

Wawayanda Town Board Meeting 9/22/2009

September 22, 2009

A Regular monthly workshop meeting of the Town Board of the Town of Wawayanda was called to order at 7:00 P.M., on Tuesday, September 22, 2009, at the Town Hall, Ridgebury Hill Road, Slate Hill, New York.

Those present were:	John R. Razzano	Supervisor
	David S. Cole	Councilman
	Edward Krajewski	Councilman
	Richard Penaluna III	Councilman
	Denise Quinn	Councilwoman
	Kathryn Sherlock	Deputy Town Clerk
Attendance not required:	Richard Guertin	Attorney for the Town
Absent:	Teresa Pierce	Town Clerk

Also Present: Michael Green - Highway Superintendent; Mary Markiewicz - Planning Board Member; Gladys Hall - Historian; David LeBlanc - Member of Recreation Committee; and two other individuals.

PLEDGE TO THE FLAG**SHARED MUNICIPAL TECHNOLOGY SERVICES GRANT:**

Supervisor Razzano spoke about the proposed draft summary of the Local Government Efficiency Planning Grant Application for 2009 - 2010. It will provide for a Shared Municipal Technology Project to conduct a feasibility study that will identify cost efficiencies and service improvements through joint implementation of technology services between the City of Middletown, Town of Wawayanda, and the Village of Otisville. A combined effort by the partners should result in improved service delivered at a reduced cost. The municipalities will benefit from improved communications and information sharing through this planning initiative.

Supervisor Razzano said that he has spoken with the Grant Writer, and both agree that this proposal could be beneficial to the Town.

The Board members concurred with the Supervisor's statement.

MOTION by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to adopt a resolution authorizing Supervisor Razzano to sign any and all documentation in respect to a Local Government Efficiency Grant application, as a co-applicant with the City of Middletown and the Village of Otisville.

VOTE

Supervisor Razzano	- Aye
Councilman Cole	- Aye
Councilman Krajewski	- Aye
Councilman Penaluna	- Aye
Councilwoman Quinn	- Aye

MOTION CARRIED

Formal Resolution as follows:

TOWN OF WAWAYANDA
Resolution # 8- 2009
LOCAL GOVERNMENT EFFICIENCY GRANT PROGRAM

1) Authorization to Apply for the Grant

The Common Council of the City of Middletown, New York shall designate Marlinda Duncanson, Mayor for the City of Middletown, as the Lead Contract Person and authorize her to submit a General Efficiency Planning Grant Application on our behalf to the New York State

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Local Government Efficiency Program for the 2009 - 2010 program year. Mayor Duncanson shall be authorized to execute all financial and/or administrative processing relating to the grant program.

2) Project Title and Description

The Shared Municipal Technology Project will conduct a feasibility study that will identify municipal cost efficiencies and service improvements through joint implementation of technology services with the participating municipalities. The applicants believe that greater efficiency and cost savings can be realized in the current planning, organization, management and procurement of information systems and technology services.

3) Funding Request

The grant application will request a maximum grant award of up to \$26,000.00 toward the funding of the project.

4) Local Share Information

Total project cash is \$28,889.00, which included the grant amount of \$26,000.00 and a 10% required local cash match, or \$2,889.00. The cash match will be equally apportioned among the three participating municipalities at \$963.00 each.

5) Co-Applicant Information:

The co-applicants for this grant application are The City of Middletown, Town of Wawayanda and the Village of Otisville. The Common Council of Middletown will enter into an intermunicipal agreement to conduct a feasibility study for the functional consolidation of technology services with the co-applicants.

SALT PURCHASE:

Supervisor Razzano referred to the discussion that took place at the September 3rd, 2009 Business meeting regarding the request from **Highway Superintendent Green** for authorization to purchase salt before September 30th, at a projected savings of \$5,000. At that time, the Board tabled the matter for additional information.

The Supervisor stated that the requested information had been obtained, and all questions have been answered.

MOTION by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to loan the Highway Department budget account #5142.4DS, \$64,000.00 (sixty four thousand dollars) from the General Fund Account #1620.4A for the purchase of salt, with this amount to be paid back out of the 2010 budget.

ALL IN FAVOR - CARRIED

NY ELECTRICAL INSPECTIONS & CONSULTING LLC/ELECTRICAL INSPECTOR:

John Grifo, Building Inspector, submitted an application from NY Electrical Inspectors & Consulting LLC, to perform Electrical Inspections in the Town. It appears to be in compliance with Chapter 82 of the Town Code, and Mr. Grifo recommended that the Town Board approve the application pending receipt of the \$150.00 application fee.

MOTION by **Councilman Krajewski**, seconded by **Councilman Cole**, to authorize NY Electrical Inspectors & Consulting LLC, to provide Electrical Inspection Services for the Town.

