

REGULAR MEETING

46 Co. Rt. 11 Town Hall

November 16, 2005

7:30 PM

West Monroe, NY

Present: Supervisor Ernest Manchin, Councilmen Ned Green, Gary Ross (Supervisor-elect) and Mike Hickey  
Town Clerk, Christine Shaw, Deputy Town Clerk Louise Herbert  
Code Enforcement Officer Gail Swistak  
Councilwomen-elect Debra Macdougall  
Highway Superintendent-elect Randall Shaw  
Paul Baxter Tug Hill Commission representative  
9 people in the audience

After the pledge to the flag, Mr. Hickey moved to approve the minutes of the October 12, 2005 regular meeting and public hearing; budget workshops held 10-5 & 19 and the November 9th Preliminary Budget Public Hearing. Mr. Ross seconded the motion with unanimous approval of the board members present.

Mr. Hickey then moved to approve the area variance submitted by Shirley Fredrich. Mr. Green seconded the motion with unanimous approval of the board. Mr. Hickey then moved that no significant negative impact would be caused by this division of property therefore the Supervisor has permission to complete and sign the SEQR short form. Mr. Green seconded the motion with unanimous board approval.

Next Mr. Manchin reminded the board that they had not completed the SEQR short form in regards to the Vollmer area variance passed previously. Mr. Hickey moved that no significant negative impact would be caused by the division of the Vollmer property located on County Route 11 and the Supervisor has permission to complete and sign the SEQR short form. Mr. Green seconded the motion with unanimous board approval.

Mr. Ross moved to approve the adoption of the Local Law #1 of 2005 Town of West Monroe Land Development. Mr. Hickey seconded the motion. Mr. Ross commented that based on written response and comments from the public hearing he felt that there was no objection to the consolidation of the current laws. He did note that a few comments were against what laws already contain and that the board would consider those comments at a later date. The vote of the board was: Mr. Ross-yes; Mr. Green-yes, Mr. Hickey-yes and Mr. Manchin-yes

Mr. Ross then moved to approve the 2006 Preliminary Budget. The motion was seconded by Mr. Green with the vote of the board members present: Mr. Ross-yes; Mr. Green-yes, Mr. Hickey-yes and Mr. Manchin-yes

Mr. Robert Smith submitted his request to deed to the Town of West Monroe an extension to Milo Drive along with the proper deposit. Superintendent of Highways Fisher reported that he has inspected the road and recommended that the Town Board accept this property. Mr. Hickey moved the following resolution:

WHEREAS, a subdivision has previously been approved by the Planning Board of the Town of West Monroe, such subdivision known as Smith Subdivision, located on Milo Drive, in such Town; and

WHEREAS, certain streets within such subdivision which have previously been accepted by the Town as Town roads have now been extended and the extension has been deemed to be constructed in conformance with Town specifications for roads within the Town, as accepted by the Town Highway Superintendent; and

WHEREAS, the Town Highway Superintendent has established an \$800.00 bond as the appropriate value to retain for one year to insure that the roadway holds up satisfactorily;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town accepts the following parcel of land as Town property solely for the purpose of building and maintaining highways thereon:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Monroe, County of Oswego and State of New York, being part of Lot No. 65 and No. 73 in the 12th Township of Scriba's Patent and being more particularly .described as follows:

Beginning at an iron pipe at the southwest terminus of Milo Drive said point being an iron pipe North 61° 24' 00" West a distance of 1,154.67 feet from the west line of County Route #37;

thence continuing North 61° 24' 00" West a distance of 754.18 feet to an iron rod set;

thence running North 28° 36' 00" East a distance of 60.0 feet to an iron rod;

thence running South 61° 24' 00" East a distance of 80.0 feet to an iron rod;

thence running North 28° 36' 00" East a distance of 60.0 feet to an iron rod;

thence running South 61° 24' 00" East a distance of 60.0 feet to an iron rod;

thence running South 28° 36' 00" West a distance of 60.0 feet to an iron rod;

thence running South 61° 24' 00" East a distance of 600.0 feet to the existing northwest terminus of Milo Drive;

thence running along the westerly line of Milo Drive, South 28° 36' 00" West a distance of 60.0 feet to the point of beginning.

Subject to and together with any and all rights of way, easements, and restrictions of record.

2. Said property be and hereby is dedicated as a Town highway, to wit, Milo Drive, and the Town accepts all legal obligations with respect to such property.

3. A performance bond, certified check, or line of credit as deemed satisfactory by the town attorney in the amount of \$800.00, be and hereby is accepted and will be returned to the grantors of such property one year from the date of this resolution, provided such roadway has, within the judgment of the Town Highway Superintendent, been properly constructed. If in the judgment of the Highway Superintendent, such roadway has not been properly constructed, the Town Highway Superintendent is authorized to expend any and all funds from such bond to insure that the roadway is properly constructed.

