

Wawayanda Town Board Meeting 10/05/06

October 5, 2006

A Regular monthly business meeting of the Town Board of the Town of Wawayanda was called to order at 7:30 P.M., on Thursday, October 5, 2006, 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
Gail M. Soro	Councilwoman
Richard Penaluna III	Councilman
Richard Guertin	Attorney for the Town
Teresa Pierce	Town Clerk

Also Present: Cathy Cole - Tax Collector, Kathryn Sherlock - Deputy Town Clerk, Mary Markiewicz & Barbara Parsons - Planning Board Members; Betty Kirby - Historian; and approximately 20 other individuals.

PLEDGE TO THE FLAG

2007 Tentative Budget: Supervisor Razzano noted that the Tentative Budget had been filed with the Town Clerk. She provided each Board member with a copy prior to the beginning of this meeting. As prepared, the amount to be raised by the General Fund will be reduced by 18%, the amount to be raised by taxes will be down by 15%, and \$100,000 of the surplus is proposed to be added to the budget which is approximately 70% less than has been used in the last ten years. Added that when all is said and done \$150,000 to \$175,000 will be added back into surplus.

PUBLIC HEARING ON THE ASSESSMENT ROLLS FOR ARLUCK WATER DISTRICT, DENTON HILLS WATER DISTRICT, RIDGEBURY LAKE WATER AND SEWER DISTRICTS, ROBINN MEADOWS SEWER DISTRICT, AND TOWN OF WAWAYANDA WATER AND SEWER DISTRICTS #1, LAKERIDGE LIGHTING, LANDSCAPING, AND DRAINAGE DISTRICTS:

Supervisor Razzano read the Notice of Public Hearing as it appeared in the Times Herald Record on September 22, 2006.

Supervisor Razzano informed the Board that a letter has been sent to all residents in the effected districts regarding placing the Capital charges back on the tax bill.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to open the Public Hearing.
ALL IN FAVOR - CARRIED

COMMENTS & QUESTIONS

Jim Sweeney, stated that he is here this evening on behalf of Cloverleaf Realty and Sunrise Park Realty, property owners in the Wawayanda Water & Sewer District's #1, and referred to a letter that was submitted to the Supervisors' office that addressed all of his objections.

Supervisor Razzano acknowledged that the letter was in fact received and will be taken into consideration.

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Deevy Greitzer, of Caskey Lane, spoke about her objections to be included in the Wawayanda Water Sewer Districts #1. Added that she has her own water sewer and feels that this district was formed to attract commercial businesses to the town. Maintained that she should not be included in the district and explained how it creates an impact on her taxes.

Michelle Quinn of Robinn Meadows, asked for clarification for the letter that was sent regarding the Capital Charges being placed back onto her tax bill. The Board explained to her the reasons as to why they wished to revert back to the past practice.

Joan Pisacane, a resident in the Arluck Water district, stated that it was her understanding that the accountant made a mistake and the district is \$13,000 less than what was anticipated. She then spoke about all of the money the users paid to Mr. Arluck for repairs when he owned the district that were never made, and is very upset that they will be paying again for those same repairs.

Supervisor Razzano advised that in the 2006 Budget the Town adopted \$61,752.00 to support the Arluck Water District. The Accountant for the Town advised that Mr. Skinner was the one who did the math and it is apparent that there was an error. So yes there was a shortfall so the rates for the district will go up but it will not create an impact.

Everyone who wished to speak was given the opportunity to do so.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to close the Public Hearing.

ALL IN FAVOR - CARRIED

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to accept the Special District Assessment Rolls, as prepared.

ALL IN FAVOR - CARRIED

PUBLIC HEARING ON A LOCAL LAW TO REQUIRE ESCROW DEPOSITS FOR CONSULTANT FEES FOR CERTAIN APPLICATIONS IN AND TO THE TOWN OF WAWAYANDA.

Supervisor Razzano read the Notice of Public Hearing as it appeared in the Times Herald Record on September 22, 2006.

