

August 11, 2008
Regular Town Board Meeting
7:00 p.m.

The Town Board of the Town of Savannah held its regular Town Board meeting on August 11th, 2008 at 7:00 p.m. Members present were:

Kenneth Lauderdale	Supervisor
John Metcalf	Councilman
Carol Spellman	Councilman
Ted Fitch	Councilman
Julie VanLeeuwen	Councilman

Also present: Town Attorney-Paul Kehoe, Fingerlakes Times – John Addyman, Sheri Fedele, Victor Townsend, Leroy Hollier, Tom Whitcomb, Terry Colvin, Highway Superintendent-Allen Sherman.

A motion to waive the reading of the minutes with approval as distributed was made by Councilman Fitch seconded by Councilman Metcalf. By roll: Councilman Spellman, VanLeeuwen, Supervisor Lauderdale “aye” motion carried.

Councilman Metcalf led those in attendance the pledge of allegiance.

Steve Crona and Jeremy Reese attended the meeting to give a formal apology for the unlawful littering of West Shore. Town Board accepted the apology and thanked them for attending the meeting.

Mark Emmett from MX Motor Cross race track attended the meeting to inform the Town Board that he would like to hold a small banquet to celebrate the end of the racing season on September 20th. Mr. Emmett further noted that the banquet would be catered with food and alcohol. The event would be held during the hours of 2:00 p.m. – 8:30 p.m. and have security. Mr. Emmett requests from the Town Board a letter stating that the Town Board has no problem with such an event. Much discussion was held in regards to security, traffic control, sanitary issues, insurance requirements and legal issues.

It was decided to enter into executive session with the Town Attorney to further discuss these issues, by motion of Councilman Spellman seconded by Councilman VanLeeuwen- by roll: Councilman Fitch, Metcalf, Supervisor Lauderdale “aye” motion carried.

Executive Session – Legal issues with Town Attorney – Town’s responsibility for authorization of MX Motor Cross banquet and to discuss land use regulations.

Out of Executive Session – 8:20 p.m.

It was decided to have Mr. Emmett present a written request for the Town Boards review by the 15th of August. The request is to provide the details of the event. Additionally, Mr. Emmett must arrange for a certificate of insurance naming the Town as additional insured in the amount of \$1,000,000 and provide the name and address of the business that is catering the event. Upon receipt of the information, the Town Board will review the request for approval at the August 18th Work Session.

A motion was made by Councilman Metcalf seconded by Councilman Fitch to set a Public Hearing on proposed local law # 5-2008 entitled "A Local Law Imposing a Moratorium on Certain Development and Uses in the Town of Savannah" for September 8th, 2008 at 7:00 p.m. By roll: Councilman Spellman, VanLeeuwen and Supervisor Lauderdale "aye" motion carried.

Supervisor Lauderdale noted that he would like to perform his son's marriage and he requests that the Town Board pass a resolution authorizing him as marriage officer for the Town of Savannah.

The following resolution was presented by Councilman Metcalf:

Resolution No. 29-2008
Appointment of Town Supervisor, Kenneth Lauderdale as
Town of Savannah Marriage Officer

WHEREAS, Supervisor, Kenneth Lauderdale wishes to perform marriage ceremonies in the Town of Savannah, now

BE IT RESOLVED, that the Town Board of the Town of Savannah according to Section 11C of the New York State Domestic Relations Law appoints Supervisor, Kenneth Lauderdale as Marriage Office of the Town of Savannah, and

BE IT FURTHER RESOLVED, that the appointment is effective immediately and expires on the 31st, day of December, 2009.

A motion to adopt the above written resolution was made by Councilman Spellman seconded by Councilman VanLeeuwen, by roll: Councilman Fitch "aye", Supervisor Lauderdale "abstained" motion carried.

Committee Reports were given:

Councilman Spellman noted the approximate count of attendants for the program events and further stated that they have begun discussions for fall/winter events.

Councilman VanLeeuwen noted that donations of flower bulbs have been received and she requests permission to purchase additional bulbs to go with the donated bulbs that will be distributed during the Potato Fest. A motion authorizing the purchase of bulbs in the amount of approximately \$50.00 was made by Councilman Spellman seconded by

Councilman Metcalf. By roll: Councilman VanLeeuwen, Fitch and Supervisor Lauderdale “aye” motion carried.

Code Enforcement Officer, Don Camp presented for the Town Boards action the final report on Dorothy Juliano’s property violations. A motion was made by Councilman Fitch seconded by Councilman VanLeeuwen to proceed with a seven (7) day clean up notification by certified return receipt requested mailing, and at the end of the seven (7) day notification if the property is not in compliance the Town Board will have the property cleaned up and the charges levied against the property taxes. By roll: Councilman Spellman, Metcalf and Supervisor Lauderdale “aye” motion carried.

