

**Wawayanda Town Board Meeting 02/07/2019**

**February 7, 2019**

A Regular monthly business meeting of the Town Board of the Town of Wawayanda was called to order at 7:04 P.M., on Thursday, February 7, 2019, at the Town Hall, Ridgebury Hill Road, Slate Hill, New York.

Those present were:	John R. Razzano	Supervisor
	David S. Cole	Councilman
	Denise Quinn	Councilwoman
	Nick Chase	Councilman
	Ron Myruski	Councilman
	Kathryn Sherlock	Town Clerk
	Benjamin Gailey	Attorney for the Town

Also, Present: Alfred Pierce and Howard Goldstein – Bookkeeper.

**PLEDGE TO THE FLAG**

**ANNUAL AUDITING OF FINANCIAL RECORDS: ANNUAL AUDITING OF FINANCIAL RECORDS:** The 2018 financial records from the offices of the Supervisor, Town Clerk, Planning Board, Building Inspector, Town Justices, Tax Collector and the Water & Sewer Districts have been made available for review by the Town Board.

Board members examined these records. Based on what they had reviewed, the Board agreed that every-thing appeared to be in good order.

**APPROVAL OF DEPARTMENT REPORTS:**

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

**ALL IN FAVOR - CARRIED**

**PAYMENT OF BILLS:**

**MOTION** by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to authorize the payment of bills in the amount of \$8,844.20 from the General disbursement account representing bills that were payable upon receipt. Breakdown as follows:

PPC 19-00029, PPG 19-00030, PPG 19-00039- PPG 19-00041 \$8,844.20

**ALL IN FAVOR - CARRIED**

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**MOTION** by **Supervisor Razzano**, seconded by **Councilman Myruski**, to authorize the payment of bills from the General Disbursement Account in the amount of \$200,248.75.

Breakdown as follows:

General Fund	G19-00090 thru 00150	60,546.76
Highway Fund	H19-00056 thru 00089	106,837.34
Water/Sewer Districts	WS19-00047 thru 00055	32,829.11
Lakeridge Lighting	SLLK 19-00046	35.54

### WATER/SEWER BREAKDOWN:

Robinn Meadows Sewer District	65.02
Robinn Meadows Water District	9,223.07
Ridgebury Lake Acres Sewer District	65.02
Ridgebury Lake Acres Water District	213.83
Denton Hills Water District	82.16
Arluck Water District	207.16
Water Districts #1	14,338.34
Sewer Districts #1	8,634.51

Water/Sewer Total = \$32,829.11

**ALL IN FAVOR – CARRIED**

**MOTION** by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to pay the following vendors for services or goods rendered in reference to the following:

### **McGoey, Hauser and Edsall Engineering - \$10,781.08**

- CPV – 007 - \$759.20
- CPV – 005 - \$1,581.50
- CPV – 003 - \$2,775.68
- Amys Kitchen 002 - \$1,56.90
- Autumn Sky Development - \$649.10
- 84 Quick Stop - \$814.90
- Grandview Estates - \$261.00
- Johnstons Subaru - \$402.60
- Swanson - \$101.50
- Goodness Gardens - \$217.50
- Masons Marketplace - \$248.30
- Autumn Sky Development - \$246.50
- Miedema Solar - \$461.10
- Nehr Korn - \$116.00
- Poptanic - \$116.00
- Grodecki - \$275.80

Payment will be made through the Special Trust and Agency and charged to the individual Escrow Account listed above.

**ALL IN FAVOR – CARRIED**

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**MOTION** by **Supervisor Razzano**, seconded by **Councilman Chase**, to close out the following escrow accounts and return the remaining funds to the applicant:

- 84 Quick Stop - \$1,898.04
- Hansen / Deblock - \$236.80
- Triple R Ramos - \$90.20
- Grodecki Solar - \$42.80
- Carrettero - \$325.10
- Graystone Stables - \$125.50
- RGM Hardwoods - \$143.60
- Elias Logging - \$55.95
- Samittar Singh - \$23.42
- Parks - \$150.00

Payment will be made through the special trust and agency account.