MOTION by **Councilman Cole**, seconded by **Councilman Krajewski**, to open the Public Hearing.

ALL IN FAVOR - CARRIED

COMMENTS & QUESTIONS:

Supervisor Razzano referred to a letter that was submitted by the Town Engineer which offered his comments to the proposed local law. The Supervisor asked the Board members to look it over and if there are any questions or concerns they can be addressed at this time.

Barbara Parsons inquired about a schedule of fees that would be charged.

Attorney Guertin responded that fees are not listed in the law, but that the law is designed to provide that a schedule can be added by resolution of the Town Board.

No other comments or questions.

Everyone who wished to speak had been given the opportunity to do so.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to close the Public Hearing.

ALL IN FAVOR - CARRIED

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MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to adopt a resolution providing for the adoption of the proposed Local Law to Require Escrow Deposits for Consultant Fees for Certain Applications in and to the Town of Wawayanda, as Local Law #4-2006.

ALL IN FAVOR - CARRIED

******A complete copy of this local law will follow these minutes in the official Town Board Minute Book as Addendum #1.**

REGULAR BUSINESS:

PRESENTATION OF BILLS AND DEPARTMENT REPORTS:

Reports from the Town Clerk, Planning Board, and the Building & Fire Inspector/Code Enforcement Officer, and the bills from the General Fund, Highway Fund, and Water & Sewer Districts were presented to the Board for review.

APPROVAL OF DEPARTMENT REPORTS:

MOTION by **Councilman Cole**, seconded by **Councilman Krajewski**, to accept the various departmental reports, as submitted.

ALL IN FAVOR - CARRIED

PAYMENT OF BILLS:

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to authorize the payment of bills in the amount of \$2,155.82 from the General Disbursement Account, representing bills that were payable upon receipt. Breakdown as follows:

PPG1329	\$284.74
PPWS1328	1,871.08

ALL IN FAVOR - CARRIED

Councilman Cole discussed the fuel service charge on the bills from Warex Fuels. Since both the Highway Department and the Parks Department use them as their fuel supplier suggested the two Departments coordinate their fuel delivery in an attempt to save a few dollars. After some discussion all Board members were in agreement that the Supervisor will discuss the coordination of fuel deliveries further with the Highway and Park Superintendents.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to authorize payment of bills from the General Disbursement Account in the amount of \$216,037.59. Breakdown as follows:

General Fund	G06-00001 -06-00100, G06-00162 - 06-00164	\$ 53,935.79
Highway Fund	H06-00128 - 06-00161	148,305.31
Water/Sewer Districts.	WS06-00101 - 06-00121, 06-00123 - 06-00127	11,556.49
Robinn Meadows Capital Project	RMCP06-00126	2,240.00

WATER/SEWER BREAKDOWN:

Robinn Meadows Sewer District	\$5,470.97
Ridgebury Lake Acres Sewer District	1,846.13
Ridgebury Lake Water District	2,111.33
Denton Hills Water District	500.35
Arluck Water District	349.40
Water/Sewer Dist. #1	1,278.31
Water/Sewer Total =	11,556.49

ALL IN FAVOR - CARRIED

Councilwoman Soro questioned the Conservation Easement for Felicia Meadows, and stated that it was her understanding that the Town of Wawayanda was to have foot path access back to the river.

Supervisor Razzano informed her that there is no indication in the stipulation of a foot path back to the river. It could have been discussed but apparently it was never acted on.

APPROVAL OF MINUTES:

MOTION by **Councilman Penaluna**, seconded by **Councilman Krajewski**, to approve the minutes of the August 11th, August 15th, September 7th, and September 19th, 2006 Town Board meetings as prepared.