CEO, Don Camp also requested permission to have access to the internet and a backup system. Clerk to notify the County.

Councilman Spellman noted a complaint of the south/west parking lot, stating debris, a snowmobile, and disabled vehicle are parked in the grass along the outer skirts of the parking lot. CEO to further review. Councilman Spellman further requested that the Town Board consider planting trees along the parking lot to detour residents from littering. Further discussions to be held during the Vision Plan meetings.

Supervisor Lauderdale noted that Dept. of Health has required the town to perform daily turbidity tests; therefore we need to purchase a turbidity meter at an approximate cost of \$1,000.00. The following resolution was presented by: Councilman Fitch

***Resolution No. 30-2008
Increase of Appropriations
Water Fund
Transmission & Distribution Equipment Account***

WHEREAS, New York State Department of Health has determined that the Town of Savannah is under the influence of surface water, and

WHEREAS, new revisions have been established that require the Town of Savannah to perform daily turbidity tests, and

WHEREAS, the Town of Savannah needs to purchase a turbidity meter to perform the required tests at an approximate cost of \$1,000.00, now therefore

BE IT RESOLVED, that the Town Board of the Town of Savannah authorizes the purchase of a turbidity meter and for the funds to be appropriated from surplus monies in the Water Fund Transmission & Distribution Equipment Account (SW8340.2).

A motion to adopt the above written resolution was made by Councilman VanLeeuwen seconded by Councilman Spellman. By roll: Councilman Metcalf and Supervisor Lauderdale “aye” motion carried.

Councilman Spellman inquired about the status of Sewer District No. 1, noting that the odor is worse. It was suggested that the Town Board and Water/Sewer Operator meet at the Sewer District No. 1 plant before the scheduled work session on the 18th of August.

Supervisor Lauderdale noted that he still has not received the formal transfer in regards to the West Shore property.

Supervisor Lauderdale gave a brief update on the Vision Plan meetings, noting that there will be a series of meetings in the near future and the fully executed agreement has been received.

Supervisor Lauderdale noted that the tin ceiling of the Town Hall second floor was repaired and the “as built plans” of the Town Hall are complete. He further noted that this brings the Assemblyman Oaks grant funding of \$7,000.00 to a close and the project is completed. A status report on the re-pointing of the brick and window sills was given, noting that the contractor that was suggested could not do the job, so another contractor has been contacted.

Supervisor Lauderdale noted that he has reviewed the option of a dumpster at the Town Barn for the residents to dispose of large items that the regular garbage removal companies do not pick up. He further noted that the cost to purchase such dumpster would be approximately \$6,000 or the Town could rent the dumpster at a monthly charge of \$90.00 and a \$47.00 a ton tipping fee with a \$200.00 trip fee. After much discussion it was decided to further review the Town of Conquests system, as they have a system similar to this.

Supervisor Lauderdale presented to the Town Board for their review a draft letter from DEC Agent, Mark Amon, requesting that the Town clean up the debris on the West Shore locations and install signage to deter dumping. It was suggested, to save on the expense of an additional dumpster to do this during the Fall Town Clean Up Day.

Supervisor Lauderdale gave a brief status report on the Shared Service Grant for the Highway Dept., noting that the state would like to see shared services were there would be an increase in efficiency and consolidation of responsibilities, stating that this is not in the best interest of the township, we should consider moving forward in stages to build the highway barn. It was further noted that even though the Town has the funding to build the highway barn, it would drain the reserves.

Correspondence:

- 1) NYS Dept. of Health - Revised 2008 Sampling Schedule – Turbidity Tests
- 2) NYS Board of Real Property Services – Final Equalization Rate 92%
- 3) Authorization to sign Williamson Law Book – Annual Software Support Contract

A motion authorizing Supervisor Lauderdale to sign the Annual Support Contract for the water/sewer billing program from Williamson Law Book at a cost of

\$770.00 was made by Councilman Spellman seconded by Councilman Metcalf. All members voted “aye” and the motion carried.

- 4) NYS Office of Real Property Service – Star Aid
- 5) Letter of Resignation – Earl Pottorff – Bd. Of Appeals (Variance Bd.)
- 6) Letter of Resignation – Edward Williams – Bd. Of Appeals (Variance Bd.)

A motion to accept Earl Pottorff and Edward Williams letters of resignation from the Board of Appeals was made by Councilman Fitch seconded by Councilman Metcalf. All members voted “aye” and the motion carried.

- 7) NYMIR – Handbook Update
- 8) Andrew Leja – Sample Noise Law
- 9) Certificate of Attendance – Planning Board, Leon Gaklik 4hrs of training

A motion to approve Planning Board member Leon Gaklik’s 4hrs. of training required for serving on the Planning Board was made by Councilman Metcalf seconded by Councilman Fitch. All members voted “aye” and the motion carried.