ALL IN FAVOR - CARRIED

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MIDDLETOWN ISLAMIC CENTER LETTER OF CREDIT:

John Grifo, Building Inspector, submitted a memo stating that on September 15, 2009 his office issued a full Certificate of Occupancy to the Middletown Islamic Center. He recommended that the Board vote to cancel the letter of credit as the project has been completed in accordance with the approved site plan.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to cancel the letter of credit based upon the recommendation of the Building Inspector.

ALL IN FAVOR - CARRIED

ERIC TONNESON/ATV ISSUE:

Eric Tonneson of Ridgebury Road, appeared before the Board to discuss an ongoing matter concerning his next door neighbors' habit of riding their four wheelers from sun up to sun down. He emphasized the fact that his family, along with other families in the neighborhood, have been inconvenienced by the noise. He also spoke about the fact that they are not practicing safety measures such as wearing helmets, and the adults are traveling at high speeds with smaller children on the back.

Mr. Tonneson stated that he has made an effort to resolve this problem, but all of his attempts have fallen upon deaf ears. Added that this situation is taking away from his quality of life, and believes that either himself or one of his family members may be at risk of getting injured if someone should lose control.

Daren Fulton, also of Ridgebury Road, lives on the other side of the residence in question and agreed with the statements that Mr. Tonneson had made. He stated that this situation is also affecting his family, as well.

Barbara Parson, a Planning Board member, stated that there is a noise ordinance incorporated into our Zoning, and believes it to be at a range of 65 decibels.

Supervisor Razzano said that he has done some research, and obtained copies of ATV Local Laws enforced in the surrounding towns, and pointed out that each one has different components emphasized such as defiant manner, destructive manner, and continuance manner.

Supervisor Razzano provided the Board with a draft copy of a proposed local law, which he asked them to review.

Councilman Penaluna had reservations with implementing such a law because he is aware of a few individuals in the town who ride their four wheelers in areas without causing a nuisance, and would not want to see them affected because of someone else's disregard. He addressed Mr. Tonneson and asked if he had video taped them, and Mr. Tonneson replied that it has not yet gotten to that point.

Additional discussion took place.

The matter was tabled until the next Town Board Business meeting.

EXECUTIVE SESSION:

MOTION by **Councilman Krajewski**, seconded by **Supervisor Razzano**, to enter into **Executive Session** to discuss a particular employee.

ALL IN FAVOR - CARRIED

EXECUTIVE SESSION: No action taken.

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

ALL IN FAVOR - CARRIED

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DONATION OF SICK TIME/EDWIN REMEY:

Supervisor Razzano stated that at the last meeting **Michael Green**, Highway Superintendent, submitted a memo to the Board advising that five highway department employees (John VanBenschoten, Halsey Decker, Gary Knibbs Sr., Gary Knibbs Jr., and Roland O'Dell) would like to donate their sick time to Edwin Remy who is currently out on sick leave and has exhausted all of his sick time for the year.

Supervisor Razzano said that the Board has agreed to approve a maximum of 20 sick days, and for the time to be taken out of the sick banks of the five individuals indicated in the request.

MOTION by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to grant the request from the five individuals from the Highway Department to donate 4 accumulated sick days each to Edwin Remy in connection with medical leave.

ALL IN FAVOR - CARRIED

NYS MAGISTRATES COURT CLERKS ANNUAL CONFERENCE: Supervisor Razzano said that due to recent cut backs, the Board agreed to cut out the expenditure on sending the Court Clerks to the NYS Magistrates Court Clerk Annual Conference scheduled to place on October 4th through October 7th, 2009.

Consequently, Sara Sullivan, the Part-Time Court Clerk applied for and received a Grant in the amount of \$600 to attend this year's conference, with the money to be applied towards the three night stay and reimbursement for milage.

Considering the time and effort that Ms. Sullivan put in to obtain the funding, the Board agreed to allow her to attend the conference.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize Sara Sullivan, the Part-Time Court Clerk, to attend the annual New York State Magistrates Court Clerks' Conference on October 4th through October 7th, 2009.

ALL IN FAVOR - CARRIED

Councilman Cole stated that he had a recent discussion with Sharon Melvin and Betsy Seabright who have expressed their concerns with the current starting salary of \$10.00 per hour.

Considering that Ms. Sullivan will be working by herself at the beginning of the year, it will be very difficult to find qualified candidates to accept the position at such a low starting salary.

Both Sharon and Betsy are asking the Board to take this into consideration when the time comes to begin the search for their replacements.

PEOPLE'S CONVENTION TO REFORM NEW YORK:

Councilman Krajewski referred to recent correspondence received from Brian Kolb, New York State Assembly Minority Leader. He was seeking support for convening a non-partisan, grassroots "People's Convention to Reform New York". He proposed legislation which calls for a People's Convention to Reform New York to address much-needed reform like a state spending and property tax cap; debt reform; banning backdoor borrowing; requiring a 2/3 "Super Majority" for tax increases; recall of state elected officials; initiative and referendum; term limits for State Legislative Leaders and non-partisan redistricting reform. As stipulated in the legislation, and only the elected delegates themselves will have the authority to set the convention agenda.

