

DRAFT
REGULAR TOWN BOARD MEETING
October 17, 2012

Call to Order: The regular Town Board Meeting was called to order by Supervisor David Kaiser at 7:30 PM.

Roll Call:	Supervisor David Kaiser	Present
	Councilman Gordon Carroll	Present
	Councilman Ralph Walborn, Jr.	Present
	Councilwoman Barbara McCall	Present
	Councilman Kyle Collinsworth	Present

Others Present: Town Clerk, Terry Smith
 Planning Board Vice Chairperson, Tom Bouchard
 Finger Lakes Community Newspaper, Aneta Glover
 Residents 1

Pledge of allegiance: Followed by moment of silence. Supervisor Kaiser asked that we keep the small child that died in Romulus in our thoughts and prayers.

Public Hearing:

Motioned by Councilman Gordon Carroll to open Public hearing at 7:33 PM

Seconded by Councilman Ralph Walborn, Jr.

Carried Unanimously

Supervisor Kaiser asked if there were any comments to be made about the Preliminary Budget.

Larry Yehle spoke and wanted to know if there were any issues affecting the budget. Supervisor Kaiser told group that the budget is flat. There had been some changes made from the last meeting for the tentative budget. We gave some more to the highway for fuel and also more in the legal item. The general budget is down and the highway is up. The budget will be made available to the public.

The public hearing closed at 7:36 PM.

Motioned to close Councilman Ralph Walborn, Jr.

Seconded: Councilman Gordon Carroll

Carried Unanimously

Approval of Minutes:

a. September 19, 2012 Regular Town Board Meeting

Motioned to Accept: Councilman Ralph Walborn, Jr.

Seconded: Councilman Gordon Carroll

Carried Unanimously

Petitioners to the Board:

a. Lake Shore Landing Homeowners Association – No Show

- b. Larry Yehle – Mr. Yehle’s first question was regarding the Sheriff’s Office. He was asking about the Civil Law office still in Waterloo that the Sheriff wanted to bring out to the new Jail in Romulus. The cost efficiency was the main reason for this move. If the reason for the defeat of this move is because the cost is too high, then the public should be aware of this. The Civil Law Office has to be located in the county seat which is Waterloo unless the voters of the county deem otherwise. The sheriff has problems dealing with two offices being at the both ends of the county. He is over that office also. The Civil Office manages money of different kinds for the sheriff, collection procedures that also go through that office that require co-ordination with deputies. The sheriff brought this problem to the board which would make his life a little easier to have that office located in the new building. He does have office space for it. It would be no cost to move the two staff members. The 3 supervisors that voted against this are all from Waterloo. The second item I would like to discuss is the Moratorium on the Hydro-Fracturing Law. A few months ago, the Town Board asked Tom Bouchard, Kate Sinicropi and myself to put the Moratorium Proposal together which we did. Now that you have the draft, I would like to know what you plan to do? Mr. Getman looked into a couple of issues and the comptroller’s office declined to give a written opinion on people who recuse themselves from a Planning Board vote. According to Mr. Getman’s research, along with Mr. Stevens in the of comptroller’s office, refers to article 18 of the general Municipal Law, “if there is any appearance of conflict, appearance of impropriety, the comptroller’s would be better off to recuse themselves.” The second part refers to a court decision Jeffrey vs Ryan in the city of Binghamton. Their Moratorium was challenged in court. The court held that There are certain criteria that municipalities must meet when adopting Moratoria. They must prove dire necessity. Since there can be no dire need, the court is constrained to hold that the Local Law is invalid. The above ruling, subject to any appeal stands for the proposition that a moratorium is premature and subject to being struck down or the DEC publishes regulations and begins issuing permits. Further action on the proposed moratorium should be tabled until 2013. Supervisor Kaiser told Mr. Bouchard that it was good that they had the Moratorium ready to go.

Communications:

- a. Time Warner – attached
- b. Association of Towns 2012 Fall Personnel & Ethics School

Code Enforcement Officer

- a. No report this month – some tickets have been issued. Tickets to Romulus Resident for raising chickens.

