

**REGULAR TOWN BOARD MEETING
APRIL 18, 2012**

1. Call to order
2. Roll Call
3. Pledge of allegiance
4. Approval of minutes
 - a. March 21, 2012 Regular Town Board Meeting
5. Communications to be filed
 - a. Time Warner Cable
 - b. Time Warner Cable
 - c. Dept. of Planning Board Spring 2012 Regional Local Government Workshop
 - d. Underage Drinking, Town Hall Meeting
 - e. Seneca Cty. IDA Agcy. & Seneca BioEnergy, LLC propose Bond Issue
6. Code Enforcement Officer
7. Romulus Planning Board
 - a. Town of Romulus Planning Board Meeting March 5, 2012
 - b. Seneca County Planning Board Agenda & Minutes, March 8, 2012
8. Romulus Zoning Board
 - a. No Report This Month
9. Highway Superintendent
 - a. Report Attached
10. Dog Control Officer
 - a. Seneca County Rabies Clinic Notice
 - b. Municipal Shelter Inspection Report
 - c. Dog Control Officer Inspection Report
11. Bookkeeper
 - a. Report Attached
12. Supervisor
13. Committee Report
14. Old Business
15. New Business
 - a. Opening of Mowing Bids
16. Resolution
 - 24-12 Authorize Supervisor to Sign Beverly Animal Shelter Contract
 - 25-12 Verification of Payables
 - 26-12 Aid for Cyclical Reassessments
 - 27-12 Authorize Clerk to Advertise Dumpster Days
 - 28-12 Authorize Highway Superintendent to attend Conference
 - 29-12 Resolution authorizing execution of undertaking for the benefit of the New York State Department of Transportation in connection with work affecting State Highways.

17. Town Clerk's Report
 - a. Monthly Report attached
18. Adjournment



March 23, 2012

Supervisor David Kaiser
Town of Romulus, NY
1435 Prospect Street
Willard, NY 14588

Re: *Time Warner Cable Internal Restructuring*

Dear Supervisor Kaiser:

I am writing to advise you of an internal restructuring by Time Warner Cable Inc. ("TWC") involving the cable franchisee in your community. As you may know, we operate our cable systems through various indirect, wholly-owned subsidiaries, including Time Warner Entertainment-Advance/Newhouse Partnership, the franchise-holder for the system serving your community. In order to streamline our organization, we are undertaking an internal reorganization (the "**Transaction**") whereby our cable operations will be conducted through seven regional entities designed to simplify management reporting and create a more geographically rational structure. Upon completion of the Transaction, the local system and franchise serving your community will be held by Time Warner Cable Northeast LLC, an indirect, wholly-owned subsidiary of TWC.

The Transaction will not result in a transfer of control – TWC will retain ultimate ownership and management authority over the cable system in your community. This internal Transaction will have absolutely no impact on the cable system in your community, its operations or our local staff or management, and we will continue to do business as Time Warner Cable. In particular, there will be no change in our commitment to provide our customers with the best variety and quality in entertainment and information services, all at competitive rates with excellent customer care. Naturally, Time Warner Cable Northeast LLC will continue to comply with all franchise terms and conditions and be subject to all applicable law.

The Transaction does not require any action on your part. Should you have any questions regarding the Transaction, please contact me at rory.whelan@twcable.com or 518-640-8569.

We look forward to continuing our long and mutually beneficial relationship with your community.

Sincerely,

TIME WARNER CABLE INC.

By: 

Rory Whelan
Regional Vice President



Chris Mueller
Director, Government Relations

April 1, 2012

Dear Municipal Official:

I am writing to you as part of our ongoing efforts to keep you apprised of developments affecting Time Warner Cable subscribers in the Western New York Division.

Time Warner Cable's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, but in order to comply with applicable regulations, we must inform you when an agreement is about to expire. The following agreements are due to expire soon, and we may be required to cease carriage of one or more of these services/stations in the near future: Current TV, BBC America, BBC America HD, CMT, CMT HD, Cooking Channel, Cooking Channel HD, DIY, DIY HD, Encore, Encore HD, Encore Action, Encore Drama, Encore Love, Encore Mystery, Encore WAM, Encore Westerns, Gospel Music Channel, Gospel Music Channel HD, Great American Country, IndiePlex, Music Choice, NHL, NHL HD, NHL Center Ice, NHL Center Ice HD, RetroPlex, Sprout, Starz!, Starz! HD, Starz Cinema, Starz Comedy, Starz Comedy HD, Starz Edge, Starz Edge HD, Starz In Black, Starz Kids & Family, Starz Kids & Family HD, Trutv, TrutvHD, WSTM, WSTM HD, ZEE TV.

In addition, from time to time, we make certain changes in the services that we offer in order to better serve our customers. The following changes are planned:

On February 8, 2012, the following New Content was added to Entertainment On Demand:

E! and Style on Channel 733

On or about April 12, 2012, the following channel will be added to Standard Digital Service (digital equipment required):

TWC Extra Sports to Channels 1780 – 1789

On or about April 17, 2012, the following channel will be added:

Signature View (SVOD) Channel 1700

- Signature View On Demand will be added to new Signature Home Premium and upgrading Signature Home Premium customers that use American Express for recurring payments.

On or about May 8, 2012, the following channel will be removed:

TWC HD on Channel 1092

On or about May 22, 2012, the following channel will be added to the Digital Basic Tier:

Gems Shopping Network on Channel 270

If you have any questions or concerns please feel free to contact me at 585-756-1326.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Mueller".

Chris Mueller
Director, Government Relations



SENECA COUNTY

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Town / Village Clerks

FROM: Harriet A. Haynes, County Planner

DATE: March 21, 2012

RE: Upcoming 2012 Land Use Training Session

Please find enclosed brochures for an upcoming training program. The Genesee/Finger Lakes Regional Planning Council will have its Spring 2012 Regional Local Government Workshop at the Burgundy Basin Inn in Pittsford, New York on Thursday, May 17, 2012.

Attending this full-day program is anticipated to meet your local community's standards for up to eight (8) hours of training required by planning and zoning board members. As the State requirement for annual training requirement is four (4) hours, the program could complete an individual board member's training requirements for both 2012 and 2013.

We will not be mailing directly this year; therefore, we provided you copies of these brochures so that you may distribute them throughout your own municipality to legislative board members, planning board members, zoning board of appeals members, municipal attorneys and town code enforcement officers.

If you have any questions, please contact our office.

Thank you.

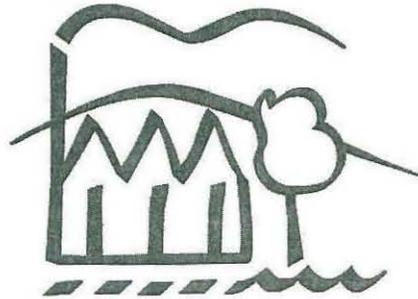
enclosures

ONE DIPRONIO DRIVE
WATERLOO, NEW YORK 13165-1681
315 539 1730
FAX 315 539 1838

Genesee/Finger Lakes
Regional Planning Council
Presents
Spring 2012 Regional
Local Government
Workshop

Thursday, May 17, 2012

Burgundy Basin Inn
Pittsford, NY 14534



Cosponsored By:

Genesee County Planning Board
Livingston County Planning Department
Monroe County Planning & Development
Department
Ontario County Planning Department & Board
Orleans County Planning Board
Seneca County Planning Board
Wayne County Planning Board
Wyoming County Planning Board
Yates County Planning Department

WORKSHOP REGISTRATION

\$50 Per Person up to May 7

\$60 Per Person after May 7

Vendor/Exhibitor: \$350 (includes 2)

Workshop Guide Advertisements Available

All registrations include continental breakfast and lunch

PLEASE PRE-REGISTER BY May 7, 2012

Sorry, no refund after May 7

WHO SHOULD ATTEND

Municipal Board Members and Elected Officials • Planning Board Members • Zoning Board of Appeals Members • County & Municipal Employees • Enforcement Officers • Planners • Public Works and Highway Departments • Engineers and Architects • Land Use Professionals • Attorneys • Consultants • Municipal Commission and Review Board Members • Municipal Committees and Advisory Board Members • Concerned Citizens

For most municipalities the Local Government Workshop fulfills state law requiring training for local planning officials. A Certificate of Participation may be requested for the number of hours of attendance.