Councilman Krajewski explained that any state or local elected official or officer or party official elected and sworn in as delegate to the convention would be deemed to vacate his or her office. This would ensure that the delegates would not receive two public salaries.

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MOTION by **Councilman Krajewski**, seconded by **Supervisor Razzano**, to adopt for following resolution:

**TOWN OF WAWAYANDA
Resolution 9- 2009
PEOPLE'S CONVENTION TO REFORM NEW YORK ACT**

WHEREAS, tough economic times and New York State's tremendously high tax burden are causing families and businesses to struggle, while state government has been paralyzed by questions and gubernatorial succession, leadership fighting and political dysfunction; and

WHEREAS, our State Constitution was originally meant to be a vibrant, living and breathing document, reflective of the times in which we live and that holds up to the political dynamic of the day; and

WHEREAS, our current state Constitution was adopted 115 years ago in 1894 and modified at a constitutional convention in 1938 and at various other times by legislative action; and

WHEREAS, out state, our nation and the world have changed dramatically in the past forty-two years as the information age has transformed communications, business and government in ways that could not even have been imagined when our state constitution was adopted; and

WHEREAS, recent events in state government involving gubernatorial succession, legislative stalemates and appointments to statewide elected offices have exposed flaws and weaknesses in our current constitution on these issues; and

WHEREAS, families and businesses have been forced to cut back, while New York State government continues to spend beyond its means and force unfunded mandates on already overburdened local governments and taxpayers; and

WHEREAS, in the face of the most challenging economic environment since the Great Depression, the people of New York have little confidence that the state government, as currently structured, is responsive to their wants, needs, or principal concerns; and

WHEREAS, the people of New York have expressed their desire to hold a "People's Convention" to reform state government, as evidenced by recent Quinnipiac University and Siena College Research polls, showing more than 60 percent of voters supporting a People's Convention to Reform New York; and

WHEREAS, the people must act now to thwart the dysfunction in Albany, and convene a People's Convention to take New York State government back; and

WHEREAS, members of the state Legislature have introduced "The People's Convention to Reform New York Act", which grants the people the opportunity to hold a constitutional convention, establishes a procedure for the non-partisan election of delegates, restricts political parties, campaign committees and special interests' influence over delegates, and requires state or local elected officials and officers or party officials to vacate their post upon being elected delegate; and

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WHEREAS, while the Consitution empowers the elected delegates to set the convention agenda for “The People’s Convention to Reform New York:”, we ask that the delegates consider government reforms such as a state spending cap and property tax cap, restrictions on unfunded mandates, debt reform, and absolute ban on backdoor borrowing, public authorities reform, a clear line of succession to the governorship and lieutenant governorship and elections to fill elected state office vacancies; and now, therefore, be it

RESOLVED, that this Legislative Body pause in its deliberations to acknowledge the need for true state government reform and urge the immediate passage and chaptering of the “People’s Convention to Reform New York Act”, which will allow for the creation of a more accountable and responsive state government by the people to serve the people; and be it further

RESOLVED, that a copy of this Resolution, suitably engrossed, be transmitted to the Governor of the State of New York, the Temporary President of the New York State Senate, the Speaker of the New York State Assembly, and to the Minority Leaders of the Assembly and Senate.

VOTE

Supervisor Razzano - Aye
Councilman Cole - Aye
Councilman Krajewski - Aye
Councilman Penaluna - Aye
Councilwoman Quinn - Aye

MOTION CARRIED

2009 TOWN PICNIC:

Councilman Penaluna commented on the Town Picnic held at Shannen Park on September 12, 2009. He said that it appeared that everyone had a great time, and considering the weather there was a great turn out.

Supervisor Razzano commented on the Picnic, as well, and said that a wonderful time was had by all, and that he had received numerous compliments of praise. He thanked everyone who took the time to come out and enjoy the day. He also expressed gratitude to all who volunteered their time to make the event a success. Added that he is already looking forward to next year’s picnic.

Councilman Cole stated that this year’s “**Trunk or Treat**” will be held on Saturday, October 31st, 2009, with a start time of 4:00 PM.

No other comments or questions.

MOTION by **Councilman Krajewski**, seconded by **Councilwoman Quinn**, to adjourn the meeting.

ALL IN FAVOR - CARRIED

MEETING ADJOURNED: 8:10 P.M.

**PREPARED BY KATHRYN SHERLOCK
RESPECTFULLY SUBMITTED,**

**Teresa E. Pierce, RMC
Town Clerk**