

**TOWN OF WESTERN
BOARD MEETING
AUGUST 09, 2010**



Present

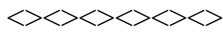
Town Supervisor	Robin Davis	Town Clerk	Mary J. Centro
Councilman	Leonard Charney	Councilman	Edward Mader
Highway Superintendent	Thomas Stevens	Councilman	Veronica Murphy
.	Attorney Charles Engelbrecht, Esq		

Absent

Councilman Andrew Mierek

Visitors

Brett Holmes, Tracey Holmes, Jason Centro (Dog Control Officer) Sue Martin (NOCCOG),



Supervisor Davis called the August 09, 2010 Town Board meeting to order at 7:00 pm with the Pledge of Allegiance

MINUTES:

A motion is in order and on file that the reading of the minutes of the previous Board meetings be dispensed with.

10-102 Motion: to accept the minutes of the July 2010 Town Board Meeting.

Made by:	Edward Mader	Second	Leonard Charney
Motion carried:	4 Ayes	0 Nays	1 Absent
Ayes:	Leonard Charney, Edward Mader, Veronica Murphy, Robin Davis		
Absent:	Andrew Mierek		

WARRANT:

A motion is in order and on file that the reading of the itemized warrant be dispensed with and the totals read only.

The Warrant (bills) for the month of August 2010 were presented by the Town Clerk:

General Fund	Vouchers 314 -- 337 & 355	\$	17 832.68
Highway Fund	Vouchers 296 -- 311	\$	8,448.39
	Total	\$	26,281.07

Supervisor Davis stated that the NYS Retirement System has credited the Town, the amount Richard Platt paid to the retirement system when he retired. The Town needs to refund this money to Mr. Platt. A short discussion followed and the amount of \$ 1,377.00 was added to the warrant.

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10-103 Motion: to refund the \$ 1,377.00 to Richard Platt, the amount he paid into the NYS Retirement System when he retired, that was credited back to the Town.

Made by	Leonard Charney	Second	Edward Mader
Motion carried:	4 Ayes	0 Nays	1 Absent
Ayes:	Leonard Charney, Edward Mader, Veronica Murphy, Robin Davis		

Absent: Andrew Mierek

10-104 Motion: to approve the August 2010 Warrant, subject to audit,

Made by: Leonard Charney Second Edward Mader

Motion carried: 4 Ayes 0 Nays 1 Absent

Ayes: Leonard Charney, Edward Mader, Veronica Murphy, Robin Davis

Absent: Andrew Mierek

SUPERVISOR'S REPORT:

The Supervisor's report for the period ending July 31, 2010 was filed with the Town Clerk. Total fund balances on hand at the end of the period are \$ 821,357.03. Supervisor Davis stated that the current bank statements are in the notebooks on the table and are available for review by the Board either before or after the Board meeting.

10-105 Motion: to approve the Supervisor's Report, subject to audit.

Made by: Edward Mader Second Leonard Charney

Motion carried: 3 Ayes 0 Nays 1 Absent

Ayes: Leonard Charney, Edward Mader, Veronica Murphy

Absent: Andrew Mierek

HIGHWAY SUPERINTENDENT'S REPORT:

New Trucks: Our new Freightliner tandem truck is still at Viking Cives, for the installation of plowing equipment. The single axle truck is expected to be at Mohawk Valley Freightliner in September.

Bear Town Road Project: the joint project with the Town of Lee is done and it took 5 days with cooperation from both highway departments. We replaced five road culverts, two large 4' diameter pipes, one 2' diameter pipe and two 15" pipes. We utilized an existing concrete headwall on one of the large pipes. We purchased a metal end section for the other large pipe. The project went well and was done quickly with minor inconvenience to the residents. The Town of Lee will contribute \$ 4,000.00 towards the cost of the project.

Tree Removal: On July 21st, Rick's Tree Service was hired to cut down a large dead tree on Main Street (Westernville) near the Presbyterian Church parsonage. Our Highway Department did the cleanup. The tree was in the Town's right of way and had been dead for a long time and posed a threat to the public.

Road Maintenance: Dirt Road maintenance began on July 26th, we have completed Whaley Road East, Tannery Road North, Clark Road, Smith Road, Mezzler Road, Evans Road and the

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road that leads to the sand pit. Work involved our grader, a truck for materials and our roller.

New Sidewalk Town Hall: The work needed to be done because the old sidewalk had steel mesh poking out of the concrete, causing a hazard. On August 3rd, we removed the damaged section of the sidewalk, at the side entrance to the Town Hall. We prepped the area to pour a new concrete sidewalk. On August 4th, we poured 3 ½ yards of concrete to make the new sidewalk section. The new area was sloped out from the steps, to stop water from accumulating at the bottom of the porch steps. Cost to do the work was under \$ 800.00.

Oliver Road Bridge: The Oliver Road bridge has been 'yellow flagged' by the State for some

structural issues. In the future, this bridge will need to be replaced. Have been trying to get some information and ideas about repairing or replacing this bridge. A couple of ideas, would be a wooden bridge or a 'Bailey' bridge. The cost involved will have to be considered, along with the cost of a required engineering study. Will look for the availability of any grants for bridge work.