ALL IN FAVOR - CARRIED

BID PROPOSALS / CHEMICALS & SERVICES FOR WATER/SEWER DISTRICTS:

In response to the 'Request for Proposals' which appeared in 'The Times Herald Record' on August 22, 2006, the following submissions were publicly opened and read aloud on September 5, 2006:

CHEMICALS:

<u>Name of Bidder</u>	<u>Item</u>	<u>Bid</u>
East Coast Environmental, Inc. 35 Goshen Turnpike Bloomingburg, NY 12721. (845) 733-7759	Cationic Polymer ECE-1048 (In 5 gallon pails).	\$ 125.00 per pail
SNF Polydyne Inc. PO Box 279 Riceboro, GA 31323 (800) 848-7659	Cationic Polymer (Clarifloc NE-1206)	\$ 2.38 per lb.
Wechsler Pool & Supply Co. PO Box 333 Thompsonville, NY 12784 (845) 794-9600	Chlorine (50 gal. min. for delivery) Sodium Hypo Chlorite Solution	\$ 2.22 per gal. @ bulk rate
	Sodium Hypo Chlorite Solution	3.12 per gal @ carboy rate

Each delivery includes the following charges:
\$1.90 fuel surcharge, as well as a \$3.40 regulatory compliance charge per delivery.
Both charges are subject to change at any time without prior notice.

SLUDGE REMOVAL:

TAM Enterprises, Inc. A Plus Mechanical Services 384 Onion Avenue New Hampton, NY 10958 (845) 374-1161	For work done during normal business hours: Hourly rate for cleaning and standby - \$150/hr. or \$0.15/gal for septic truck. Hauling without dumping fees - \$150/hr. or \$0.15/gal.
North Star Waste of NJ, Inc. 99 Maple Grange Road Vernon, NJ 07462 (800) 428-6166	Hauling without Dumping Fee - \$0.064/gal. Hourly rate for cleaning & standby - \$150/hr. 7AM-5PM \$250/hr. 5PM-7AM Additional Charges: 6.5% fuel surcharge

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DTH Septic Service LLC PO Box 99 Florida, NY 10921 (845) 651-7205	Emergency Service within 2 hrs, 24 hrs a day, 365 days, as needed without the help of Sewer Dept. Staff.
	Removal of Digested Sewer Sludge (approx. 1% to 3% solids), Wastewater /Sewage & Grease - \$.14 per gal.
	Hourly rate for Cleaning & Standby - \$150
	Hauling without dumping fees (dumping within Orange County) - \$.10 per gal.
Fred A. Cook, Jr. Inc. PO Box 71 Montrose, NY 10548 (914)739-3300	\$.135/gal, Sludge Removal \$.135/gal, Sewer & Grease Removal \$ 95./hr, Cleaning & Standby (Mon.-Fri., 7AM-5PM) \$125./hr, Cleaning & Standby (Nights, Weekends & Holidays)
	\$.05/gal, Hauling (No Dump Fees)

HIGH PRESSURE SEWER JETTING:

TAM Enterprises, Inc. A Plus Mechanical Services 384 Onion Avenue New Hampton, NY 10958 (845) 374-1161	Per ft. & daily price for jetting - \$0.50/foot (minimum 10,000 feet) or \$1,500 per day Hourly and daily rate for vacuum services - \$187.50/hr. or \$1,500 per day
Fred A. Cook, Jr. Inc. PO Box 71 Montrose, NY 10548 (914) 739-3300	Town is responsible to provide a water source \$1,400/full day \$175/hr. rate (two hour minimum) \$cost + 10% traffic control \$95/ton, Disposal

VACUUM EXCAVATING:

Fred A. Cook, Jr. Inc. PO Box 71 Montrose, NY 10548 (914) 739-3300	Rental of Vactor Industrial Loader with an operator and a laborer to perform vacuum excavations as directed. Town must provide a dump site. \$175/hr. (four hour minimum) \$1,400/daily rate
TAM Enterprises, Inc. A Plus Mechanical Services 384 Onion Avenue New Hampton, NY 10958 (845) 374-1161	Hourly rate @ \$187.50 or \$1,500 per day
Hydrovac Excavating PO Box 4282 New Windsor, NY (845) 742-1710	Hourly Rate - \$ 300.00 Daily Rate - \$2,400.00