GETTING TO THE Burgundy Basin Inn

1361 Marsh Road
Pittsford, New York 14534
585-248-2660

From I-490 East to Route 31 Exit #26, Route 31 West for approximately 1/2 mile. Turn left onto Marsh Road. Approximately 1 1/2 miles on right.

From I-490 West to Bushnell Basin Exit #27. Right onto Route 96. Approximately 1/3 mile. Right onto Marsh Road. Approximately 1/4 mile on left.

For additional directions visit:
<http://www.burgundybasin.com/images/Map.pdf>

For more information and Workshop updates visit our web site at www.gflrpc.org/Spring2012.htm

Member Counties: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming & Yates

*Please note there is a separate charge for CLE (Continuing Legal Education) credit that is not covered in the registration fee. It is payable at the session offering the credit.

**Registration for CLE and CEO (Code Enforcement Officer) credit is done at the Workshop itself within the session.

Registration, Continental Breakfast and Exhibit Area		
8:00-9:00		
9:00-10:00	A1 Planning Board Overview , Patricia Burke and Natasha Esther Phillip, Esq., NYSDOS This basic course addresses the powers and duties of town, village, and city planning boards and commissions. The administrative and regulatory roles of the planning board, including its review of site plans, special use permits, and subdivision plats are discussed, along with the planning board's role in the municipal comprehensive plan. The importance of board procedures, referral to the county planning agency, and making findings are also covered. (2 hours CEO, 2 hours of CLE credit)	B1 Asset Management for Local Governments , Timothy P. Taber, Barton & Loguidice, P.C. Asset management has been truly a buzz word in recent years for infrastructure management professionals as a promising framework to achieve the optimal use of financial resources and to find smart and carefully crafted decision making processes on maintenance, rehabilitation, and replacement activities. This presentation will introduce the 5 questions that must be addressed in order to demonstrate asset management practices and make optimal use of resources.
10:00-11:00		C1 Energy Efficiency for Local Governments NYSDERDA's Existing Facilities Program and New Construction Programs , Lee Loomis, Finger Lakes Energy Smart Communities (FLE\$C) Access to no-cost/low-cost energy audits of small business and non-profit existing facilities, and cost-sharing of audits for municipal and larger commercial/industrial facilities by regional experts in facility and process energy efficiency. These energy audits provide specific plan for action and lead to incentives for prescribed measures, as well as calculated incentives for building and manufacturing/production system upgrades. NYSDERDA's Renewable Energy Incentive Programs (Solar PV, Solar DHW and Wind Energy), Lee Loomis, FLE\$C Overview and detail on NYSDERDA's current support programs for installation of solar photovoltaic (PV), solar-assisted domestic hot water and wind energy conversion systems.
11:00-12:00	A2 County Referrals , Erin Thomas and Patricia Burke, NYSDOS Many applications before local boards require referral to the county planning agency before action can be taken on them. This course reviews the requirements of General Municipal Law 239-l, -m, and -n and the law's impact on local decision making. It includes discussion of the benefits of county referral, the effect of recommendations from the county planning agency, and the consequences of failing to make a required referral to the county planning agency.	B2 Conducting Efficient, Effective Meetings for Planning, Zoning, and Town Boards , Brian Napoli, Supervisor, Town of Ridgeway Organizing and administering effective meetings for Planning, Zoning, and Town Boards. Agenda do's and don't will be discussed along with handling questions from attendees. Types of meetings will be discussed to explain how they differ and should be managed. Laws governing meetings will also be presented.
12:00-1:00	Lunch and Exhibit Area	
1:00-2:00	A3 Zoning Board of Appeals Overview , Erin Thomas and Natasha Esther Phillip, Esq., NYSDOS This introductory course to the zoning board of appeals focuses on the statutory tests boards must follow to grant use and area variances and proper handling of zoning interpretations. Meeting procedures and notice requirements will also be discussed, along with the ZBA's relationship with enforcement officials and the planning board, and the importance of making good findings. (2 hours CEO, 2 hours of CLE credit)	B3 Linking Transportation and Land Use to Create Thriving Communities , Tony Favro, Genesee Transportation Council How can we improve personal mobility, increase real choices in how we get from one place to another, make the best use of our existing investments in streets and roads, and influence development decisions appropriately? This workshop discusses current and future trends in transportation and land use and suggests practical responses to create more opportunity for communities.
2:00-3:00	B4 A "How To" Guide to Shared Services , Office of the State Comptroller, Division of Local Government & School Accountability Municipal shared services can be a daunting task unless you understand the fundamentals and the "how to" of entering into cooperative agreements. During this session, we will focus on how to track all the costs related to providing a service, as well as how to use that analysis to manage the programs and services you provide. We will then discuss how to get started working cooperatively, how to develop, write, and reach a shared services agreement, how to define your goals and objectives, and how to implement your agreements successfully.	C2 Construction Sites : What You Should and Shouldn't See , Edith Davey, Ontario County Soil and Water Conservation District Information and examples (both good and bad) for persons with minimal to moderate experience of construction sites. The presentation focuses on construction sequence and practices, soil erosion and sediment control measures, temporary and permanent soil erosion control installations, what the site should look like during and after stabilization, opportunities for the use of green infrastructure elements and many other issues.
3:00-3:15	Break	
3:15-5:00	A4 Adopting and Amending Zoning , Patricia Burke and Natasha Esther Phillip, Esq., NYSDOS An examination of the origins of zoning and the purposes for adopting regulations; the role of the municipal comprehensive plan; specific steps a municipality must take to prepare their first set of zoning regulations; procedures for the adoption and amendment of zoning laws and ordinances, including referral to the county planning board, public hearings, and filing requirements. (1 hour CEO, 1.5 hours of CLE credit)	B5 Managing Electronic Records , Gail Fischer, New York State Archives The workshop will introduce basic and general concepts of electronic records management. One of the biggest challenges facing records and office managers today is the complexity of issues surrounding the management of electronic records. The manager's goal should be to determine the most efficient way to manage electronic records so that access for their entire retention period is ensured.
		C3 Land Conservation Options for your Municipality , Andy Zepp, Finger Lakes Land Trust The session will provide participants with an introduction to land conservation tools such as conservation easements, land donation and purchase, and the use of set asides through the subdivision approval process. Conservation funding and the relationship of these activities to the town's planning and zoning process will be considered, as well as how best to work with non-profit organization such as land trusts.
		C4 Perspectives On Hydrofracking , Jerry A. Goldman, Esq., Fix Spindelman Brovitz & Goldman, PC, Adam Schultz, Esq., Law Office of Adam Schultz, Alan J. Knauf, Esq., Knauf Shaw LLP An attorney panel comprised of representatives from stakeholders in the issue (municipalities, residents and gas companies). Exact topics to be covered will be determined based upon the track of this fast moving area during the spring; including pending and decided litigation.

Registration Form

Spring Local Government Workshop

Registration Fee: \$50,
(\$60 after May 7)

Name: _____

Organization: _____

Address: _____

City: _____ State: _____ Zip: _____

County: _____

Area Code: _____ Phone: _____

Email Address: _____

Please Return By May 7, 2012

Please Circle which concurrent sessions you will be attending (only one per time slot):

Session A	1	2	3	4	
Session B	1	2	3	4	5
Session C	1	2	3	4	

Please Check for Vendor Registration
 Please Check if you would like to place an advertisement in the Workshop Guide

Please include voucher or payment with all registrations

Make Checks Payable To: G/FLRPC
Mail Registration Form To: G/FLRPC,
 50 West Main Street, Suite 8107,
 Rochester, New York 14614

Questions and Information Contact:
 David S. Zorn, 585-454-0190 x14
 dave.zorn@gflrpc.org

Sorry, no refunds provided after May 7

Underage Drinking
Not a Minor Problem
IS your teen drinking?