- 10) NYS DEC – Savannah dump sites
- 11) Time Warner – Channel Update
- 12) The Research Foundation – Fully executed Agreement for Vision Plan

As there are accounts overdrawn, a motion was made by Councilman Metcalf seconded by Councilman Spellman that the following transfers be made within the budget. By roll: Councilman Fitch, VanLeeuwen and Supervisor Lauderdale “aye” motion carried.

<i>General Fund</i>		<i>Over</i>	<i>From</i>	<i>Amount</i>
A1355.2	Assessor/Equip.	\$ 715.00	A1910.4	\$715.00
A1410.2	TC/Equip.	\$ 924.71	A1910.4	\$924.71
A1670.4	Printing/Mailing	\$ 789.91	A1620.4	\$789.91
A4220.4	Narcotics Control	\$ 190.00	A1620.4	\$190.00
A5010.4	H’way Supt.	\$ 25.38	A5132.4	\$ 25.38

As the Town Board authorized the cleaner and maintenance position, that was not included in the budget. The following resolution was presented by Councilman Spellman:

**Resolution No. 31-2008
Increase of Appropriations
Building Personnel**

WHEREAS, the General Fund Building Personnel Account A1620.1 is in need of funds due to additional duties of building maintenance, now therefore

BE IT RESOLVED, that \$1,000.00 be appropriated from surplus monies, in the above account to cover the salaries for the maintenance of the Town Hall building and property.

A motion to adopt the above written resolution was made by Councilman Fitch seconded by Councilman Metcalf. By roll: Councilman VanLeeuwen and Supervisor Lauderdale “aye” motion carried.

The following resolution was presented by Councilman Fitch:

**Resolution No. 32-2008
Increase of Appropriations
Attorney Contingency**

WHEREAS, the Town Board has decided to hire an attorney to develop a moratorium, land use regulations and zoning for the Town of Savannah and due to the additional attorney expenses the General Fund Attorney Contingency Account A1420.4 is in need funds, now therefore

BE IT RESOLVED, that \$10,000.00 be appropriated from surplus monies, in the above account to cover the additional attorney expenses for the preparation of a moratorium, land use regulations and zoning.

A motion to adopt the above written resolution was made by Councilman Spellman seconded by VanLeeuwen. By roll: Councilman Metcalf and Supervisor Lauderdale “aye” motion carried.

As the Town Board, for the benefit of the community, authorized the purchase of a telephone system for the Town Hall at a price of approximately \$4,500.00.

The following resolution was presented by: Councilman Metcalf

**Resolution No.33-2008
Increase of Appropriations
Building Equipment**

WHEREAS, the General Fund Building Equipment Account A1620.2 is in need of funds due to the installation of a telephone system, now therefore

BE IT RESOLVED, that \$4,509.87 be appropriated from surplus monies, in the above account to cover the expense of the telephone system.

A motion to adopt the above written resolution was made by Councilman Fitch seconded by Councilman VanLeeuwen. By roll: Councilman Spellman and Supervisor Lauderdale “aye” motion carried.

As the Town Board authorized the purchase of a sound system to benefit the hearing impaired at an approximate cost of \$950.00, the following resolution was presented by Councilman Spellman:

***Resolution No. 34-2008
Increase of Appropriations
Building Equipment***

WHEREAS, the General Fund Building Equipment Account A1620.2 is in need of funds due to the purchase of a sound system for the hearing impaired, now therefore

BE IT RESOLVED, that \$950.00 be appropriated from surplus monies, in the above account for the cost of the sound system.

A motion to adopt the above written resolution was made by Councilman Fitch seconded by Councilman Metcalf. By roll: Councilman VanLeeuwen and Supervisor Lauderdale “aye” motion carried.

As the Town Board authorized the hiring of J. O’Connell & Associates as grants consultants for the Town of Savannah to assist in the Town of Savannah in grant funding at an approximate cost of \$20,000.00. The following resolution was presented by Councilman Fitch:

***Resolution No. 35-2008
Increase of Appropriations
Planning Contractual***

WHEREAS, the General Fund Planning Contractual Account A8020.4 is in need of funds due to the hiring of J. O’Connell Grant Consultants for the Town of Savannah, now therefore

BE IT RESOLVED, that \$20,000.00 be appropriated from surplus monies, in the above account for the cost per agreement between the Town of Savannah and J. O’Connell Associates for the service of grant consulting.

A motion to adopt the above written resolution was made by Councilman Spellman seconded by VanLeeuwen. By roll: Councilman Metcalf and Supervisor Lauderdale “aye” motion carried.