Equipment Repair: The County mower has required some work, we had to replace a hydraulic lift cylinder on the mower, the cylinder was provided by the County, along with pins, clevises and blades. Routine maintenance continues on a daily basis:

Truck #8 -- NYS Inspection and new front brakes.

Truck #31 -- NYS Inspection and new batteries.

Truck # 16 -- set up for winter service is complete.

John Deere Loader -- near carrier bearing on its drive line.

Pressure Washer -- required hose repair

Mohawk River Bank Erosion: Oneida County has trucked in the large rocks for the bank erosion project, near the bridge on the Stokes Westernville Road. The project is a joint undertaking by the State and County. Work will begin after Labor Day.

10-106 Motion: to accept the Highway Superintendent's report

Made by: Leonard Charney Second Edward Mader

Motion carried: 4 Ayes 0 Nays 1 Absent

Ayes: Leonard Charney, Edward Mader, Veronica Murphy, Robin Davis

Absent: Andrew Mierek

OLD BUSINESS:

Summer Recreation Program: Supervisor Davis asked C/M Murphy for the paperwork, that needs to be sent to the County. C/M reported that only two trips were taken and the other two were cancelled for lack of interest.

Salt Shed Grant: Supervisor Davis stated she talked with the State, concerning the salt shed grant paperwork and they said it looked all in order. She also had to send a letter stating that the Town would not be using the remaining \$ 900.00 of the grant.

New Trucks: H/S Stevens reported that the Freightliner Tandem is currently at Viking Cives for
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the next couple of weeks. We should receive the single axle by September. Both will be in service by mid October.

Article 78 Appeal: T/A Engelbrecht reported that he has been advised that Mr. Pohopek intends to follow through with his appeal against Judge Shaheen's ruling in the Croft variance granted by the Town's ZBA.

Town Roads: H/S Stevens reported concerning the width of the roads in the Town, all roads are 3 rods or 49 ½ feet wide, except for certain sections of Main Street (Westernville) that are 4 rods wide, because at one time it was the State Highway. Supervisor Davis asked if there is anyway to make all roads in the Town 3 rods wide. T/A Engelbrecht stated that the Town could officially abandon the one rod area (16 ½ feet or 8 ¼ on each side) of Main Street, but it would be complicated. The area would have to be surveyed and the current sidewalk areas could come into the situation. A discussion followed with C/M Murphy opposed to the idea stating it would

be easier to leave the situation alone. The issue was tabled.

Appreciation Dinner: C/M Mader stated that he got prices from three area restaurants for the dinner:

Lake Delta Inn (Rome) -- \$ 19.95 with dessert

Yaworski's (Lee Center) -- \$ 16.95 without dessert

Colonial Inn (Rome) -- \$ 12.50 without dessert \$ 40.00 extra for a sheet cake.

A short discussion followed. C/M Mader and the T/C Centro will go over the mailing list and the T/C will send out the invitations. C/M Murphy will bake a cake for dessert.

10-106 Motion: to authorize C/M Mader to schedule the September 15, 2010 Volunteer Appreciation Dinner at the Colonial Restaurant, (Turin Road, Rome) at a cost of \$ 12.50 per person.

Made by: Leonard Charney Second Edward Mader

Motion carried: 4 Ayes 0 Nays 1 Absent

Ayes: Leonard Charney, Edward Mader, Veronica Murphy, Robin Davis

Absent: Andrew Mierek

NEW BUSINESS:

2011 Budget Requests: Supervisor Davis distributed to the department heads, budget request forms for 2011 budget, so she can start working on the process.

Dog Problem: Dog Control Officer Centro reported about a recent dog complaint in the Town. Mary Jo Miller has lodged numerous complaints against Carlton Weaver leaving his two dogs in his pick-up truck in front of the Quik & Easy early in the morning every day of the week, . She stated that the dogs bark non-stop disturbing her. Mrs. Miller stated that Mr. Weaver leaves the windows rolled up on the truck and the dogs have no water. DCO Centro talked with the manager and employees of the Ouik & Easy and they stated that there is no problems with the dogs and that they do not bark non-stop. They told him, Mr. Weaver checks on the dogs every 15 minutes or so. DCO Centro went to the store several times, early in the morning and the dogs were not barking or carrying on in any way. The windows of the truck were rolled half way down and the dogs had water. He tried to talk with Mrs. Miller and her husband, but they refused to

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discuss the issue and he was threatened by Mr. Miller. The Miller's want the Town Board to do something about the situation.

T/A Engelbrecht stated legally the Town can not do anything about the situation, for Mr. Weaver is not breaking the law. Supervisor Davis will call Mrs. Miller and tell her the Town or the Dog Control Officer can not do anything about the situation.

NOCCOG: Sue Martin, an out rider from NOCCOG, stated that the riders are taking turns visiting different town meetings, so they can be familiar with all the Towns and their board members.

10-107 Motion: to adjourn the August 09, 2010 Town Board Meeting at 7:55 pm.

Made by: Edward Mader Second Leonard Charney

Motion carried 4 Ayes 0 Nays 1 Absent

Ayes: Leonard Charney, Edward Mader, Veronica Davis, Robin Davis

Absent: Andrew Mierek

Mary J. Centro
Town Clerk

Next Regular Town Board Meeting
September 13, 2010 at 7:00 pm.