

REGULAR TOWN BOARD MEETING

August 20, 2008

1. Call to order: The meeting was called to order at 7:30 PM by Supervisor David Kaiser.

2. Roll call:

Supervisor David Kaiser	Present
Councilman Robert Gerlach	Present
Councilman Ralph Walborn, Jr.	Present
Councilwoman Barbara McCall	Present
Councilman Kyle Collinsworth	Present

Others Present:

- Town Clerk, Terry Smith
- Planning Board Chairman, Barry Roach
- Highway Superintendent, Jim Williamson
- Code Enforcement Officer, David Hayes
- Water Commissioner, Jack Holley
- Dog Control Officer, Aaron Covert
- Special Guest, Suzanne Sinclair
- Finger Lakes Times, Paulette Likoudis
- Residents 45

3. Pledge of allegiance: Followed by moment of Silence

4. Approval of minutes

July 16, 2008 – Regular Town Board Meeting

Motioned: Councilman Ralph Walborn, Jr.

Seconded: Councilman Robert Gerlach

Carried Unanimously

5. Presentation of Keys to the Town: Supervisor presented the Keys of the Town of Romulus to Sarah Dawley “The Historian” and James Steele “The Mayor” thanking them “ for their dedication, compassion and desire to make our community a better place to live. These two recipients have devoted most of their lives to helping or aiding our town. Both volunteer on a regular basis to assist and aid not only our residents, but others as well. Both have set great examples of excellent citizenship and it has become our habit to contact each for their assistance or their knowledge. When their names are mentioned, it seems natural for the title nickname to follow.”
More information is attached.

6. Appreciation to Exiting Planning Board Members -

a. Clifford Irwin – Member since 2005

b. Mary Jane Thomas – Member since 2000 – The Town presented Mary Jane with a Certificate of Excellence for your years on the Planning Board along with a pin.

At this time, Supervisor David Kaiser called a short recess to enjoy some refreshments and congratulate our awardees in person.

The Town Board meeting was called to order again at 8:15 PM after a short recess.

7. Petitioners to the Board

a. Claire Crittendale – Toro Run Lots & Route 89 Ditch

Ms. Crittendale was unable to make it tonight so Rick Kaczka from Poplar Beach will speak in her behalf.

Mr. Kaczka has a couple of concerns about the Toro Run development. 2 years ago when the Town approved of this development, we were told at the town meeting that there would be ten homes, a vineyard cottage and vineyard to be built by the builder. The houses were to have no more than 2 bedrooms, and certain limited size. We understood that the Town Board approved the home plans. According to the Toro run Web site and Realtor, the Toro Run owners are now offering for sale empty lots starting at \$79, 9000.00. Trailers will not be allowed by modular homes will. They will be approved by the Toro Run developers and not the Town of Romulus. Size and style, according to the Realtor will be approved as long as they are appropriate according to the developer. At the meeting, the understanding was that there were never to be lots for sale. He would like to see the documents that allow the developers the right to sell lots without wells or septic systems. We were led to believe that the buildings were to be regulated by the agreement. It sounds like if the developer says its okay, it's okay.

We have questions about the Grey water issues that would be created if the houses were larger than originally approved. We are also concerned about the pond. We would like to see a copy of the permit for the pome that is on the property.

Also, there is no sign of a vineyard to date.

Is there protection there for buyers that they will have enough water? Can the existing wells be checked to see if there is water now without the developer being warned beforehand?

Is it true that the Town of Romulus is responsible for internal road upkeep?

If so, the "wash out" problems are not solved by the developer and are we tax payers paying for the town resources to keep cleaning up after a bad plan?

What is being done that the run off problems will be solved without using town resources?

It appears that the developer has done whatever he wants or that he can blind side us and has told one of our residents as much. When does it stop or when does the Town Board put its foot down and say no more?

Supervisor Kaiser asked Barry Roach if this was a sub-division, and they had to comply and present the planning board with certain criteria. Barry Roach said, "they (Toro Run) presented their subdivision plan and we had public hearings. They went through the usual steps to get approval. The county approved it and we approved it. They were approved only for the original plan."