**ALL IN FAVOR – CARRIED**

**MOTION** by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to reimburse the following account for invoices or expenses in reference to the following escrow accounts:

**8020.4A**

- Johnston Subary - \$507.50
- Miedema Solar - \$150.00
- Invoss Horan Rd - \$150.00
- Route 6 Express - \$709.20
- Equity Homes – Cty Rt 12 - \$150.00
- Swanson - \$150.00
- Spiak - \$150.00
- OC Water & Soil - \$150.00
- Greystone Stables - \$274.50
- Elias Logging - \$150.00
- Autumn Sky - \$1,466.24
- Parks - \$150.00
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Payment will be made through the special trust and agency account and charged to the individual escrow account listed above.

**ALL IN FAVOR – CARRIED**

## Wawayanda Town Board Meeting 02/07/2019

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Myruski**, for the  
TRANSFER OF FUNDS BETWEEN PLANNING BOARD ESCROW  
AND BUILDING DEPARTMENT ESCROW

- **84 QUICK STOP - \$4.00**
  - **TRANSFER FROM BUILDING DEPARTMENT ESCROW TO PLANNING BOARD ESCROW**
- **JOHNSTON SUBARU - \$142.00**
  - **TRANSFER FROM PLANNING BOARD ESCROW TO BUILDING DEPARTMENT ESCROW**

Payment will be made through the Special Trust and Agency and charged to the individual escrow account listed above.

**ALL IN FAVOR - CARRIED**

**MOTION** by **Supervisor Razzano**, seconded by **Councilwoman Quinn**, to pay the following vendor for services rendered in reference to the following:

- THE POND AND LAKE CONNECTION**
- **RIDGEBURY LAKE AQUATIC MANAGEMENT - \$650.00**

Payment will be made through the special trust and agency account and charged to the individual escrow account listed above.

**ALL IN FAVOR – CARRIED**

**Supervisor Razzano** reminded everyone that the town received a grant for the project in the amount of \$49,900.00 to treat the Ridgebury Lake for two years. The total cost spent to date is \$28,00.00 and explained that he has contacted The Pond and Lake Connection and they have pulled a permit with the DEC so if the lake needs to be treated again in the Spring, we will be ready.

### **ODA LOWER ROAD III LLC SOLAR / 280A RESOLUTION:**

**Benjamin Gailey**, Attorney for the Town, explained that there is a Solar Farm application in front of the Planning Board and the property does not have any road frontage or direct access on a public road. The only access they would have would be through an easement from the neighbor who does have road frontage and would grant to them. Under New York State Law if a property does not have frontage on a public road and access would only be thru an easement, they could not get a building permit. There are two ways to go about this and what the applicant has chosen to do is to ask the Town Board to create an ODA (Open Development Area) and basically all that is the Town Board's approval for this Solar Farm property to get access to the public road through an easement.

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The request was received yesterday and said that the Town Board is required to refer it to the Town Planning Board and get a report from the Planning Board, and once the report it received the Town Board would then take action on the easement request.

**Councilman Myruski** asked **Attorney Gaily** what the second option would be.

**Attorney Gailey** explained that they would have to apply to the Zoning Board of Appeals for variance of that State Law requirement that states you have to front on a public road.

**Attorney Gailey** clarified that the Town Board this evening will refer the ODA request back to the Planning Board who will then make a report back to the Town Board with respect to the request and at a later meeting the Town Board will vote to either grant or deny the Open Development Area.

Additional discussion took place.

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Cole**, to refer the Open Development Area request to the Planning Board and to waive the receipt of notice of the Lead Agency designation from the Planning Board and to accept the Planning Board as the Lead Agency.

**ALL IN FAVOR – CARRIED**

### **NEXAMP SOLAR PILOT:**

**Supervisor Razzano** noted that **John McCarey**, Orange County Real Property, has approved the dollar amount for the PILOT agreement and said that Attorney Gailey has a few items that still needs to be addressed prior to the Supervisor signing the document. At this time the project is under a time constraint. They are looking to clear the land before the March 31<sup>st</sup> deadline with the DEC.