Romulus Planning Board:

- a. Romulus Planning Board Minutes – attached
- b. Seneca County Planning Board Agenda & Minutes – attached

- c. Upcoming 2012 Land Use Training session – attached
 - d. Fall 2012 Regional Local Government Workshop Registration – attached
- There was a discussion at our last Planning Board meeting on outdoor wood burning furnaces. Attorney Getman's report on outdoor wood burning furnaces that was received two days ago stated that our regulations in the proposed law that we had was very similar to the state and was not deemed necessary to do that. At our next meeting on November 12, we are expecting Chris Weaver to come and present his proposing fees to the development plan to build a retail space for his winery. The question was raised about access to the winery. The maps appear to have access off Route 89 which would be preferable for getting the entrance off Swick Road. These are also some questions about the well and septic systems. Any driveways that are installed have to be approved by the DOT. Now that the Right to Farm Law has been passed, we need to get signage done to say it was. It should say something about this is a "Right to Farm Law Township".
- The county does have a sign maker. They should be on every town line coming into the Town of Romulus.
- I have met with the new Deputy of Administration at Willard Drug Treatment Center, Susan Spires on Thursday. We discussed the plans for the Lake Shore Development. I gave her a copy of the draft and will send along a copy of the survey. She looked for a copy of the information that we have so far and no folder has been found with that information in it. She will contact Mike Sears former Deputy and ask about the information or folder.
- The Town Board has received a letter from Albert Nivison stating he would be willing to join the Planning Board. Resolution will be presented accepting him.

Romulus Zoning Board

- a. No Report this month

Highway Superintendent

- a. No report this month
- b. Beam Mack Sales & Service Inc. purchase of 2013 Mack Granite Gu713 Tandem axle cab and chassis & specifications

Dog Control Officer

- a. No report this month
- b. Dog Control Officer Inspection Report 9/18/2012
- c. Municipal Shelter Inspection Report 9/18/2012

Bookkeeper

- a. No report this month – Change the Board meeting from the 17th of November to the 14th of November 2012. The ad for the Office position will be in the papers tomorrow.

Old Business

Dumpster days went well.

At the Seneca County water district, we fluoridate the water for Lake Shore Landing, the Hamlet of Romulus, Spring Meadows, Five Points, any properties on the depot, Hillside Campus and then out to the Varick and Fayette Districts. We are looking into the process putting end to that. That also entails the Romulus School. The Town of Fayette and Varick have already made resolutions to end the fluoridation process in their towns. We would also like to do that in the Town of Romulus. It comes to an expense for the Romulus residents of an estimation of \$20,000.00 per year. Maryanne Kowalski on the Advisory Committee did extensive research on fluoridation and it points out some bad health issues with this process. Councilman Carroll pointed out that Harvard University also did a study this year and their findings are that Fluoridation lowers I. Q's in children. One researcher said that it strengthens bones and Councilman Carroll has found that it leads to bone decay. Councilwoman McCall spoke and said that the dentists say it does prevent cavities in young children. Supervisor said that he personally is against it. He feels that it is unnecessary because all toothpastes carry fluoride also mouth washes. Councilman Carroll also found out that children would have to drink 8 eight oz. glasses of water a day to make it take effect. At the last advisory meeting, it was decided not to use the fluoride. The County is definitely going to discontinue this and they will take to proper paper work and channels to make this happen. It cost approximately \$55.00 per day to fluoridate the water. The Board tabled this item for the time being. The new website is ready and Mary Farnsworth will be going to learn all about it next week. The gentleman in charge is on vacation and Mary will be trained next week.

New Business:

Councilwoman brought up the subject of smoking on Town Property. She was discussing the fact that there are a lot of cigarette butts laying on the ground in front of Town Hall. The Planning board moved the ash tray in front of the rod that was sticking up from the ground in the front of the town building so that no one would trip on the rod. Supervisor Kaiser suggested that we put up some signs near a can for the butts.

Resolutions:

- 78-12 Verification of Payables
Motioned: Councilwoman Barbara McCall
Seconded: Councilman Kyle Collinworth
Carried Unanimously
- 79-12 Clerk Authorized to Advertise
Motioned: Councilman Ralph Walborn, Jr.
Seconded: Councilman Kyle Collinworth
Carried Unanimously
- 80-12 Accept 2012 Preliminary Budget
Motioned: Councilman Ralph Walborn, Jr.
Seconded: Councilman Kyle Collinworth

Carried Unanimously

Roll Call Vote:

Councilman Gordon Carroll	Yes
Councilman Ralph Walborn, Jr.	Yes
Councilwoman Barbara McCall	Yes
Councilman Kyle Collinsworth	Yes
Supervisor David Kaiser	Yes

81-12 Appointment of Planning Board Member
Motioned: Councilman Kyle Collinsworth
Seconded: Councilman Ralph Walborn, Jr.
Carried Unanimously

Town Clerk's Report:

Motioned: Councilwoman Barbara McCall
Seconded: Councilman Kyle Collinsworth
Carried Unanimously

Meeting Adjourn:

Motioned: Councilman Gordon Carroll
Seconded: Councilwoman Barbara McCall
Carried Unanimously