David Hayes said "how they advertise it and how they sell it, is not our problem. If they try to do something different, then it becomes our problem. The only thing they can put on the lot, if sold, is what they are approved for originally. As far as the Vineyard is concerned, that was to be done at a future date."

Mr. Kaczka asked for someone to call Century 21 and inquire about the lots to see what they will tell you. Supervisor Kaiser advised Mr. Kaczka to attend the next Board Meeting on the 8th of September, 2008 at 7:00 PM. Supervisor Kaiser also suggested to Jim Williamson Highway Superintendent to contact the Attorney and see who is responsible to the Highway upkeep.

8. Communications to be Filed: See attached:
 - a. NYSEG – Street lights
 - b. South Seneca Ambulance Corp. Contract
Copy of Budget Request can be obtained from Town Hall
 - c. Romulus Volunteer Fire Dept. Budget Request
 - d. Local Government Efficiency Grant

7. Zoning Officer
 - a. Violation Letters
 - i. 1465 County Road 132 – Tax Map# 18-4-35
 - ii. 2415 Bromka Road – Tax Map # 09-1-13
 - iii. 6101 Route 414 – Tax Map #09-1-21.1
 - iv. 2595 Route 96 – Tax Map# 18-2-34
 - v. 2002 Prospect Street – Tax Map #
 - vi. 5664 Main Street- Tax Map #03-1-17
 - b. 5658 East Lake Road Letters from Attorneys – Supervisor Kaiser and Mr. Hayes met the other day re this problem.

8. Town Planning Board
 - a. Public Hearing Notice from the Town of Varick
 - b. Mary Jane Thomas – Letter of Resignation
 - c. Bill Karlsen- Letter of Interest
 - d. Letter and SEQR from Seneca County IDA regarding Sub-Division of Army Property
 - e. Minutes from July 7, 2008 Meeting
 - f. Outdoor Heating Devices
 - i. Draft Standards for Special Use
 - ii. Solid Fuel Fired Outdoor Heating Device-Request for Public Hearing
 - iii. Resolution Regarding 55-Acre Subdivision
 - iv. Booklets or Cd's on Amish Road Use Regulations for the following states can be obtained from Town Hall or emailed
 1. Ohio
 2. Pennsylvania
 3. Wisconsin

There was a question about the time line for outdoor Heating Devices from June through October. They must come and ask for permission to burn during that time period. You cannot just use it without a permit. Permits would not be handed out in residential areas. We have drafted, amended and fixed a proposed ordinance and are asking for approval by the Town Board and suggested a Public hearing which you set for anyone that has questions or comments.

Mr. Roach has done some research on the Amish horses and the manure problem. There are some booklets available on regulations used in Ohio, Pennsylvania and Wisconsin

that deal with the horse drawn carts. It is a much bigger issue than just the Town of Romulus. It involves all the towns around here.

9. Seneca County Planning Board

- a. Agenda for August 14, 2008 and Minutes from July 10th, 2008

10. Town Zoning Board

- a. No meeting was held this month

11. Highway Superintendent – We got Prospect Street in the Hamlet of Willard raised. We spent 2 days hauling the millings away from the project on Main Street in Ovid. The State DOT said we could have them if we hauled them away. We will be using them for a base in this parking lot across the road on Prospect St. when the time comes. We put in a week on Third Street and found a wet spot where there was a lot of water running right into the ditches. We put tile and stone in there. I borrowed the boom mower from Town of Fayette to get the back sides that are growing up that we cannot get with our mower tractor. I offered to rent it but the Highway Superintendent said there was no need to rent it if we bought a new set of blades for the mower. I have ordered them and they will be in this week.

We have three bids for the International Tractor: The top bid was \$2827.00. The second bid was \$1255.00 and third bid was \$1008.00. James Van Opdorp was the highest bidder. It is my recommendation that we accept that bid. We will add a new resolution on tonight and the number is #67-08. Councilman Collinsworth asked if he would transport himself and Jim said Mr. Van Opdorp was going to bring a flat bed down to get it but we do not have a loading dock to load it on. Mr. Williamson and Supervisor Kaiser talked and offered to transport it for a \$1.00/ mile.

The paving for the Willard Streets are still a go for this fall.