The following resolution was presented by Councilman VanLeeuwen:

***Resolution No. 36-2008
Increase of Appropriations
Snow Removal Contingency***

WHEREAS, the Highway Fund Snow Removal Contingency Account DA5142.4 is in need of funds due to an unforeseen winter conditions during the early months of 2008 and the rise in fuel costs, now therefore

BE IT RESOLVED, that \$8,124.67 be appropriated from surplus monies, in the above account to cover the additional expenses that were incurred.

A motion to adopt the above written resolution was made by Councilman Spellman seconded by Councilman Metcalf. By roll: Councilman Fitch and Supervisor Lauderdale “aye” motion carried.

The following resolution was presented by Councilman Spellman:

***Resolution No. 37-2008
Increase of Appropriations
Service Other Government***

WHEREAS, the Highway Fund Service Other Government Account DA5148.4 is in need of funds due to an unforeseen winter conditions during the early months of 2008 and the rise in fuel costs, now therefore

BE IT RESOLVED, that \$10,822.66 be appropriated from surplus monies, in the above account to cover the additional expenses that were incurred.

A motion to adopt the above written resolution was made by Councilman Metcalf seconded by Councilman Fitch. By roll: Councilman VanLeeuwen and Supervisor Lauderdale “aye” motion carried.

The following resolution was presented by Councilman Spellman:

***Resolution No. 38-2008
Increase of Appropriations
Employee Benefits Unemployment***

WHEREAS, the Highway Fund Employee Benefits Unemployment Account DA9050.8 is in need of funds due to an unforeseen unemployment charges, now therefore

BE IT RESOLVED, that \$2,089.95 be appropriated from surplus monies, in the above account.

A motion to adopt the above written resolution was made by Councilman VanLeeuwen seconded by Councilman Fitch. By roll: Councilman Metcalf and Supervisor Lauderdale “aye” motion carried.

The following bills were presented for approval:

General Fund	Abst. #8	Claim #215-236	\$10,913.48
Highway Fund	Abst. #8	Claim #107-117	\$42,497.32
Water District	Abst. #8	Claim #89-99	\$ 2,239.07
Sewer District 1	Abst. #8	Claim #23-27	\$ 112.12
Sewer District 2	Abst. #8	Claim #30-34	\$ 868.44
Sewer District 3	Abst. #8	Claim #19-22	\$ 65.90
Sav. Lighting	Abst. #8	Claim #8	\$ 712.68
So. Butler Lighting	Abst. #8	Claim #8	\$ 45.67

A motion to pay the bills as presented was made by Councilman Metcalf seconded by Councilman Fitch. All members voted “aye” and the motion carried.

Supervisor Lauderdale noted that according to NYS Town Law, since the Board of Appeals no longer has a quorum of appointed members and is no longer able to fulfill their duties as a result, the Town Board is required to fulfill their duties on their behalf until replacement board members can be appointed. As a result, the Town of Savannah Town Board will be reviewing the proposed action on behalf of the Board of Appeals. Supervisor Lauderdale noted that he has received a Variance Application for Daniel Noble that the Town Board needs to review. CEO, Don Camp, noted that Mr. Noble is tearing down an old trailer and would like to build a storage building but does not meet the side setbacks. A motion was made by Councilman Spellman seconded by Councilman VanLeeuwen to advertise the Variance Application hearing for September 8th at 6:00 p.m. and have CEO, Don Camp present at such hearing and for CEO, Don Camp notify the neighboring residents of such hearing. By roll: Councilman Metcalf, Fitch and Supervisor Lauderdale “aye” motion carried.

As all business was complete a motion to adjourn was made by Councilman Spellman seconded by Councilman VanLeeuwen. All members voted “aye” and the motion carried.

Julie Carey-Town Clerk

ACTION ITEMS

- Councilman Fitch - contact contractor for re-pointing of the brick and window sills at the Town Hall.
- Supervisor Lauderdale - Certified Letter to Dorothy Juliano/Call George VanGelder – Property Maintenance Violations – Proceed with legal action.
- Town Clerk – Call Steve @ County – Internet/back up procedure for CEO, Dog Program for Acct. Clerk
- CEO – Complaint of south/west parking lot – debris, snowmobile, dismantled vehicle.

- CEO – Send letters to neighboring property re: Variance Applications
- Supervisor Lauderdale – West Shore Transfer
- Councilman Fitch – Contact Town of Conquest re: dumpster system
- Supervisor Lauderdale – Work with Highway Superintendent on clean up of West Shore dumping sites per DEC recommendations.
- Town Clerk – Advertise Board of Appeals/Variance Board applications.
- Town Clerk – Advertise Variance Application Public Hearing for 9/20th at 6:00 p.m.

DRAFT