TOWN HALL MEETING

Residents of Romulus and South Seneca School Districts

YOU ARE INVITED!

WHEN: April 23, 2012

**WHERE: South Seneca High School
Auditorium, Ovid, NY**

TIME: 7:00PM- 8:30PM

**You helped in the process of collecting this data and you
asked for it back. We have the data and would like to share
it with you!**

*** Community Survey Data**

*** Youth Development Survey Data**

**Your opinions, thoughts and ideas matter to us and the
youth of Seneca County!**

Please join us!

**If you have any question please feel free to call the
Seneca County Substance Abuse Coalition**

(315) 539-1135

NOTICE LETTER

April 9, 2012

Seneca County Board of Supervisors
Attn: Chairman of the Board
Seneca County Office Building
1 DiPronio Drive
Waterloo, New York 13165

Seneca County Manager
Seneca County Office Building
1 DiPronio Drive
Waterloo, New York 13165

Town of Romulus
Attn: Town Supervisor
1435 Prospect Street
P.O. Box 177
Willard, New York 14588

Romulus Central School District
Attn: Superintendent
1009 Washington Street
Waterloo, New York 13165

***Re: Seneca County Industrial Development Agency and
Seneca BioEnergy, LLC- Proposed Bond Issue***

Ladies and Gentlemen:

On Wednesday, April 25, 2012, at 2:00 p.m., local time, at Romulus Town Hall, 1435 Prospect Street, Willard, New York 14588, the Seneca County Industrial Development Agency (the "Issuer") will conduct a public hearing regarding the above-referenced project. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Issuer. The Notice has been submitted *The Finger Lakes Times* for publication.

You are welcome to attend such hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. The public hearing is being conducted pursuant to Sections 147(f) of the Internal Revenue Code and subdivision 2 of Section 859-a of the General Municipal Law. We are providing this notice to you, pursuant to General Municipal Law Section 859-a, as the chief executive officer of an affected tax jurisdiction within which the project is located.

Very truly yours,

SENECA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law ("GML") and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), will be held by the Seneca County Industrial Development Agency (the "Issuer") on Wednesday, April 25, 2012, at 2:00 p.m., local time, at Romulus Town Hall, 1435 Prospect Street, Willard, New York 14588, in connection with the following matter:

Seneca Bioenergy, LLC, a limited liability company having offices at 500 Technology Farm Drive, Suite 12, Geneva, New York, for itself or on behalf of an affiliate or entity to be formed (collectively, the "Company"), has submitted an application to the Issuer requesting that the Issuer consider undertaking a project (the "Project"), consisting of: (A) the acquisition by the Issuer of title to or a leasehold interest in an approximately 55-acres of land located at 6238 State Route 96, Romulus, New York 14541 (the "Land") and the existing improvements located thereon, consisting principally of the Company's approximately 400,000 square-foot agricultural processing and biofuels production facility known as "Seneca AgBio Green Energy Park" and a 1,500-foot dedicated rail spur (the "Existing Improvements"); (B) the expansion of the Company's commercial grape seed oil and extracts production, grape waste pomace processing, biodiesel production and biomass combustion and other related business operations including but not limited to: (1) the acquisition and installation of a new biomass combustion and dehydration system to be constructed within Bay A of Building #357, (2) the acquisition and installation of the approximately 500 square foot pomace processing plant for dedication to a large regional winery, (3) certain infrastructure build-outs to be used by (a) Novera Feeds to produce large-volume supplies of blended high-protein feeds for sale to regional dairies as nutritionally improved cattle feeds, and (b) Upstate Oil Processors to expand its current waste vegetable oil collection and processing business to supply feedstocks for biodiesel production operations (collectively, the "Improvements"); (C) the acquisition of and installation in and around the Improvements of certain machinery, equipment and other items of tangible personal property (the "Equipment" and, collectively with the Existing Improvements and the Improvements, the "Facility"); (D) paying certain costs and expenses incidental to the issuance of any Bonds (as hereinafter defined) (the costs associated with items (A) through (D) above being hereinafter collectively referred to as the "Project Costs"); and (E) the financing of all or a portion of the costs of the foregoing by the issuance of its taxable or tax-exempt (to the extent permitted under Code) industrial development revenue and/ or solid waste disposal facility revenue bonds in one or more issues or series in a maximum aggregate principal amount not to exceed \$10,000,000 (the "Bonds"), or alternately, through a straight-lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Issuer will take title to or a leasehold interest in the Facility for a period of time and sell or sublease such interest in the Facility back to the Company (the "Straight-Lease Transaction").

The Issuer is contemplating providing financial assistance to the Company with respect to the Project (the "Financial Assistance") in the form of: (A) the issuance of the Bonds in an amount not to exceed the lesser of the Project Costs or \$10,000,000, or, alternately, through a Straight-Lease Transaction; (B) an exemption from all New York State and local sales and use taxes with respect to qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction or equipping of the Facility; (C) the grant of one or more

mortgage liens on the Land (or such interest therein as is conveyed to the Issuer), the Existing Improvements and the Improvements (the "Mortgages") to secure the indebtedness incurred by or for the benefit of the Company in connection with the Project, which Mortgages would be exempt from all mortgage recording taxes imposed by New York State and any political subdivision thereof; and (D) a partial real property tax abatement through a payment-in-lieu-of-tax agreement (the "PILOT Agreement"), pursuant to which the Company would make payments in lieu of ad valorem real property taxes to each affected tax jurisdiction (the "Affected Tax Jurisdictions").

If the issuance of such Bonds is approved by the Issuer, (i) it is intended that interest on such Bonds will be excluded from gross income for Federal income tax purposes, pursuant to Section 147(f) of the Code, (ii) the Facility will be leased or sold by the Issuer to the Company pursuant to a lease or sale agreement (the "Agreement") requiring that the Company make payments equal to debt service on the Bonds and make certain other payments, and (iii) the Bonds will be special obligations of the Issuer payable solely from certain of the proceeds of the Agreement and certain other assets of the Issuer pledged to the repayment of the Bonds.

Pursuant to Section 147(f) of the Code, approval of the issuance of the Bonds by the Board of Supervisors of Seneca County is necessary in order for the interest on the Bonds to be excluded from the gross income for federal income tax purposes.

THE BONDS SHALL NOT BE A DEBT OF THE STATE OF NEW YORK OR SENECA COUNTY, NEW YORK, AND NEITHER THE STATE OF NEW YORK NOR SENECA COUNTY, NEW YORK SHALL BE LIABLE THEREON.

The Issuer will, at said time and place, provide a reasonable opportunity to all interested persons to present their views, either orally or in writing, on the location and nature of the Facility, the proposed plan of financing for the Facility by the issuance from time to time of the Bonds, or the proposed Financial Assistance to be afforded the Company in connection with the Project.

This public hearing is being conducted in accordance with Section 147(f) of the Code and subdivision 2 of GML Section 859-a.

Dated: April 11, 2012

By: SENECA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

Robert J. Aronson, Executive Director

Town of Romulus Planning Board Meeting
March 5, 2012

Kate Sinicropi, Chair	Present	Sue Ellen Balluff	Present
Tom Bouchard, Vice Chair	Present	Bill Karlsen	Present
Cindy Meckley	Present		

The monthly meeting of the Town of Romulus Planning Board was called to order at 7:00 P.M. by Chair Kate Sinicropi, with the roll call, pledge of allegiance, and a moment of silence.