12. Dog Control Officer – We have twice as many calls as normal this month.

- a. Report Submitted

13. Water Commissioner – Jack Holley said they just finished up the water project on Prospect Street. Jack said they only have a couple more houses to do. We will be done next week and will have all the water connections finished.

- a. Equipment Exposition – I would also like to attend the water conference while in Herkimer, New York.

14. Court Justice – See Attached

- a. 2008 Annual Fall Magistrate Court Clerks' Conference
b. 2008 Annual Fall Magistrate Justice Conference

15. Assessor – See Attached

- a. Distribution Letter of STAR Administrative Aid for Romulus
b. Certificate of the Final Equalization Rate for Romulus

16. Bookkeeper – See Attached

- a. Report Submitted

17. Supervisor – Nothing to report this month

18. Committees – See Attached

- a. Next Heron Park Meeting September 8, 2008 @9:00 AM
 - i. Letter to Varick Regarding Summer Recreation Program

19. LAB (Loan Advisory Board for CDBG Funding)

- a. Nothing at this time to report

20. Old Business – Bill Bowen brought up the subject of the wind energy study that was done on the Depot and if there was anything new concerning that study. Mr. Kaczka inquired about the possibility of getting the new speed limit sign posted on his road changed or lowered. It currently reads 25 miles per hour but he feels that is still too high. Mr. Williamson advised that there would not be any way of reducing that speed limit. Mr. Kaczka asked Mr. Williamson if he could buy a speed bar and put it up and removed it after summer vacationers left. Mr. Williamson said he had talked to the Town Attorney and the Attorney said he could not put a speed bump there. That speed limit was set by New York State. You are not allowed to go any lower.

21. New Business – None

22. Resolutions:

57-08 Verification of Payables

Motioned: Councilman Robert Gerlach

Seconded: Councilwoman Barbara McCall

Carried Unanimously

58-08 Authorize Town Clerk to Advertise for Public Hearing on Zoning Regulations for Outdoor Burning Devices

Motioned: Councilman Robert Gerlach

Seconded: Councilwoman Barbara McCall

Carried Unanimously

59-08 Authorize Court Clerk to Attend Conference

Motioned: Councilwoman Barbara McCall

Seconded: Councilman Robert Gerlach

Carried Unanimously

60-08 Authorize Justice to Attend Conference

Motioned: Councilman Robert Gerlach

Seconded: Councilwoman Barbara McCall

Carried Unanimously

61-08 Authorize Water Commissioner to Attend Conference

Motioned: Councilman Robert Gerlach

Seconded: Councilman Ralph Walborn, Jr.

Carried Unanimously

62-08 Accept Planning Board Member Resignation-Cliff Irwin

Motioned: Councilwoman Barbara McCall
Seconded: Councilman Ralph Walborn, Jr.
With Reservation and with regrets.
Carried Unanimously

63-08 Accept Planning Board Member Resignation-Mary Jane Thomas
Motioned: Councilwoman Barbara McCall
Seconded: Councilman Kyle Collinsworth
With Reservation and with regrets
Carried Unanimously

64-08 Authorize Planning Board to Appoint Bill Karlsen to fill Mary
Jane Thomas' unexpired term
Motioned: Councilman Robert Gerlach
Seconded: Councilman Ralph Walborn, Jr.
Carried Unanimously

65-08 Authorize Planning Board to Appoint Mickie Sanders-Jauquet to
Fill Cliff Irwin's unexpired term
Motioned: Councilman Robert Gerlach
Seconded: Councilwoman Barbara McCall
Carried Unanimously

66-08 Adopt the State of New York Deferred Compensation Plan
Motioned: Councilman Robert Gerlach
Seconded: Councilwoman Barbara McCall
Carried Unanimously

67-08 Accept Bid for Sale of 1971 International 444 Tractor
Motioned: Councilman Robert Gerlach
Seconded: Councilwoman Barbara McCall
Carried Unanimously

22. Town Clerk Report

a. Town Clerk's Financial Report Submitted
Motioned: Councilwoman Barbara McCall
Seconded: Councilman Kyle Collinsworth
Carried Unanimously

23. Adjourn – Next meeting September 17, 2008 at 7:30 PM

Motioned: Councilman Robert Gerlach
Seconded: Councilwoman Barbara McCall
Carried Unanimously