

**TOWN OF FORESTPORT
REGULAR TOWN BOARD MEETING MINUTES
FORESTPORT TOWN HALL
MARCH 20, 2013 @ 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

MEMBERS ABSENT

Supervisor William Hasenauer

Highway Superintendent William Gardner
Town Clerk Shelley Entwistle

CALL TO ORDER:

The meeting was called to order at 6:43 pm by Deputy Supervisor John Isley.

TOWN CLERK MINUTES:

A motion was made by Councilman Robert Seager and seconded by Councilman William Karn to accept the minutes from the Public Hearing on February 20, 2013. Roll call vote:

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

A motion was made by Councilwoman Nancy Kardash and seconded by Councilwoman Joanne Kwasniewski to accept the minutes of the Regular Town Board meeting from February 20, 2013. Roll call vote:

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

Page 14 of minutes under Old Business - “Councilman Karn reported that he spoke with Mr. Zangrilli and the drawings are correct, with no changes made.”

A motion was made by Councilman Robert Seager and seconded by Councilwoman Joanne Kwasniewski to accept the minutes of the Special Town Board meeting from March 1, 2013. Roll call vote:

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

A motion was made by Councilman William Karn and seconded by Councilwoman Joanne Kwasniewski to accept the minutes of the Special Town Board meeting from March 6, 2013 as amended. The amendment is as follows:

Page 20 of minutes under Call to Order: The total project cost is \$681,250.
Roll call vote:

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

ABSTRACTS:

GENERAL:

A motion was made by Councilman William Karn and seconded by Councilwoman Joanne Kwasniewski to pay Abstract #3 – Vouchers #145-214 in the amount of \$43,618.30, excluding the voucher number G13-162 in the amount of \$1996.04. This voucher will be reviewed with Attorney Riley under the New Business portion of tonight's meeting, and so was tabled until that time. Roll call vote:

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

HIGHWAY:

A motion was made by Councilman Nancy Kardash and seconded by Councilman William Karn to pay Abstract #3 – Vouchers #60-83 in the amount of \$25,417.36. Roll call vote:

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

TOWN ATTORNEY'S REPORT:

Deputy Isley tabled the Town Attorney's report until later in the meeting.

TOWN CLERK'S REPORT:

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

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

A motion was made by Councilman William Karn and seconded by Councilwoman Nancy Kardash to approve the destruction of old records in pursuit of the Records Archival Grant. Roll call vote:

Councilman Robert Seager – abstained (too much to read)
Councilwoman Nancy Kardash - yes
Councilwoman Joanne Kwasniewski – yes
Councilman William Karn – yes
Supervisor William Hasenauer – absent
Deputy Supervisor John Isley- abstained

A quote for on-site shredding of the items to be destroyed has been obtained from **Confidata** in the amount of \$550.00.

Gerry Ritter stated that a portion of the grant money may go to the cost of the shredding, provided the originator of the grant, Ken Stuetz, approves.

A motion was made by Councilwoman Nancy Kardash and seconded by

Councilwoman Joanne Kwasniewski to authorize payment to **Confidata** for the shredding. Roll call vote:

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

A motion was made by Councilman Robert Seager and seconded by Councilwoman Nancy Kardash to approve the attendance and reimbursement of Shelley Entwistle for the NYS Town Clerk's Annual Conference in Buffalo from April 28-30, 2013. Roll call vote:

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

SUPERVISOR'S REPORT:

Deputy Supervisor Isley reported that the audit of the Town has been closed, and a written report will be forthcoming in 4 to 6 months. There were no financial concerns at this time.

JUSTICE REPORT:

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

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

NOCOGG:

Gerry Ritter reported that there are tourism grants available for towns in Oneida County.

The local government conference is coming up and she stated that officials at the conference are eager to speak with representatives from several towns in our area concerning the Adirondack Rail Trail issue.

The Adirondack North Country Association is seeking letters of support in the

quest for a federal strategic grant in relation to the Railway.

With no motion to send a letter of support from the Town of Forestport for the grant, the issue was tabled until the April meeting.

Gerry reviewed the remainder of the March announcements.