The minutes from the February 6, 2012 meeting were reviewed. Motion by Tom Bouchard and seconded by Sue Ellen Balluff to accept the minutes. Motion carried.

Chair Kate Sinicropi spoke about a conversation with Attorney Steve Getman regarding hydrofracking issues. More information to follow. All members advised of upcoming hydrofracking meeting March 15, 2012 at 7:00 P.M. at Ovid Firehouse, and are encouraged to attend.

Chris Weaver Toro Run Phase II Winery update. New S.E.Q.R.A. is required for building a winery building and etc.

Docks & moorings discussion held with Varick & Fayette town rules taken into consideration. Sue Ellen Balluff & Cindy Meckley to assemble rough final draft. David Hayes zoning officer and Attorney Steve Getman to also have input.

Right to farm law draft discussed with additions made.

Wood burning stoves discussed.

March 24, 2012 lakeshore cleanup to be held at 10:00 A.M.

Motion by Sue Ellen Balluff to adjourn, seconded by Cindy Meckley. Motion carried at 8:25 P.M. Next meeting April 2, 2012.

Respectfully,



William G. Karlsen

**MINUTES
SENECA COUNTY PLANNING BOARD
MARCH 8, 2012**

**HEROES 9-11-01 CONFERENCE ROOM
COUNTY OFFICE BUILDING
WATERLOO, NEW YORK**

MEMBERS PRESENT: Keith Beck, Betty Berger, Charles Boehnke, Gordon Burgess, William Dalrymple, Donald Denman, Edward Franzoni (Alternate), Jack Freer, Sally Kenyon, Mark Lott, Ronald McGreevy, Thomas Scoles and John Swanson

ABSENT WITH NOTICE: Donald Shepherd and Keith Tidball

ABSENT WITHOUT NOTICE: Fred Swain

STAFF: Harriet Haynes, Planner and Mary DeStefano, Staff Resources Asst., Department of Planning and Community Development

GUESTS: Pastor Bill Dorow; Steve Hyde; Melissa Kemp, Halco; Melissa and Rick Morganti; John Paul, Jr. and Tiffany Pigman; Elise Pikarsky, L.J.R. Engineering, P.C. and Duane Reeder of Bar-D Farms

The meeting was called to order at 7:00 p.m. by Chairperson, William Dalrymple.

The Minutes of the February 9, 2012 meeting were approved by a motion of Ronald McGreevy and seconded by Donald Denman. Carried 13 – 0.

PUBLIC COMMENTS:

Mr. Steve Hyde spoke on behalf of the Calvary Lutheran Church regarding the proposed Advance Auto Parts Store to be located on the adjacent property to the Church which fronts both North Road and Route 414. Mr. Hyde stated that concerns include snow removal from the access driveway of the store and the safety of the children at the Church playground. Mr. Hyde also made reference to the proposed signage.

Ms. Melissa Kemp from Halco stated she was in attendance to answer any questions regarding the two applications submitted by the Seneca Falls Savings Bank.

Ms. Elise Pikarsky of L.J.R. Engineering, P.C., stated that she represents the proposed Advance Auto Parts Store and will be glad to answer any questions regarding the proposed project.

Ms. Melissa Morganti stated that she has a Site Plan Review application on tonight's agenda, and can answer any questions.

Mr. John Pigman stated that he was in attendance regarding the Garnsey application from the Town of Fayette.

Mr. Duane Reeder was present for the Bar-D Farms application.

GML Reviews:

1) Charles Boehnke moved and Sally Kenyon seconded adoption of amended Resolution 10-12, recommending conditional approval for a Site Plan Review. The applicant, Melissa Morganti, is proposing to construct a 40' X 80' pole barn style building to be located on Route 318 in the Town of

(OVER)

Junius. Ms. Haynes stated that there is no indication in the application as to whether New York State Department of Transportation (NYSDOT) had been contacted relative to the required permit. The applicant, Ms. Morganti, stated that she has contacted NYSDOT regarding the necessary permit. Ms. Haynes stated that it is indicated that the applicant plans to install a well on the property, and stated that the property is located on a section of Route 318 where municipal water should be available. Ms. Morganti responded that municipal water is unavailable. The water line does not follow Route 318 and instead follows Old State Road which would require easements across the private properties between Route 318 and Old State Road. Ms. Haynes stated that Town Law requires an Agricultural Data Statement to be completed and provided with the application. When asked what type of business will be in operation, Ms. Haynes stated that it was unclear in the application. Ms. Morganti responded that it will be a commercial diving and welding fabrication business. The size of the property is 2.4 acres and is vacant Residential. The property is located within 500 feet of Agricultural District #6. Resolution 10-12 was amended to read "approved conditional upon 1) the Agricultural Data Statement being submitted and the required review process being completed and 2) receipt of access permit from NYSDOT." Condition #3, "the structure utilize the municipal water rather than install a separate well" was omitted. Carried 13 – 0.

2) Gordon Burgess moved and John Swanson seconded adoption of amended Resolution 11-12, recommending conditional approval. Advance Auto Parts is proposing to construct a store located on Route 414 in the Town of Seneca Falls. The parcel which is in a Highway Commercial Zone has frontage on both Route 414 and North Road (surrounding the Lutheran Church). The applicant is seeking three types of action in order for this project to proceed: Subdivision Review, Site Plan Review and Area Variance.

Subdivision Review: The applicants are proposing to use tax parcel 33-1-62.112 and a portion of 33-1-62.111 to construct the store. The subdivision of parcel 33-1-62.111 leaves a property that does not meet the minimum lot frontage. It would meet the minimum square footage. Less than full lot frontage can provide issues for further development by restricting the potential location of access. Parcel 33-1-62.111 is the lot located between the building which houses the current flooring business and Dr. Ryan's Chiropractic business. Approval is recommended for the subdivision conditional upon 1) the remaining piece of parcel 33-1-62.111 either being made a part of an adjoining parcel with frontage on Route 414, or by it being granted permanent access across an adjacent parcel.

Site Plan Review: The proposal includes demolition of the current structure prior to new construction of the Advance Auto Parts Store. Ms. Haynes stated that the proposed access drive onto North Road does not line up with the existing entrance to Walmart. This creates a potentially dangerous situation if a person tries to cross traffic to enter the drive while approaching from the west, to exit the property onto North Road to go east, or for persons trying to cut straight across either from Walmart to this property or the reverse. This could be mitigated by restricting the North Road access to right-in, right-out only. The drive to North Road as proposed is extremely close to development to the south/east. The northwest corner of parcel 33-1-63 is used as a playground for daycare and church events. This could be mitigated by the property owners agreeing to a fence along or near property lines for a distance to be determined. It was questioned if the developer for the Advance Auto Parts Store would consider buying additional property next to the "pinch" of land from the Lutheran Church or Seneca Falls Savings Bank. Mr. Hyde who spoke on behalf of the Church stated that they have not been contacted regarding any potential purchase of land. Ms. Pikarsky of L.J.R. Engineering stated that as far as she is aware, there has been no communication for potential purchase of such property. Much discussion pursued regarding the access drive and right-in and right-out turns. Charles Boehnke stated that the idea of right-in and right-out turns is not a novel idea – Walmart has a right-out only access drive and the Hampton Inn will be utilizing the same. The proposal makes reference to the access drive being 24' wide. Discussion pursued regarding the required width of a one-lane drive.

Area Variance: Signage is proposed on the building face on both the east and south side of the building. This signage will total two times 100 sq. ft. and a pylon sign is to be constructed at both the

Route 414 entrance and the North Road entrance which will equal four times 75 sq. ft. The total proposed signage would be 500 square feet. The Seneca Falls Zoning restricts commercial on-site to 100 sq. ft. for signage. The proposed signage does not include directional signs, window advertisements, etc. Ms. Haynes stated that this seems to be an excessive amount of signage for a single business with less than 5,000 sq. ft. for retail space. Ms. Haynes stated that the proposed cloud sign to be on the south side of the building would be primarily visible only from the Church parking lot.

