

REGULAR TOWN BOARD MEETING
September 16, 2009

Call to order: The regular Town Board meeting was called to order at 7:35 PM by Supervisor David Kaiser.

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
Code Enforcement Officer, David Hayes
Planning Board Chairman, Barry Roach
Highway Superintendent, Jim Williamson
Residents 52

Pledge of Allegiance: followed by moment of silence.

Public Hearings: Route 89 Water Project – All the letters had gone out to the residents and to the newspaper that there would be a public hearing this evening. Right after that, we got a letter from our attorney who was hired for the project, Mr. Steve Ricci, resigning from the project.

A resident complained that Mr. Ricci would be in conflict of interest with this Project because he is the attorney for Fayette. Fayette down the line would sell Water to this district. Because of that he did not want the conflict of interest so he suggested that we hire an attorney from out of the area. There is a concern about this project. It has been rushed and we have had accusations on both sides of this conflict of interest. I asked our town attorney to step aside, because there was a perceived indirect conflict of interest on his part.

We have been told that there is some kind of dead line for funding. There is not a dead line for funding per the USDA Rural Development. There is no danger of loss of funding.

The USDA has the money and is still giving out money for these projects that last 10 years. This water district study was done in 2001, and we could have created a district at any time in the past 8 or 9 years. We are now being told that we have to create this district overnight. One of the reasons we were in a hurry to do this is, per Tim Buhl, is because of the stimulus money. Mr. Buhl said that if you get your projects up and running and your districts formed, you never know what might happen. There is money that is going to be spent and it may not be around next year or the year after.

There has been a lot of support for this water district and a lot of opposition to this water district. There are a lot of people in that area that have a dire need for water. A lot of people have wells that don't work and not everyone has access to the lake in a way that they can run a water line up and have a UV system. A lot of

people are having a problem with their assessments going up and up. Some have lived there for years some have cottages that have been in the family for years and can't afford to stay there. We would be asking these residents to contribute a significant cost to help make that water happen. For some of these people it could be a back breaking cost. We are aware of that also. The Town Board would like it to be your choice. Have a referendum and vote on it. To do this we have to approach this very carefully, do everything exactly right by the process. New York State Board does not allow the Town the option of just having a referendum. To have an official referendum, we have to go through process, having a study done by an engineer, give it to an attorney. He would draw up papers called the orders to be presented to the Town Board. With that and only with that can the Town Board schedule a public hearing to address this matter. Once that public hearing is held, the Town Board can act on that, not act on that or schedule another public hearing or vote on that and say yes we want to have a district. Once we do that, then so many days so many people can petition the Board (5- 8 people sign) to force them to have a public referendum. Several Board members brought up the fact that maybe we could have a straw pole vote to decide. That would help the Board decide to go ahead and establish the district and forcing the referendum or depending on the outcome of the straw pole vote not to pursue it. We need to hire an attorney from out of the county to give us the exact steps and advise us exactly on what needs to be done. One concern from a resident was that "we keep putting this off and are not getting any action done. Now another winter is coming and it looks as though it still won't be done." One resident said "the lake is getting more and more polluted every year and evidentially it isn't going to work. The people along the lake are putting themselves in danger by eventually getting water that will poison us." We cannot move ahead right now until we appoint another attorney. The Town Board wants the process done right. Everyone agreed. Several residents voiced their concerns and opinions. Another resident asked about the sewage at the same time we do the water. Mr. Buhl stated a sewer district can be formed the same as a water district but the expenses would be greater than the water. The process is basically the same. Supervisor Kaiser asked Mr. Buhl to put the boundaries back to the original state and continue with getting a new attorney and working on the new water district. The meeting was closed at 8:45 PM.

Approval of Minutes:

- a. August 19, 2009 Regular Town Board Meeting
Motioned: Robert Gerlach
Seconded: Kyle Collinsworth
Carried unanimously

Petitioners to the Board:

- a. Holiday Inn Representative, Jerry Arsenault to discuss tourism in Seneca County. He supports jobs in New York. Tourism in Seneca County went up 2 % in 2008. Some of areas we are targeting for tourism is Buffalo area and downstate. Seneca County videos are currently being worked on.

b. Shannon O'Connor and Sally Limoncelli on behalf of the Edith B. Ford Memorial Library. Flyers were put on the table in the Hall. The library is more than just checking books out. We have 7 internet computer terminals, wireless access, offer periodicals from 36 libraries. Programming for Community and children's programming. Free to the public. We are looking to increase the Childrens fiction and non fiction at the library. We circulated over 1300 materials in the last month. We are offering home school families a large meeting place in the basement.