PLANNING AND CODES :

A motion was made by Councilwoman Nancy Kardash and seconded by Councilwoman Joanne Kwasniewski to approve the monthly report. Roll call vote:

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

Deputy Supervisor Isley reported that Ted and Sharon Doktor have requested permission to consult with an engineer regarding the code status of the property formerly known as “Crittter's Crossing”. The Doktor's purchased the property from the town with the caveat that it must be brought to NYS fire code or be demolished. They are currently working with a licensed engineer to explore options for the building on the property, but maintain that there is not a court order in effect stating the building MUST be demolished. Their intent is to move forward with bringing the building to code within six months and would like some leeway from the town while they pursue this goal. They are unsure of their ultimate plan for the property at this time.

Attorney Riley stated that there is no current demolition order in effect for the property.

Codes Clerk Kim Kratzenberg stated that the Codes Department is seeking an updated structural assessment of the building on the property, as the last assessment is now several years old. It is classified as an unsafe building, and as such it must be brought to code or demolished within a reasonable period of time.

The town board has no objections with the Doktor’s pursuing an engineered plan to bring the building to code at this time.

Ms. Kratzenberg also reported that the deeds for the Doktor’s new property and the Otter Lake Dump have not yet been transferred, therefore these properties will not be on tax roll for next year. Attorney Riley stated that he will look into the status of the deeds.

A motion was made by Councilwoman Joanne Kwasniewski and seconded by Councilman Robert Seager to continue leasing the current copier in the Planning Department. Roll call vote:

Councilman Robert Seager – yes
Councilwoman Nancy Kardash - yes

Councilwoman Joanne Kwasniewski – yes
Councilman William Karn – yes
Supervisor William Hasenauer – absent
Deputy Supervisor John Isley- abstained

ASSESSOR'S REPORT:

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

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

A motion was made by Councilwoman Joanne Kwasniewski and seconded by Councilwoman Nancy Kardash to approve the reappointment of Justin Wilcox to the Board of Assessment Review for the term of 10/1/12- 9/30/17. Roll call vote:

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

ANIMAL CONTROL OFFICER'S REPORT:

A motion was made by Councilwoman Nancy Kardash and seconded by Councilman William Karn to accept the monthly report. Roll call vote:

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

RECREATION REPORT:

Deputy Isley reported that Sonja Skidmore will be holding a sign-up for Summer Recreation at the Town Hall on April 13th from 9am-Noon. Councilwoman Kwasniewski reported that a single location for the Summer Recreation Program located at the Forestport Elementary School would require a building request with the school. Discussion followed. The board agreed to have Councilwoman Kwasniewski look into this option of using the school. She also stated she'd like to have Sonja Skidmore contact all the families from last year for their input.

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

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

OLD BUSINESS:

Deputy Supervisor Isley stated that the town has received a letter from Raymond Randall as to the status of the lease payments on the 11937 North Lake Rd. property. Mr. Randall stated that he intends to make payment on missed installments. As of this meeting no payments have been received since September. Additionally, he is in arrears on the electric payments. Deputy Isley stated that he has been in contact with Mr. Randall's attorney who said that Mr. Randall is currently out of the country. Councilman Seager believes that Mr. Randall is in breach of contract. Discussion followed.

A motion was made by Councilman Robert Seager and seconded by Councilman William Karn to direct Attorney Riley to send a letter to Mr. Randall's attorney regarding his intentions for the property and payments.

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

Councilman Robert Seager proposed a Local Law regarding the prohibition of the transport of invasive species to and from bodies of water within the Town of Forestport. The members of the board expressed concern regarding enforcement issues and creating public commotion over an additional local law. The board also discussed the possibility of posting signs at boat launches. Discussion followed.

A motion was made by Councilman Robert Seager and seconded by Councilman William Karn to table the Invasive Species proposed local law until the April Town Board Meeting. Roll call vote:

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

A motion was made by Councilman Robert Seager and seconded by Councilman William Karn to lower the town mileage rate to \$.50 per mile. Roll call vote:

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

OLD BUSINESS – PUBLIC:

Greg Albright is requesting the town's permission and cooperation in rerouting a portion of the Traskside Blazers' trail system on Irish Settlement Road as well as making some changes to the River Road portion of the trail, including increasing snowmobile and pedestrian safety near St. Patrick's church in the village. Mr. Albright has consulted Highway Superintendent Gardner and is working with him to improve snowmobile, vehicular, and pedestrian safety regarding these portions of the trail system. Discussion followed.