Amended Resolution 11-12 reads "RESOLVED, that the Seneca County Planning Board recommends that these requests be approved with the following conditions: 1) the Subdivision be approved conditional upon the remaining piece of parcel 33-1-62.111 either being made a part of an adjoining parcel with frontage on Route 414, or by it being granted permanent access across an adjacent parcel, 2) the Site Plan be approved conditional upon a) the exit onto North Road be marked as right turn only, b) the drive to North Road be an exit only, and a fence be constructed at a minimum of two feet from the property line with tax parcel 33-1-63, of mutually agreed upon material to provide screening and limit access from the adjacent playground and 3) the Area Variance for signage be approved conditional upon the "cloud sign" on the south side of the building being eliminated and necessary directional signage for the turn restrictions being added." Carried 13 – 0.

3) John Swanson moved and Charles Boehnke seconded adoption of Resolution 12-12, recommending approval for request of a Minor Subdivision Review. The applicant, Patricia Garnsey, owns 74.5 acres on the west side of Route 89 on Leader Road, Town of Fayette. The proposal is to create two parcels – the north parcel will include 24.7 acres and the parcel to the south will consist of 49.8 acres. Zoning for the location is Agriculture and Rural Residential. The parcel sits on both sides of Leader Road. Carried 12 – 0. Board member, Mark Lott, abstained from voting.

4) Charles Boehnke moved and Ronald McGreevy seconded adoption of Resolution 13-12, which recommends approval of a Site Plan Review forwarded by the Town of Seneca Falls. The Seneca Falls Savings Bank at 19 Cayuga Street is to have installed solar panels on the roof. The Bank will be fitted with a 10.35 kW solar PV system. The system would include 60 230 Watt solar panels mounted with a low profile ballasted racking system. The panels will be pitched at 10 degrees, leaving a distance of 7" between the panel and the roof at the front of each row, and a distance of 14" between the panel and the roof surface at the back of each row. Carried 13 – 0.

5) John Swanson moved and Gordon Burgess seconded adoption of Resolution 14-12, recommending approval of a Site Plan Review submitted by the Seneca Falls Savings Bank Branch located at 1865 North Road in Seneca Falls. The information provided from the previous review of the Seneca Falls Savings Bank Branch (Cayuga Street) is the same except 45 230 Watt solar panels are being used. Ms. Melissa Kemp, Halco Representative, stated that the solar electric system should offset energy costs by 10 – 15 percent. Carried 13 – 0.

6) John Swanson moved and Mark Lott seconded adoption of Resolution 15-12, recommending that the request for a Site Plan Review should have no countywide or inter-municipal impact. The applicant, Duane Reeder of Bar-D Farms, plans to construct a building to operate a farmers' market at 791 Route 5&20 in the Town of Waterloo. Ms. Haynes stated that it will be located immediately to the east of the Nelson property. The building is to be 129' X 60' and 1,800 sq. ft. of retail space. The only other structure on the lot is a dilapidated barn which will remain but is a distance from the proposed market. The parking lot will allow for 20 vehicles. Ms. Haynes stated that the application does not provide any information regarding anticipated earth grading and landscaping. The access permit has been received from the NYSDOT. Carried 12 – 0, with an abstention from Keith Beck.

7) Ronald McGreevy moved and Gordon Burgess seconded adoption of Resolution 16-12, recommending conditional approval for a Minor Subdivision Review. Charles and Nancy Luffman wish to subdivide 24.7 acres into two parcels: Parcel A – 19.7 acres and Parcel B – 5.0 acres. The property is on Farron Road in the Town of Seneca Falls. Ms. Haynes stated that an Agricultural Data Statement was not provided. An inquiry was made as to what the purpose is of an Agricultural Data Statement. Ms. Haynes stated that an Agricultural Data Statement is a reiteration of data on the property. The municipality requires the completed form when the project is within 500' of a farmer's property. The municipality is then responsible to notify nearby farm operations of the project. Conditional approval is recommended based upon the Agricultural Data Statement being submitted and the required review process completed. Carried 13 – 0.

8) Gordon Burgess moved and Sally Kenyon seconded adoption of Resolution 17-12, recommending conditional approval for a Site Plan Review. The applicant, Mr. Joseph Schmucker, has resubmitted the application which the County Planning Board reviewed at last month's meeting. Ms. Haynes stated that the applicant responded to all issues which were provided in the "Analysis" of last month's report. Approval of this request will allow a display of pre-manufactured accessory buildings on Route 318 (across the access drive from Vince's Park) in the Town of Seneca Falls. The property has adequate space to display a total of 25 accessory buildings, e.g., sheds, playhouses and gazebos. The application indicates that the display will not be manned; therefore, it will not be necessary to provide a restroom. Ms. Haynes stated that the entrance is to be 120' north of the north entrance to Vince's Park with the exit drive being directly across from one of the exit driveways of the park. Two signs are proposed which will each be 4' X 8'. One will be located on the south corner of the property and the other in the northeast corner toward the intersection of Routes 318, 89 and 5&20. The signs will be 4' off the ground and be mounted on posts that are cemented into the ground. Ms. Haynes stated that Mr. Schmucker is having a survey done to assure that the location of the Highway right-of-way is clearly delineated and has committed to locate the signs at the required setbacks from the Highway right-of-way. Ms. Haynes stated that the Town of Seneca Falls had advised that the project notification was sent to the Town of Tyre. Board member, Ronald McGreevy, stated he has no knowledge of Tyre Town officials receiving notification of this project from the Town of Seneca Falls. Conditional approval is recommended upon no signs being installed until the survey is completed and the location is established such that it meets the setback requirements of the Town Zoning. Carried 12 – 0. Board member, Ronald McGreevy, abstained from voting.

9) Jack Freer moved and Betty Berger seconded adoption of Resolution 18-12, which states that the proposed Zoning Law for the Town of Savannah will have no significant impact on Seneca County. Ms. Haynes distributed the portion of regulations for the areas zoned Agriculture Residential and the Signage Table. Savannah is including in the zoning both the concepts of "Maximum Building Coverage (30%) and Minimum Green Space (50%)." Ms. Haynes noted that she was particularly impressed by the development of the Signage Table which addresses specific signs, e.g., construction, directional, awning, window and other categories. Carried 13 – 0.

OLD BUSINESS:

Draft Memorandum of Understanding (MOU):

Ms. Haynes presented a draft copy of the proposed Memorandum of Understanding (MOU) for adoption by the County Planning Board. At this time, an endorsement by the County Planning Board is necessary for it to be submitted to the Board of Supervisors to authorize the signature of the Chairman of the Board of Supervisors. Once approval for the Chairman's signature is obtained, the MOU will be sent to municipalities within the County. After the municipality has signed, then the Chairman of the Board will sign the individual agreement with each municipality. Ms. Haynes stated that there is a "sunset clause" in the current MOU as well as the proposed version. Therefore, once both entities have signed the proposed MOU, it will automatically terminate the current one. Upon an inquiry as to who from each community signs the MOU, Ms. Haynes responded that municipalities often respond to this differently –

some may choose to have the chairperson of the planning board sign the document while another may obtain the signature of the town supervisor. Ms. Haynes stated that upon receipt of the MOU, it is recommended that each community seek advice from its legal counsel. Betty Berger moved and Sally Kenyon seconded adoption of the MOU, Resolution 19-12. Carried 13 – 0.

Training Opportunities:

County Planning Board members should have received a listing of training dates and topics for 2012 being sponsored by Wayne and Seneca Counties. Training sessions will be held in both counties and pre-registration is required as seating is limited. Attendance will count towards the New York State mandated training of four hours per year.