4. This resolution shall take effect immediately.

Mr. Green seconded the motion with the vote of the board:

Mr. Ross-yes, Mr. Green-yes, Mr. McCarthy-absent, Mr. Hickey-yes, Mr. Manchin -yes

Mr. Manchin explained that the town hall needed a new heating system, which had not been budgeted for 2005, therefore the board could finance the \$20,000 cost over 5 years. Mr. Ross then moved the following BOND RESOLUTION:

A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO TWENTY THOUSAND DOLLARS (\$20,000) IN SERIAL BONDS OF THE TOWN OF WEST MONROE, OSWEGO COUNTY, NEW YORK, FOR THE REPLACEMENT OF BOILERS AS PART OF THE RECONSTRUCTION OF THE HEATING SYSTEM IN THE TOWN HALL OWNED BY THE TOWN OF WEST MONROE

WHEREAS, the Town Board of the Town of West Monroe has authorized the reconstruction of the heating system by the replacement of boilers in the Town Hall on County Route 11 on land currently owned by the Town, and the Town has awarded a public works contract for the reconstruction of the heating system in the Town Hall by the installation of two (2) new Buderus Logano Model G 215/5 boilers; and

WHEREAS, such contract did not exceed \$20,000 and was duly entered in accordance with the General Municipal Law;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of West Monroe, County of Oswego, State of New York, as follows:

SECTION 1. The specific object or purpose for which the obligations of the Town will be issued pursuant to this resolution is to finance the reconstruction of the heating system by the replacement of boilers in the Town Hall on County Route 11, which reconstruction has been previously authorized by the Town Board.

SECTION 2. The total maximum estimated aggregate cost for the reconstruction of the heating system by the installation of new boilers shall be \$20,000. The plan for financing such reconstruction and additions is through the issuance of serial bonds of said Town, which bonds are hereby authorized to be issued pursuant to the provisions of the Local Finance Law. The bonds are to be payable from amounts which shall annually be levied on all taxable real property in said Town and the faith and credit of the Town of West Monroe, County of Oswego, State of New York, are hereby pledged for the payment of said bonds and the interest thereon.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten (10) years pursuant to Subdivision 13. of Section 11.00.a. of the Local Finance Law.

SECTION 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell Bond Anticipation Notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewal of such notes, is hereby delegated to the Supervisor of the Town of West Monroe, the chief fiscal officer. Such notes shall be of such terms, form and contents and shall be sold in such manner, as may be prescribed by said Supervisor of the Town of West Monroe, consistent with the provisions of the Local Finance Law.

SECTION 5. Pursuant to Local Finance Law Section 32.00.5, it is hereby determined that the proposed maturity of the obligations authorized herein shall not exceed five (5) years.

SECTION 6. Pursuant to Local Finance Law Section 107.00.d.4., it is hereby determined that a payment from current funds equal to at least five percent (5%) of the estimated cost of the improvement is not required since the proposed maturity of the obligations authorized herein shall not exceed one half of the maximum period of probable usefulness.

SECTION 7. The validity of such bonds and Bond Anticipation Notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with as of the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

SECTION 8. This resolution, which takes effect immediately, shall be published in full in the Central Square Citizen Outlet, a newspaper having general circulation in said Town, together with a notice by the Town Clerk substantially in the form provided in Section 81.00 of the Local Finance Law.

The Resolution was seconded by Mr. Hickey and the vote of the board:

Mr. Ross-yes, Mr. Green-yes, Mr. Hickey-yes, Mr. Manchin-yes, Mr. McCarthy was absent.

#### MONTHLY REPORTS:

Town Clerks' October report with a check in the amount of \$1,956.63

Supervisors' October financial report

Highway Superintendent Fishers' report which included a request to bid the fuel prices for 2006.

Mr. Ross moved to take bids for the 2006 Fuel with the opening to be December 1st at 11:00 am.  
Mr. Hickey seconded the motion, with unanimous approval of those board members present.

CEO Swistaks' October monthly report

DCO October report

Planning Board minutes for September

Paul Baxter, Tug Hill Commission representative reported that there would be a NorCOG meeting at West Monroe on November 17th at 7:00 P.M. He also informed the board members and newly elected officials of the upcoming teleconferences, an Energy audit program with possible grants, ATV impact report, Tug Hill Commissions' conference to be held at JCC on March 30th as well as the Online GSI that is available to the town. Mr. Baxter, who represents the Town of West Monroe in the OLWAC, explained that OLWAC is looking for more local officials to be involved.

Mr. Hickey moved to pay the bills as audited:

GENERAL FUND, abstract #11, vouchers #312to #358 in the amount of

HIGHWAY FUND, abstract #11, vouchers #293 to #329 in the amount of \$26,927.51

BIG BAY SEWER FUND, abstract #11, vouchers #110 to 121 in the amount of \$8,935.21

FIRE FUND 2, abstract #1, voucher #1 in the amount of \$6,316.00

FIRE FUND 1, abstract #1, voucher #1 in the amount of \$16,632.50

Mr. Green seconded the motion with unanimous approval of the board.

#### CORRESPONDENCE:

-NorCOG meeting to be held in West Monroe Town Hall 11-17-05 at 7 PM

-NYS Association of Town's workshop for Public Officials to be held 11-17-05 7 PM in Boonville

-NYS Assembly Memorandum regarding funding through the NYS Quality Communities Program

-Cindy Sinisgalle, Cindy's Ship & Shore notification that she would like to add on at the end of the bar.

-Time Warner notification regarding Comcast's interest in TWCI and what that would mean to the local cable system.

-Misc. newsletters and publications

Mr. Green moved that the town board, along with the Code Enforcement Officer, go into executive session regarding possible litigation at 8:47 P.M., Mr. Ross seconded the motion with unanimous approval.

The board returned at 8:59 and was called to order by Mr. Manchin.

Mr. Manchin explained that he and the Highway Superintendent went up to the tire dump on Pinnacle Rd. and that things are moving slowly there. The foreman explained to them that the chipper had not shredded the tires small enough.

The meeting was closed at 9:03 PM