CAMERA:

TAM Enterprises, Inc. A Plus Mechanical Services 384 Onion Avenue New Hampton, NY 10958 (845) 374-1161	For camera inspection & recording on VHS tape \$0.75/foot (minimum 10,000 feet) or \$1,500 per day
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Fred A. Cook, Jr. Inc.
 PO Box 71
 Montrose, NY 10548
 (914) 739-3300

Color Camera & DVD or VHS capabilities
 \$1,300/daily rate
 \$.60/LF, Televising 8"-12" pipe
 \$Cost + 10%/Traffic Control

Councilman Richard Penaluna recused himself from the discussion because he said he does business with TAM Enterprises, Inc. aka A Plus Mechanical Services.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to accept the bid for **Cationic Polymer** that was submitted by SNF Polydyne Inc.

*****Regarding **Chlorine**, the only submission was from Wechsler Pool & Supply Company. We have been purchasing this item from them and will continue to do so.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole** to accept the bid for Chemicals & Services for **Sludge Removal, High Pressure Sewer Jetting; Vacuum Excavating, and Camera**, that was submitted by Fred A. Cook, Jr. Inc.

VOTE

Supervisor Razzano	-	Aye
Councilman Cole	-	Aye
Councilman Krajewski	-	Aye
Councilwoman Soro	-	Aye
Councilman Penaluna	-	Recused

MOTION CARRIED**NEW BUSINESS:**

COURT ATTORNEY: Peter Gromacki, Town Justice, submitted a memo to the Board requesting authorization to hire an Attorney to prosecute or plea bargain the New York State Police Traffic Tickets. Prior to September 1, 2006, the troopers plea bargained traffic cases to a lesser included offense and for minor violations. The trooper would recommend to the Court the defendant be permitted to plea to a parking on pavement which usually runs at \$100.00 with no points attributed to the motorist. There are times when the fine is increased to \$200.00 depending on other circumstances. All fines for parked on payment goes to the Town. At present time we have a trail on every not guilty case. The Judge is not permitted to reduce the matter to a lesser offense, being restricted to only finding the person guilty or not guilty.

After some discussion it was determined that the attorney would be hired with a fee not to exceed \$125.00 per hour and the Supervisor would be conducting the interviews.

MOTION by **Supervisor Razzano**, seconded by **Councilman Cole**, to authorize the hiring of a Special Attorney for the town for non misdemeanor traffic violations not to exceed \$125.00 per hour.

ALL IN FAVOR - CARRIED**PLANNING BOARD STENOGRAPHER:**

Supervisor Razzano informed the Board members that he has met with Jean Rose and she is willing to act as the Stenographer for the Planning Board meetings. Added that Patricia Battiato, Planning Board Secretary, will continue to do the Zoning Board.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to create a position of Planning Board Stenographer with a reimbursement schedule of \$100.00 a meeting for the first 25 pages, plus \$1.00 for every additional page over 25.

ALL IN FAVOR - CARRIED

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MOTION by **Supervisor Razzano**, seconded by **Councilwoman Soro**, to hire Jean Rose to fill the newly created position of Planning Board Stenographer.

ALL IN FAVOR - CARRIED

SARATOGA ASSOCIATES: Supervisor Razzano advised the Board members that the Saratoga Associates contract has expired as of September 15, 2005. Correspondence was received today advising that they wished to continue the work on an hourly basis and sent a contract which would extend their services through to December 31, 2006. The town has yet to receive a draft copy of the Zoning and stated that Saratoga Associates has indicated that the Town is taking too long to complete the Zoning. The Supervisor stated that the town has paid them too much money, and we certainly do not want to pay them by the hour.

Supervisor Razzano stated that he is not signing any contract and he will be contacting them to discuss this matter further.