Brochures were distributed regarding the Spring 2012 Regional Local Government Workshop sponsored by the Genesee/Finger Lakes Regional Planning Council. The session will be held on Thursday, May 17, 2012, at the Burgundy Basin Inn in Pittsford. Pre-registration is required by May 7, 2012.

Membership:

Ms. Haynes stated that membership was discussed at last month's meeting asking if any member knows of someone having an interest to serve on the Board to inform County Planning staff. Since last month, a note was received from Donald Shepherd expressing his desire to surrender his position on the Board.

NEW BUSINESS:

None.

The meeting adjourned at 8:24 p.m. by motion of John Swanson.

Respectfully submitted,


Mary DeStefano
Staff Resources Asst.

David Kaiser - Supervisor
Terry Rose - Town Clerk
James I Williamson - Superintendent of
Highways
Barbara McCall - Councilwoman
Robert Duke Gerlach - Councilman
Ralph Walborn, Jr. - Councilman
Kyle Collinsworth - Councilman

TOWN OF
ROMULUS
HIGHWAY
DEPARTMENT

6804 County Road 129
Ovid, NY 14521
Phone (607) 869-9578
Fax: 607 869 5270
E-mail: romulushighway@zoom-dsl.com

Highway Report

April 16, 2012

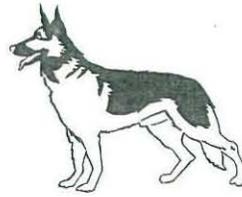
Brooming of intersections is almost done. We have a couple of streets in the Hamlet that we are waiting for rain to finish.

Snow plows are painted and wings will be done this week.

All other equipment is in good repair.

Respectfully,

James I Williamson
Town of Romulus Highway Superintendent



SENECA COUNTY RABIES CLINIC

SATURDAY MAY 5, 2012
Seneca County Highway Department
2017 Prospect Street, Romulus
Dr. Orzeck
10:00am to 11:00am

**Bring proof of prior vaccination, without it
this will be a one year vaccination.**

Dogs should be on leashes, cats must be in
secure containers, animals must be at least 3
MONTHS OF AGE to receive rabies shots.

**ALL CHILDREN MUST BE SUPERVISED AT
ALL TIMES.**

DONATIONS APPRECIATED



STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE & MARKETS
10B AIRLINE DRIVE
ALBANY, NEW YORK 12235
<http://www.agmkt.state.ny.us>

March 22, 2012

Terry Smith
Town Clerk - Town of Romulus
PO Box 177
Willard, NY 14588

Enclosed is the **Municipal Shelter Inspection Report** completed on **03/14/2012**. This inspection relates to Agriculture and Markets Laws and Regulations which may be viewed on the website above.

As the report indicates, dog shelter services were rated "Satisfactory". Please make note of any comments listed on the report.

Municipal dog shelters are subject to inspection by this agency on a regular basis.

Please notify this office within 30 days of any changes in municipal shelter services.

If you have any questions regarding this inspection, please call me.

Kathleen Wright
Animal Health Inspector
(607) 972-9037

MUNICIPAL SHELTER INSPECTION REPORT - DL-90Rating: **Satisfactory182**Purpose: **Inspection**DATE/TOA: **3/14/12 11:00 am**AARON COVERT/CINDY FERRIS SHELTER
6789 TOLE RD
OVID NY 14521Inspector: **Kathleen Wright**Inspector #: **20**

 These are the findings of an inspection of your facility on the date(s) indicated above:

- | | |
|--|----------------|
| 1. Shelter is structurally sound | Yes |
| 2. Housing area and equipment is sanitized regularly | Yes |
| 3. Repairs are done when necessary | Yes |
| 4. Dogs are handled safely | Yes |
| 5. Adequate space is available for all dogs | Yes |
| 6. Light is sufficient for observation | Yes |
| 7. Ventilation is adequate | Yes |
| 8. Drainage is adequate | Yes |
| 9. Temperature extremes are avoided | Yes |
| <i>They have kennels in the heated workshop for nonacclimated dogs</i> | |
| 10. Clean food and water is available and in ample amount | Yes |
| 11. Veterinary care is provided when necessary | Yes |
| 12. Dogs are euthanized humanely, by authorized personnel | Yes |
| 13. Complete intake and disposition records are maintained for all seized dogs | Yes |
| 14. Dogs transferred for purposes of adoption in compliance with Article 7 | Yes |
| 15. Redemption period is observed before adoption, euthanasia or transfer | Yes |
| 16. Owners of identified dogs are properly notified | Yes |
| 17. Redeemed dogs are licensed before release | Yes |
| 18. Proper impoundment fees paid before dogs are released | Yes |
| 19. Written contract or lease with municipality | Not Applicable |
| <i>Not necessary for shelter on DCOs property</i> | |

 Town - City - Village Information for Inspection:

<u>TCV CODE</u>	<u>TCV NAME</u>
4504	Town of Lodi
4505	Town of Ovid
4506	Town of Romulus

REMARKS:

 REPRESENTATIVE PRESENT FOR INSPECTION: **Cindy Ferris**
 TITLE: **owner/DCO**

 REVIEWED BY: **David Phillips**
 REVIEWED DATE: **03/21/2012**



STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE & MARKETS
10B AIRLINE DRIVE
ALBANY, NEW YORK 12235
<http://www.agmkt.state.ny.us>

March 20, 2012

Terry Smith
Town Clerk - Town of Romulus
PO Box 177
Willard, NY 14588

Enclosed is the **Dog Control Officer Inspection Report** completed on **03/14/2012**. This inspection relates to Agriculture and Markets Laws and Regulations which may be viewed on the website above.

As the report indicates, DCO services were rated "Satisfactory". Please make note of any comments listed on the report.

Dog control officer services are subject to inspection by this agency on a regular basis.

Please notify this office within 30 days of any changes in DCO services.

If you have any questions regarding this inspection, please call me.

Kathleen Wright
Animal Health Inspector
(607) 972-9037

DOG CONTROL OFFICER INSPECTION REPORT - DL-89Rating: **Satisfactory365**Purpose: **Inspection**DATE/TOA: **3/14/12 11:00 am****CINDY FERRIS
6789 TOLE RD
OVID NY 14521**Inspector: **Kathleen Wright**Inspector #: **20**

 These are the findings of an inspection of your facility on the date(s) indicated above:

1. Equipment is available for proper capture and holding	Yes
2. Dogs are held and transported safely	Yes
3. Equipment maintained in clean and sanitary condition	Yes
4. Veterinary care is provided when necessary	Yes
5. Dogs are euthanized humanely	Yes
6. Complete seizure and disposition records are maintained for all seized dogs	Yes
7. Dogs transferred for purposes of adoption in compliance with Article 7	Yes
8. Redemption period is observed before adoption, euthanasia or transfer	Yes
9. Owners of identified dogs are properly notified	Yes
10. Redeemed dogs are licensed before release	Yes
11. Proper impoundment fees paid before dogs are released	Yes

 Town - City - Village Information for Inspection:

TCV CODE	TCV NAME
4505	Town of Ovid
4506	Town of Romulus

 Additional Information for Inspection:

Number of Dogs Seized:

Number of dogs seized since previous inspection: Ovid-10/Rom.-3

EMARKS:

 REPRESENTATIVE PRESENT FOR INSPECTION: **Cindy Ferris**
 TITLE: **DCO**

 REVIEWED BY: **David Phillips**
 REVIEWED DATE: **03/20/2012**

Main Office Report
April 18, 2012

Town books are all balanced to date.

Water/Sewer bills have been mailed out. The Willard bills included a letter informing all the residents that the work will begin on the elevated tank at Willard around April 23rd and the contract will run for approximately 80 days.

Also, included in the water/sewer bills for Willard was the Annual Water Quality Report.