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Cole**, to approve the Solar Pilot Agreements for **Nexamp Solar Pilot**, Section 13, Block 1, Lot 92; located on Mount Orange Road, subject to the Attorney's approval and to authorize the Supervisor to sign any and all documentation associated with this action.

### **VOTE**

Supervisor Razzano - Aye  
 Councilman Cole - Aye  
 Councilwoman Quinn - Aye  
 Councilman Chase - Aye  
 Councilman Myruski - Aye

**MOTION CARRIED**

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### **JUSTICE COURT ARMED GUARD CONTRACT/ ATLAS SECURITY SERVICES, Inc.,:**

**Supervisor Razano** noted that **Ben Gailey**, Attorney for the Town, has been negotiating the contract with **Atlas Security**. Added that there were a few more changes that needed to be made and said he is looking to accept the contract agreement pending Attorney approval.

**Councilman Chase** asked if the contract allows for the Town to utilize the guards for Board meetings.

**Supervisor Razzano** assured him that the verbiage could be included into the contract.

**Supervisor Razzano** advised the Board that he has been in contact with Greg Townsend, Marshall & Sterling, who is adding the rider for this service on out policy.

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Cole**, to approve the Justice Court Armed Security Guard agreement with **Atlas Security Services, Inc.**, for one year; subject to the Attorney's approval and to authorize the Supervisor to sign any and all documentation associated with this action.

**ALL IN FAVOR – CARRIED**

### **ADDITIONAL INSURANCE FOR ARMED GUARDS:**

**MOTION** by **Supervisor Razzano**, seconded by **Councilman Chase**, to approve the rider for the Law Enforcement to the Town's Insurance policy through Marshall & Sterling Insurance and a cost of \$827.30.

**ALL IN FAVOR – CARRIED**

### **CPV NOISE MONITORING:**

**Supervisor Razzano** spoke of a meeting he recently had with CPV regarding the continuation of the Noise Monitoring. CPV has agreed to pay for one week of the monitoring.

**Councilman Myruski** spoke and said that the monitoring should be done as soon as possible.

Additional discussion took place and it was determined that the Supervisor would contact Colden Corporation to set the date for the Noise Monitoring.

### **BATHROOM LEAD AND ASBESTOS SAMPLING:**

**Supervisor Razzano** stated that the bid opening took place for the Renovations to the meeting room bathrooms. The lowest bidder had to back out because he is unable to provide the Town with the required bonding.

He continued on to explain that the town has to have the bathrooms tested for Lead and Asbestos. McGoey Hauser & Edsall received a quote of \$1,770.00, and said that he believes we should seek other quotes in an effort to secure a cheaper price.

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**MOTION** by **Supervisor Razzano**, seconded by, **Councilwoman Quinn**, to authorize the Supervisors office to actively seek bids for the Lead and Asbestos sampling for the renovation of the Town Hall meeting room bathrooms at a cost not to exceed \$1,177.00.

**ALL IN FAVOR – CARRIED**

**HIGHWAY DEPARTMENT/ BIDS FOR RENTAL OF HEAVY EQUIPMENT:**

**MOTION** by **Supervisor Razzano**, seconded by, **Councilwoman Quinn**, to authorize the advertisement for bids in the Times Herald Record, on the rental of Heavy Equipment, with the opening of the bids to take place on Tuesday, the 5th day of March, 2019 at 11:30 A.M.

**ALL IN FAVOR – CARRIED**

**100K GNERATOR BID:**

**Supervisor Razzano** explained that the Village of Tuxedo Park is accepting sealed bids for a 2011 Generac Generator to be sold as is. The generator is proposed to be for Robinn Meadows Sewer and said that he was going to go to see it next week.

**MOTION** by **Supervisor Razzano**, seconded by, **Councilman Cole**, to authorize the Supervisor to place a sealed bid on the 2011 Generac Generator at an amount not to exceed \$7,500.00.

**ALL IN FAVOR – CARRIED**

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

**ALL IN FAVOR – CARRIED**

**No other comments or questions.**

**MEETING ADJOURNED: 7:52 P.M.**

**RESPECTFULLY SUBMITTED,**

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**Kathryn A. Sherlock**  
**Town Clerk tg**