, and that if she wished to put a list of names together, the Board would entertain the request.

Ms. Soro questioned the procedure that the **Code Enforcement Officer** must follow when an individual files a complaint.

Supervisor Razzano asked **Councilwoman Soro** what she felt would be the proper procedure.

Ms. Soro said that she had spoken with the Director of the Department of Environmental Conservation and was told that when it comes to the filling in of wetlands and mining operations, it is the responsibility of the Code Enforcement Office to do the follow-up. She has been told that is not his (Code Enforcement Officer) responsibility. Asked the Supervisor to check with that department to make sure they are following up with the DEC.

Ms. Soro requested that the Board convene in Executive Session to discuss a letter from Attorney Guertin to Mr. Ketcham, our town assessor.

Abandoned Vehicles: Belinda Meere spoke about a situation regarding vehicles with no license plates that are just sitting on properties, and said there have been complaints in the past and nothing has been done to rectify the problem. Added that this should have already been taken care of, and that she should not have to sign a complaint.

Attorney Guertin informed her that an individual has the right to know the identity of the accuser.

Ms. Meere complained about garbage all over the lawn at the house located next to the Holy Cross Church, and feels that it needs to be addressed.

Video/Audio Taping of Meetings: Councilwoman Soro along with **David Whitworth**, and **Ora Woods** discussed the article that appeared in the **Times Herald Record** regarding the video taping of town meetings.

Ms. Soro stated that the article was extremely deceiving and that it suggested that the Zoning Board would be allowed to make their own decision as to whether or not the meetings would be taped, and that it was her understanding that this is not the case. She requested that the Supervisor contact the Times Herald Record to set the record straight.

Supervisor Razzano stated that he did not have the article in front of him and was not in a position to make a comment.

Further discussion took place on this subject.

Anna Miller also made comment on the article that appeared in the **Times Herald Record**. She then informed everyone that today was **International Women's Day**, and read a prepared statement in association with this topic.

Town Attorney at Workshop Meetings: David Whitworth voiced his concerns about not having the Attorney present at the Workshop Meetings.

EXECUTIVE SESSION/PENDING LITIGATION:

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to interrupt the meeting so that the Board may convene in Executive Session to discuss a pending litigation matter.

ALL IN FAVOR - CARRIED

EXECUTIVE SESSION: No action taken.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to close Executive Session and re-open the regular meeting.

ALL IN FAVOR - CARRIED

Deborah Glover spoke about the last Town Board meeting when an individual spoke about a town employee in an ill manor, and said that this was a violation of that employee's rights. She then discussed how she believed the situation should have been handled.

Attorney Guertin provided an opinion on **Ms. Glover's** comments.

No other comments or questions.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to adjourn the meeting.

ALL IN FAVOR - CARRIED

MEETING ADJOURNED: 9:09 P.M.
PREPARED BY KATHRYN SHERLOCK

RESPECTFULLY SUBMITTED,

Teresa E. Pierce, RMC
Town Clerk