Respectfully submitted,
Mary E. Farnsworth
Town of Romulus

TOWN OF ROMULUS

David Kaiser, Supervisor
 Terry Rose-Smith, Town Clerk
 James I. Williamson, Superintendent of Highways
 Kyle Collinworth, Councilman
 Gordon Carroll, Councilman
 Ralph Walborn, Jr., Councilman
 Barbara McCall, Councilwoman



1435 Prospect Street
 P.O. Box 177
 Willard, New York 14588
 PHONE: 607-869-9326
 FAX: 607-869-5763
 Email: Romulus@rochester.rr.com

AUTHORIZE SUPERVISOR TO SIGN BAS CONTRACT RESOLUTION #24-12

WHEREAS, the Beverly Animal Shelter will not accept dogs that the Town of Romulus cannot place without a contract and

WHEREAS, the Dog Control Officer and Town Attorney have reviewed said contract and agree with the terms, therefore be it

RESOVED, the town board of the Town of Romulus authorizes Supervisor David M. Kaiser to sign and accept the terms of the contract for 2012

This Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

Motioned by:

Seconded by:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Councilman Carroll	[]	[]	[]	[]
Councilman Walborn	[]	[]	[]	[]
Councilwoman McCall	[]	[]	[]	[]
Councilman Collinworth	[]	[]	[]	[]
Supervisor Kaiser	[]	[]	[]	[]

Carried

The Resolutions were thereupon duly adopted.

April 18, 2012

Terry L. Smith, Town Clerk
 Town of Romulus

**Agreement Between the Town of Romulus, New York
And the Beverly Animal Shelter, Inc., Waterloo, New York**

THIS AGREEMENT made and entered into this ____ day of _____, 20__, between the **Town of Romulus**, hereinafter referred to the **TOWN**, and the **Beverly Animal Shelter, Inc.**, a charitable organization duly organized and existing under the laws of the State of New York, and having its principle office at 50 E. River Street, Waterloo, New York, 13165, and hereinafter referred to as the **BAS**.

Whereas the **TOWN** has created the position of Dog Control Officer for the **TOWN**, but does not desire to establish and maintain a shelter for the impounding of dogs as further required by provisions of Article VII, Section 115 of the Agriculture and Market Law of the State of New York, and in lieu of providing said shelter, desires to contract with the **BAS** to provide shelter and other services as more specifically set forth in the following paragraphs.

Now, therefore, the parties hereto do mutually agree as follows:

1. This contract shall become effective January 1, 20__ and shall expire December 31, 20__.
2. The **BAS**, in accordance with the policies and procedures established by its Board of Directors and in consideration of the payment to it by the **TOWN**, Hereby covenants and agrees that it will provide a shelter for seized dogs brought to **BAS** by the dog control officer of the town pursuant to and as provided by Section 118 of the Agriculture and Markets Laws.

Services and Fees:

Boarding

The **BAS** agrees that it will, during the period of this agreement, provide a suitable shelter for animals seized for a violation within the **TOWN**, and care for and feed such animals therein confined until proper disposition of the animal has been made according to law, by the **BAS**. The **TOWN** agrees that it shall pay the **BAS** \$10.00 per day, per animal for a maximum of seven (7) days beginning on the first day the animal is brought to the Shelter, if the animal is not reclaimed by his or her owner.

Payment shall be made on a monthly basis.

After 7 (Seven) days, the dog becomes the property of the **BAS**, and the **TOWN** has no further responsibility for the animal.

If, after a 10 (Ten) day quarantine period, the animal remains healthy and is deemed adoptable, active adoption procedures will begin. When the dog is adopted, all adoption fees will be collected and retained by the **BAS**.

Impoundment Veterinary Care (per Agriculture and Markets)

Routine Veterinarian care (i.e. vaccinations, worming, flea control) will be the responsibility of **BAS**. Any seized dog suffering from illness or injury must receive prompt treatment from a licensed veterinarian. Emergency treatment or humane euthanasia, as recommended by the veterinarian in writing, to eliminate said suffering is the responsibility of the seizing municipality.

Licensing

No dogs shall be released from the shelter without being licensed.

Euthanasia

Should an animal be deemed not adoptable (within 7 (Seven) days of entering the **BAS**) because of sickness, displayed aggression or biting, the cost of euthanasia shall be covered by the **TOWN**. The **BAS** cost for euthanasia shall be \$ 60.00 (Sixty).

Reporting Procedures

The **BAS** shall provide the **TOWN** (in writing) with a monthly list of the following information:

1. **TOWN** dogs received into the facility.
2. **TOWN** dogs redeemed, adopted, remaining at the **BAS**, or euthanized.
3. Other reports reasonably requested by the **TOWN**.

Termination

This contract may be terminated by either party by providing 30 (Thirty) days advanced notice in writing.

Payment for Services

Other Payment for **BAS** services (euthanasia) shall be made within 30 (Thirty) days from the receipt of the **BAS** billing.

Independent Contractor

In performing the services and/or supplying goods and incurring expenses under this agreement **BAS** shall operate, and have the status of, an independent contractor and shall not act as agent, or be an agent of the **TOWN**. As an independent contractor, **BAS** shall be solely responsible for determining the means and methods of performing the Services and/or supplying the goods and shall have complete charge and responsibility for **BAS** personnel engaged in the performance of the same. In accordance with such status as independent contractor, **BAS** covenants and agrees that neither it nor its employees or agents

will hold themselves out as, nor claim to be officers or employees of the TOWN, or of any department, agency or unit thereof by reason hereof, and that they will not, by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the TOWN including, but not limited to, Worker's Compensation coverage, health coverage, Unemployment Insurance benefits, Social Security coverage or employee retirement membership or credit.

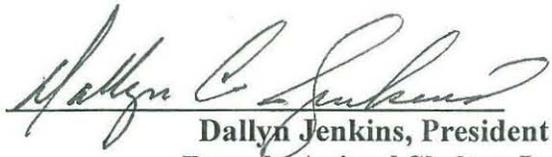
Indemnification

BAS agrees to defend, indemnify and hold harmless the TOWN, including its officials, employees and agents, against all claims, losses, damages, liabilities, costs or expenses (including, without limitation, reasonable attorney fees and costs of litigation and/or settlement), whether incurred as a result of a claim by a third party or any other person or entity, arising out of the Services performed and/or goods supplied pursuant to this Agreement which the TOWN or its officials, employees or agents, may suffer by reason of any negligence, fault, act or omission of BAS, its Employees, representatives, subcontractors, assignees, or agents. In the event that any claim is made or any action is brought against the TOWN arising out of the negligence, fault, act or omission of an employee, representative, subcontractor, assignee or agent of BAS either within or with out the scope of his respective employment, representation, subcontract , assignment or agency, or arising out of BAS's negligence, fault, act or mission, then the TOWN shall have the right to withhold further payments hereunder for the purpose of set-off in sufficient sums to cover the said claim or action. The rights and remedies of the TOWN provided for in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or this Agreement.

Dated: _____

Supervisor

Dated: 4/12/12



**Dallyn Jenkins, President
Beverly Animal Shelter, Inc.**

TOWN OF ROMULUS

David M. Kaiser, Supervisor
 Terry Smith, Town Clerk
 James I. Williamson, Highway Superintendent
 Gordon Carroll, Councilman
 Ralph Walborn, Jr., Councilman
 Barbara McCall, Councilwoman
 Kyle Collinsworth, Councilman



1435 Prospect Street
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 Willard, New York 14588
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 FAX: 607-869-5763
 TTY: 1-800-662-1220
 Email: Romulus@rochester.rr.com

VERIFICATION OF PAYABLES RESOLUTION #25-12

WHEREAS, the vouchers numbered 121 through 161 have gone through the proper auditing process, now therefore be it

RESOLVED, that said bills be approved for payment.

These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

Motioned by:

Seconded by:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Councilman Carroll	[]	[]	[]	[]
Councilman Walborn	[]	[]	[]	[]
Councilwoman McCall	[]	[]	[]	[]
Councilman Collinsworth	[]	[]	[]	[]
Supervisor Kaiser	[]	[]	[]	[]

Carried

The Resolutions were thereupon duly adopted.