NEW BUSINESS:

Deputy Supervisor Isley asked Attorney Riley about the matter of the bill submitted by Supervisor Hasenauer for attorney fees regarding his refusal to sign the amended bridge contract this fall. Councilman Seager asked for the voucher to be reviewed prior to approving payment during the Abstract portion of tonight's meeting.

Attorney Riley stated he was unable to advise Supervisor Hasenauer on the matter at the time of occurrence. He furthermore stated that he feels a precedent needs to be set by the board regarding this sort of issue so as to avoid further confusion in the future. It is a policy decision by the Town Board.

Discussion took place regarding the implications of setting a policy of any sort regarding this issue. Several board members stated that it was not responsible for the taxpayers to incur costs for legal counsel of a private nature for town employees. Other opinions were that due to the fact Attorney Riley was unable to provide counsel, the town should pay for the bill because the cost was incurred directly as a result of Supervisor Hasenauer being a town employee.

A motion was made by Councilwoman Joanne Kwasniewski and seconded by Councilman Robert Seager to deny the voucher request numbered G13-169 in the amount of \$1996.04. Roll call vote:

Councilman Robert Seager – yes
Councilwoman Nancy Kardash - no
Councilwoman Joanne Kwasniewski – yes
Councilman William Karn – yes
Supervisor William Hasenauer – absent

Deputy Supervisor John Isley- abstained

Deputy Supervisor Isley reported that as of 11:00 am this morning, the bond for the bridge project was awarded to Glens Falls National Bank at an interest rate of 0.74%, making the gross interest for the year \$4,810.00.

Councilman Karn stated the next step would be to move the money to the town's account and prepare to award the contract at the April 1st meeting. He also stated a Frontier representative will be at the bridge to assist in the relocation of a telephone pole in anticipation of the bridge project. He, Supervisor Hasenauer, and Highway Superintendent Gardner are also meeting with Oneida County to discuss the logistics of getting a Clerk of the Works through the County. Councilman Karn will have a proposal for the April 1st meeting.

Attorney Riley stated that the Clerk of the Works contract cannot be voted on at the Special Meeting unless the legal notice specifically stated that it was to be part of the meeting. Town Clerk Entwistle will amend the notice to include the voting on a Clerk of the Works.

A motion was made by Councilwoman Joanne Kwasniewski and seconded by Councilman Robert Seager to amend the legal notice. Roll call vote:

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

A motion was made by Councilman William Karn and seconded by Councilwoman Joanne Kwasniewski to accept the bond from Glens Falls National Bank. Roll call vote:

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

Attorney Riley stated that he was asked by the board to review the bridge contract. Attorney Riley stated that he has some concerns regarding the contract for the bridge project. There is no penalty to the contractor if the project is not completed on time. Additionally there is no exact amount in the contract for the exact cost of the project, and the work is only guaranteed for one year. Attorney Riley feels that is a relatively short time period. Finally, he stated the contractor should be responsible for the

relocation of the utility pole. Councilman Karn explained to Mr. Riley that there is an amendment to the contract that states to delete the utility pole out of the bidder's contract.

NEW BUSINESS – PUBLIC:

A motion was made by Councilman Robert Seager and seconded by Councilwoman Joanne Kwasniewski to set a public hearing date for the closures of Maple Road and River Road for the purpose of two block parties.

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

The Public Hearing will be set for April 17, 2013 at 6:15 pm.

A motion was made by Councilman Robert Seager and seconded by Councilwoman Joanne Kwasniewski to approve an additional day (Thursday) of contract for Zumba instructor Jennifer Jenny with a monthly payment of \$50.00. Roll call vote:

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

Dump Days are set for June 8th at the Woodgate School and September 14th at the Highway Barn.

A motion was made by Councilman Robert Seager and seconded by Councilwoman Joanne Kwasniewski to utilize Rauscher Brothers for the Dump Days. Roll call vote:

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

There being no further business, the meeting was adjourned at 9:40 pm by Deputy Supervisor Isley.

Respectfully submitted,

Shelley T. Entwistle
Forestport Town Clerk