

**TOWN OF FORESTPORT
REGULAR TOWN BOARD MEETING MINUTES
OTTER LAKE FIRE HALL
JULY 18, 2012 @ 6:30 PM**

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MEMBERS PRESENT

Councilman Robert Seager
Councilwoman Nancy Kardash
Councilwoman Joanne Kwasniewski
Councilman William Karn
Deputy Supervisor John Isley
Highway Superintendant William Gardner
Town Attorney William Riley
Town Clerk Shelley Entwistle

MEMBERS ABSENT

Supervisor William Hasenauer

CALL TO ORDER:

The meeting was called to order at 6:54 pm by Deputy Supervisor John Isley.

TOWN CLERK MINUTES:

A motion was made by Councilman Robert Seager and seconded by Councilwoman Nancy Kardash to accept the minutes from the June 20, 2012 Regular Town Board Meeting. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

ABSTRACTS:

GENERAL:

Councilman Robert Seager stated that the referendum legal notices on page 33 of the board packet were quite expensive for a two paragraph legal notice. Councilman Seager asked Deputy Supervisor Isley why the whole resolution was printed when it was not required to do so. Deputy Supervisor Isley stated that the entire resolution was printed in order to meet the publication deadline. He

attempted to reach Attorney Riley for clarification, but was unable to do so. Town Attorney Riley stated that it is not required to print the whole resolution but doing so doesn't hurt. Councilman Karn also expressed his concern over the amount of money spent on this legal notice. A motion was made by Councilwoman Nancy Kardash and seconded by Councilman William Karn to pay Abstract #7-Vouchers #418-489 in the amount of \$70,468.30. Roll call vote:

Councilman Robert Seager- abstained
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

HIGHWAY:

A motion was made by Councilman Robert Seager and seconded by Councilwoman Nancy Kardash to pay Abstract #7 – Vouchers #171- 188 in the amount of \$120,019.08. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

TOWN CLERK'S REPORT:

A motion was made by Councilman Robert Seager and seconded by Councilwoman Joanne Kwasniewski to accept the Town Clerk's report. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

The town's share for the month of June 2012 is \$35.00.

SUPERVISOR'S REPORT:

Supervisor's report was handed out to board members, town clerk and Deputy Supervisor John Isley. No transfers for this month.

JUSTICE REPORT:

A motion was made by Councilman Robert Seager and seconded by Councilwoman Nancy Kardash to accept the Justice Report. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski – yes
Councilman William Karn – yes
Deputy Supervisor John Isley – abstained

HIGHWAY:

Deputy Supervisor Isley announced that Highway Superintendent William Gardner would like permission to bring the 1980 roller, 1983 brush hog and 1994 dump truck to the Boonville Woodman's auction. Councilman Karn asked William Gardner if there is going to be a minimum bid for these machines. William Gardner responded by stating that the machines are in rough shape and need a lot of work. Mr. Gardner estimated the value of the machines at: Roller-\$2,000, Dump Truck-\$6,000-8,000 and the Brush hog- offer price. Mr. Gardner also stated that if the machines don't sell at auction, the next step would be to put them out for bid. A motion was made by Councilman Robert Seager and seconded by Councilwoman Nancy Kardash to allow Highway Superintendent William Gardner to take the surplus equipment to the Woodman's Auction. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski – yes
Councilman William Karn – yes
Deputy Supervisor John Isley – abstained

NOCCOG:

Gerry Ritter reviewed the July announcements. Gerry announced an important training coming up regarding property maintenance and code violations. The training is scheduled for Thursday, July 26, 2012 at SUNY IT from 6:30-8:30pm.

Gerry also stated that the town should have a set of draft flood plain maps that they received in September 2011. The town can receive additional copies of the maps by contacting the county or FEMA.

Gerry stated that Jennifer Hartsig approached the Pratt/Northam Association

about any available funds they might have for the boat launch project. According to their website they fund projects along the Black River. A meeting is scheduled for Thursday, July 19, 2012 at the Town Hall with Tom Yousey of Pratt/Northam to look at the boat launch site and discuss possible funding. Gerry Ritter and Jennifer asked permission to go ahead with the application process. The board agreed to go ahead with the application.

Deputy Supervisor announced that the New York State Office of the Comptroller will be holding a property tax cap update multi -year finance planning webinar on Tuesday, August 7, 2012 from 2-4pm at the Woodgate Library.

PLANNING AND CODES REPORT:

A motion was made by Councilwoman Joanne Kwasniewski and seconded by Councilman William Karn to approve the Planning and Codes Monthly Report. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

Deputy Supervisor Isley announced that the following names have been submitted to the town clerk for approval for the Code Update Committee: Robert Seager, Donald Graff, Joanne Kwasniewski, Carmen Annunziato and David Fleury. Mr. Isley explained that this committee will be meeting to review the town's current site review law. The Committee will refer to town attorney Riley with any questions and will present a report to the town board. A motion was made by Councilman William Karn and seconded by Councilwoman Nancy Kardash to approve the formation of the committee to update the site review law and subdivision law for the Town of Forestport. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

A motion was made by Councilwoman Nancy Kardash and seconded by Councilman William Karn to form the committee of the following names: Mr. Seager, Mr. Graff, Ms. Kwasniewski, Mr. Annunziato and Mr. Fleury. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

Councilman Seager said he would like the committee to be able to appoint their own chairman. The town board received clarification on this matter from Town Attorney Riley. Mr. Riley stated that the committee usually appoints their own chairman. Councilman Seager announced that the meetings will be held at the Town Hall on Tuesday's from 10am-12noon and the public is welcome. The meetings will be published in the paper as a press release.