April 18, 2012

Terry L. Smith, Town Clerk
 Town of Romulus

TOWN OF ROMULUS

David M. Kaiser, Supervisor
 Terry Smith, Town Clerk
 James I. Williamson, Highway Superintendent
 Gordon Carroll, Councilman
 Ralph Walborn, Jr., Councilman
 Barbara McCall, Councilwoman
 Kyle Collinsworth, Councilman



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AID FOR CYCLICAL REASSESSMENTS RESOLUTION #26-12

WHEREAS, the Town of Romulus Assessor and the Supervisor of the Town of Romulus prepared paperwork to receive grant money for 2011 Aid for Cyclical Reassessments, and

WHEREAS, the town did receive \$5,890.00 for submitting this paperwork, therefore be it

RESOLVED, the Town Board of the Town of Romulus appropriates the grant from NYS for assessing service for Cyclical Aid \$5,890.00 over to the assessor for the work accomplished

These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

Motioned by:

Seconded by:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Councilman Carroll	[]	[]	[]	[]
Councilman Walborn	[]	[]	[]	[]
Councilwoman McCall	[]	[]	[]	[]
Councilman Collinsworth	[]	[]	[]	[]
Supervisor Kaiser	[]	[]	[]	[]

Carried

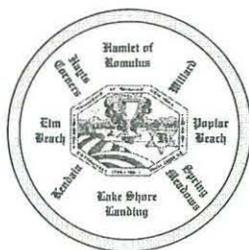
The Resolutions were thereupon duly adopted.

April 18, 2012

Terry L. Smith, Town Clerk
 Town of Romulus

TOWN OF ROMULUS

David Kaiser, Supervisor
Terry Rose-Smith, Town Clerk
James I. Williamson, Superintendent of Highways
Kyle Collinsworth, Councilman
Gordon Carroll, Councilman
Ralph Walborn, Jr., Councilman
Barbara McCall, Councilwoman



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AUTHORIZE CLERK TO ADVERTISE RESOLUTION #27-12

RESOLVED, the Romulus Town Board hereby authorizes Town Clerk, Terry Smith to advertise the Spring dates for Dumpster Days and therefore be it

RESOLVED, the advertisement will include dates, times and what will be accepted to take at the site

This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

Motioned by:

Seconded by:

	<i>Yea</i>		<i>Nay</i>		<i>Absent</i>		<i>Abstain</i>	
Councilman Carroll	[]	[]	[]	[]
Councilman Walborn	[]	[]	[]	[]
Councilwoman McCall	[]	[]	[]	[]
Councilman Collinsworth	[]	[]	[]	[]
Supervisor Kaiser	[]	[]	[]	[]

Carried

The Resolutions were thereupon duly adopted.

April 18, 2012

Terry L. Smith, Town Clerk
Town of Romulus

TOWN OF ROMULUS

David Kaiser, Supervisor
 Terry Rose-Smith, Town Clerk
 James I. Williamson, Superintendent of Highways
 Kyle Collinsworth, Councilman
 Gordon Carroll, Councilman
 Ralph Walborn, Jr., Councilman
 Barbara McCall, Councilwoman



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AUTHORIZE HIGHWAY SUPERINTENDENT TO ATTEND CONFERENCE RESOLUTION #28-12

WHEREAS, the Town Board of the Town of Romulus authorizes James Williamson to attend the Highway Training School at Ithaca College to be held from June 11th through June 13th, 2012 and be it

RESOLVED, the Highway Superintendent is hereby authorized to register and attend this conference and be it

FURTHER RESOLVED, the town will reimburse all expenses.

This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

Motioned by:
 Seconded by:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Councilman Carroll	[]	[]	[]	[]
Councilman Walborn	[]	[]	[]	[]
Councilwoman McCall	[]	[]	[]	[]
Councilman Collinsworth	[]	[]	[]	[]
Supervisor Kaiser	[]	[]	[]	[]

Carried

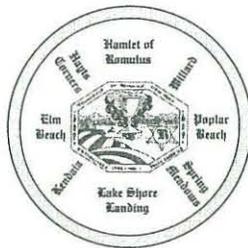
The Resolutions were thereupon duly adopted.

April 18, 2012

Terry L. Smith, Town Clerk
 Town of Romulus

TOWN OF ROMULUS

David Kaiser, Supervisor
Terry Rose-Smith, Town Clerk
James I. Williamson, Superintendent of Highways
Kyle Collinsworth, Councilman
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RESOLUTION AUTHORIZING EXECUTION OF UNDERTAKING FOR THE BENEFIT OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH WORK AFFECTING STATE HIGHWAYS RESOLUTION 29-12

WHEREAS, the Town of Romulus ("the town") from time to time receives permits from the New York State Department of Transportation (hereinafter referred to as the "NYSDOT") and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, the town's access and operation upon state right-of-way is conditioned upon compliance with NY Highway Law Sections 52, 103, 203 and/or 234, including the conditions that the town assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by the town's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses; and

WHEREAS, currently the NYSDOT has a \$2,000 Bond and Perm 17 certificate of insurance on file to be used for the town's Annual Maintenance Permit; creating an additional, and unnecessary, cost to the town; and

WHEREAS, the NYSDOT has notified the town of the option to obtain an Undertaking instead of continuing to pay for a Bond and Perm 17 certificate, which undertaking does not cost any money to obtain or acquire, thereby resulting in a cost savings; and

WHEREAS, this Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect; and may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all permitted activities/operations that were permitted by virtue of this Undertaking; and, unless terminated for the purpose of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply; and

WHEREAS, a resolution of the Town Board is required in order to authorize this Undertaking; therefore, be it

RESOLVED that the Town of Romulus agrees to the terms of this Undertaking and directs its execution by the town supervisor of the Town of Romulus on behalf of the town; and be it further

RESOLVED that the Town Clerk shall cause a certified copy of this resolution to be prepared and transmitted to NYSDOT together with the executed undertaking, as required

This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

Motioned by:

Seconded by:

	<i>Yea</i>		<i>Nay</i>		<i>Absent</i>		<i>Abstain</i>	
Councilman Carroll	[]	[]	[]	[]
Councilman Walborn	[]	[]	[]	[]
Councilwoman McCall	[]	[]	[]	[]
Councilman Collinsworth	[]	[]	[]	[]
Supervisor Kaiser	[]	[]	[]	[]

Carried

The Resolutions were thereupon duly adopted.

April 18, 2012

Terry L. Smith, Town Clerk
Town of Romulus

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Conservation	Conservation	5	5.64
	Misc Fee	Certified Copies	3	30.00
			Sub-Total:	\$35.64
A2540	Wagering Fees	Bingo License	12	90.00
		Bingo Proceeds	6	57.56
			Sub-Total:	\$147.56
A2544	Dog Licensing	Female, Spayed	13	65.00
		Female, Unspayed	1	10.00
		Male, Neutered	9	45.00
		Male, Unneutered	4	40.00
			Sub-Total:	\$160.00
A2555	Building Permits	Building Permit	3	75.00
			Sub-Total:	\$75.00
				Total Local Shares Remitted: \$418.20
Amount paid to: NYS Ag. & Markets for spay/neuter program				37.00
Amount paid to: NYS Environmental Conservation				96.36
Amount paid to: State Comptroller For Bingo Licenses				135.00
Total State, County & Local Revenues:		\$686.56	Total Non-Local Revenues: \$268.36	

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Terry L. Smith, Town Clerk, Town of Romulus during the period stated above, in connection with my office, excepting only such fees and monies the application of which are otherwise provided for by law.

_____	_____	<i>Terry L. Smith</i>	<i>4/4/12</i>
Supervisor	Date	Town Clerk	Date