Communications to be filed:

- a. NYS Census Count Grant Opportunity – attached
- b. Finger Lakes Planning federation Annual Conference-attached
- c. Seneca County Rabies Clinic Notification-attached
- d. Reminder of Seneca County Water Symposium to be held September 21, at 6:00 p.m. at the Romulus Volunteer Fire Dept. located on Cayuga Street in the Hamlet of Romulus-attached
- e. NYSEG representative Don Russo letter requesting information-attached

Assessor's Report: None

Code Enforcement Officer – Permits issued.

- i. #27-09 7045 First Street, Storage Building
- ii. #28-09 Lot 115 Lakeshore Landing, Variance Public Hearing to be held on Thursday, September 17, 2009.
- iii. #29-09 2445 County Road 130; Shed addition and Roof on existing Porch

Romulus Planning Board:

- a. Planning Board Meeting Minutes – August 3, 2009 - Attached.
- b. Docks and Moorings Meeting Minutes – August 6, 2009. The inventory is almost completed and should be ready by the end of this month.
- c. The Kennel Ordinance is in draft form and will be presented next meeting so that we can set up a Public Hearing in November.

Romulus Zoning Board:

- a. Zoning Board Meeting Minutes – August 19, 2009
- b. Zoning Board Meeting Minutes – August 27, 2009

Highway Superintendent:

- a. Monthly Report – attached
- b. The pin broke on the Clam bucket. We are ready to weld the part back on. We completed the work on Yerkes Road with the grinder. The day after work

was completed a manure wagon tore up the road to pieces. The steel wheels used have to stop. The roads are being killed.

Dog Control Officer: No Report this month.

Historical Society:

- a. Meeting Minutes –August 20, 2009 Attached

Bookkeeper's Report – Attached

Supervisor – No Report

Committees Report – None

Old Business – Nothing

New Business – Resident Bill Bowen questioned if we had landfill in Seneca County as there is a pond where people are throwing garbage. Supervisor Kaiser said he will look into the matter. Supervisor Kaiser and Mr. Bowen will clean up the mess and call the Sheriff's Department to file a report.

Resolutions:

#66-09 Renewal of Romulus Volunteer Fire Department Bingo License

Motioned: Councilman Kyle Collinsworth
Seconded: Councilman Ralph Walborn, Jr.
Carried Unanimously.

#67-09 Authorize Planning and Zoning Board Members to Attend Conference

Motioned: Councilman Kyle Collinsworth
Seconded: Councilman Robert Gerlach
Carried Unanimously

#68-09 Budget Appropriation Transfers

Motioned: Councilman Robert Gerlach
Seconded: Councilman Kyle Collinsworth
Carried Unanimously

#69-09 Authorize Clerk to Advertise for a Public Hearing for Preliminary Budget

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

**#70-09 Authorize Clerk to Advertise to Request for Proposals
Not Acted Upon**

#71-09 Reappoint James Joslyn to the Board of Assessment Review

Motioned: Councilman Ralph Walborn, Jr.

Seconded: Councilman Robert Gerlach

Carried Unanimously

#72-09 Reappoint Beatrice Licak to the Board of Assessment Review

Motioned: Councilman Ralph Walborn, Jr.

Seconded: Councilman Robert Gerlach

Carried Unanimously

#73-09 Reappoint Fred Swain to the Zoning Board of Appeals

Motioned: Councilman Ralph Walborn, Jr.

Seconded: Councilman Kyle Collinsworth

Carried Unanimously

Town Clerk's Report:

Monthly Report: Attached

Motioned: Councilman Kyle Collinsworth

Seconded: Councilman Ralph Walborn, Jr.

Carried Unanimously

Motion to adjourn:

Motioned: Councilman Robert Gerlach

Seconded: Councilman Kyle Collinsworth

Carried Unanimously