BADGER WIRELESS METERS: Supervisor Razzano advised that the installation of the meters have been completed, and the representative from the software company has installed the software and conducted the training on the system. All that remains is the signing the licencing agreement.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to authorize the Supervisor to sign the licensing agreement with Badger Meter Inc.

ALL IN FAVOR - CARRIED

SPEED CONTROL DEVICE: Councilman Cole spoke about a speed control device that, with a little help from Orange County Sheriff Carl DuBois, was received from the Town of New Windsor. This device has data capabilities that will assist the highway department with speed limit review. It will be located through out the Town on various roads for approximately one month.

ASSISTANT BUDGET OFFICER / SUSAN HUTCINGS: Supervisor Razzano stated that because he did not have a secretary in place at the beginning of the year Laura Slowik was only assistant budget officer appointed. He informed the Board that Ms. Hutchings has been assisting with the preparation of the 2007 Budget and requested that she receive a stipend in the amount of \$200.00.

MOTION by **Supervisor Razzano**, seconded by **Councilman Penaluna**, to appoint Susan Hutchings as an Assistant Budget Office, and to pay her a stipend in the amount of \$200.00.

VOTE

Supervisor Razzano	-	Aye
Councilman Cole	-	Aye
Councilman Krajewski	-	Aye
Councilwoman Soro	-	Abstained
Councilman Penaluna	-	Aye

MOTION CARRIED

CALPINE PROJECT (WAWAYANDA ENERGY CENTER) - Michael Moore, Young, Sommer LLC, sent information regarding the formal Ruling from New York State Board on Electric Generation Siting and the Environment, dated September 28, 2006, which revokes Calpine's Public Service Law Article X Certificate to construct and operate the proposed Wawayanda Facility.

Calpine deposited \$350,000 into an escrow account with the town and they claim there should be an unexpended balance of \$77,000, and they are asking for that money to be returned.

Supervisor Razzano will look further into this matter before any further action is taken.

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ORANGE COUNTY TRUST COMPANY:

MOTION by **Councilman Krajewski**, seconded by **Councilman Penaluna**, to authorize the Supervisor to sign a custodial agreement with Orange County Trust Company.

ALL IN FAVOR - CARRIED

VETEREN'S DAY CELEBRATION: The Recreation Committee will be holding the 2nd Annual Veteran's Day Celebration at Shannen Park on November 11th, 2006, at 10:00AM. All are welcome to attend and there will be refreshments at the Senior Center following the celebration.

BLOOD DRIVE: **Laura Slowik**, Clerk in the Supervisors office, requested authorization to conduct a Blood Drive on April 28, 2006, at the Wawayanda Town Hall. Ms. Slowik is willing to volunteer her time to stay after hours at the Town Hall, so that the Blood Drive will be able to continue until 7:30 PM. She is also willing to handle the clean up and will secure the building when the drive is over.

MOTION by **Councilman Cole**, seconded by **Supervisor Razzano**, to authorize Laura Slowik to use the Town Hall on April 28, 2006 for a Blood Drive, with the understanding that she will handle the clean up and secure the building when the drive is over.

ALL IN FAVOR - CARRIED

Councilman Krajewski extended his gratitude to all of residents of the Town who expressed their concern for his well being for the accident he was involved in at the corner of Route 6 and Ridgebury Hill Road.

QUESTIONS & COMMENTS:

Cathy Cole spoke about the bill that her father-in-law received for the Stenographer from the Planning Board meeting. Stated that since the services were not approved by the Town Board it seems unfair that all applicants who had appeared before the Planning Board that evening are stuck with paying the bill.

No Other Comments, and No Other Business.

MOTION by **Supervisor Razzano**, seconded by **Councilman Krajewski**, to adjourn the meeting.

ALL IN FAVOR - CARRIED

MEETING ADJOURNED: 9:04 P.M.

PREPARED BY KATHRYN SHERLOCK

RESPECTFULLY SUBMITTED,

Teresa E. Pierce, Town Clerk/RMC
Town Clerk