ASSESSOR'S REPORT:

Deputy Supervisor John Isley announced that the final tax roll for July 2012 has been completed. Councilman Seager stated that a legal notice was never published when the final tax roll was completed as per real property tax law. Deputy Supervisor Isley said he will try and get a legal notice in the paper and make tomorrow's deadline.

A motion was made by Councilwoman Nancy Kardash and seconded by Councilwoman Joanne Kwasniewski to accept the Assessor's Monthly Report. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

DOG CONTROL OFFICER'S REPORT:

No report for this month.

RECREATION REPORT:

Deputy Supervisor Isley announced Summer Rec is up and running with field trips planned. Councilwoman Kwasniewski reported that she didn't have the turnout for Monday night canal walks as she had hoped. The biggest night totaled eight people.

EXECUTIVE SESSION:

A motion was made by Councilwoman Joanne Kwasniewski and seconded by Councilwoman Nancy Kardash to retire to executive session regarding a legal matter and personnel issue at 7:34pm. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

A motion was made by Councilman Robert Seager and seconded by Councilwoman Joanne Kwasniewski to return from executive session at 8:35pm with no action taken regarding the legal matter. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

Deputy Supervisor Isley stated they will be going back into executive session to finish discussion on the personnel issue later in the meeting.

OLD BUSINESS:

Deputy Supervisor Isley announced that the town currently has a lease agreement with the option to purchase for \$59,000 the North Lake property. Town Attorney Riley read the lease agreement with option to purchase. The term of the lease is two years commencing on September 1, 2012. The rent will be \$6,000 a year. A copy of said agreement is attached to these minutes. This resolution is subject to permissive referendum.

A motion was made by Councilman Robert Seager and seconded by Councilman William Karn to accept the lease agreement with option to purchase resolution as presented by Town Attorney Riley. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

The said property will be used for business development.

Deputy Supervisor Isley read the resolution to establish a special election for bridge referendum. A copy of said resolution is attached to these minutes. A motion was made by Councilwoman Nancy Kardash to accept this resolution. No second was made. Deputy Supervisor Isley reminded the board that they are required to pass this motion by law. Mr. Isley referred to Town Attorney Riley to clarify procedure. Mr. Riley told the board that the law is clear and a petition has been filed and certified by the town clerk and by law the town board is obligated to hold a special election. By not passing this resolution town board members will be subject to an article 78, which states that any taxpayer can force you to have a special election and the town board members will be responsible for any legal fees. Again, no second was made to the motion. Deputy Supervisor Isley stated that the board members can expect to be served.

A motion was made by Councilman Robert Seager and seconded by Councilwoman Joanne Kwasniewski to adopt the renewal of the bond anticipation note for the 2009 International Highway Truck with an interest rate not to exceed 4%. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

Deputy Supervisor Isley stated that the town has renewed their insurance for the year with the same company. There was a \$500 increase from last year due to cost of building valuation.

OLD BUSINESS – PUBLIC:

Bob Scheehl was on the agenda to discuss town bridges. During executive session Highway Superintendent William Gardner was able to answer Mr. Scheehl questions. Mr. Scheehl left the meeting after talking with Mr. Gardner.

NEW BUSINESS:

A motion was made by Councilwoman Joanne Kwasniewski and seconded by Councilman Robert Seager to approve the contract with Central Adirondack Search and Rescue Team INC. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

A copy of said contract is attached to these minutes.

NEW BUSINESS – PUBLIC:

There was a question from the gallery regarding the placement of the executive sessions on the agenda.

Gerry Ritter asked the board if it would be okay if Town Clerk Entwistle sent thank you letters to the people who spent many hours working on the town's Comprehensive Master Plan.

EXECUTIVE SESSION:

A motion was made by Councilman William Karn and seconded by Councilwoman Joanne Kwasniewski to retire to executive session at 8:59pm regarding a personnel issue.

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

A motion was made by Councilman Robert Seager and seconded by Councilman William Karn to return from executive session at 9:47pm. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

A motion was made by Councilwoman Nancy Kardash and seconded by Councilman Robert Seager to adopt the resolution to establish a special election for

the bridge referendum. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

A motion was made by Councilman William Karn and seconded by Councilwoman Nancy Kardash to hold a special meeting on Tuesday, August 14, 2012 at 1:00pm at the Forestport Town Hall regarding job descriptions, assessor appointment and town employee healthcare. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Deputy Supervisor John Isley – abstained

ADJOURNMENT:

A motion was made by Councilman Robert Seager and seconded by Councilwoman Nancy Kardash to adjourn the meeting. Roll call vote:

Councilman Robert Seager- yes
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski - yes
Councilman William Karn - yes
Supervisor William Hasenauer – yes

There being no further business, the meeting was adjourned at 9:51 pm by Deputy Supervisor John Isley.

Respectfully submitted,

Shelley T. Entwistle
Forestport Town Clerk

