

TOWN OF RIDGEWAY
TOWN BOARD MEETING
MONDAY, MAY 19, 2014

The regular board meeting was called to order by Supervisor Napoli at 7:05 P.M. at the Town Hall, Medina, NY.

Those Officers Present:	Brian Napoli	Supervisor
	Jeffrey Toussaint	Councilman
	Paul Blajszczak	Councilman
	David Stalker	Councilman
	Mary Woodruff	Councilwoman
Others:	Mark Goheen	Hwy Superintendent
	Daniel Wolfe	Code Enf. Officer
	Katherine Bogan	Attorney
	Patricia Laszewski	Assessor
	Barbara J. Klatt	Town Clerk
	Karen Kaiser	Deputy Town Clerk
	Carl Wagner	
	Dave Barhite	
	Dean Bellack	
	David Hoffman	

PLEDGE OF ALLEGIANCE

RESOLUTION NO. 63 – 5/19/14

RESOLUTION TO ACCEPT AGENDA

Offered by Councilman Stalker, who moved its adoption.
Seconded by Councilwoman Woodruff.

Resolved to accept agenda with additions to New Business – (G) This is a resolution to authorize Supervisor to approve and sign loan resolution with USDA, Rural Development WD#13.

(H) This is a resolution to authorize Highway Superintendent, Mark Goheen, to purchase, by State Bid, a 2015 Ford 250 SL super cab 4x4 8.0' box. Cost \$33,300.32 Quote# 16846

Adopted: 5 ayes 0 nays

RESOLUTION NO. 64 – 5/19/14

RESOLUTION TO APPROVE MINUTES
FROM APRIL 21, 2014 TOWN BOARD
MEETING

Offered by Councilman Toussaint, who moved its adoption.

Seconded by Councilman Blajszczak.

Resolved to approve minutes from April 21, 2014 Town Board meeting.

Adopted: 5 ayes 0 nays

COMMUNICATIONS:

- A. Orleans County supporting Statewide Indigent Defense Legal System.
- B. Engagement letter to be completed and made part of WD#13 loan application.
- C. Orleans County Traffic Diversion Program – Town received \$3632.21 this quarter.

DATE OF NEXT MEETINGS

- A. Workshop – June 10, 2014- 7:00 P.M. - Ridgeway Town Hall
- B. Town Board Meeting – June 16, 2014 – 7:00 P.M. Ridgeway Town Hall

OLD BUSINESS

- A. Received WD#12 welcome letter from USDA

RESOLUTION NO. 65 – 5/19/14

RESOLUTION TO ADOPT LOCAL
LAW#2 OF 2014-AMEND TOWN OF
RIDGEWAY'S ZONING ORDINANCE
SECTION 107

Offered by Councilman Stalker, who moved its adoption.
Seconded by Councilman Blajszczak.

Resolved to amend Section 107 (Zoning Ordinance): VIOLATIONS AND PENALTIES

Any person, firm corporation or other business entity who violates, disobeys, neglects or refuses to comply with any provision of this Local law ordinance shall be guilty of an offense, and upon conviction thereof, shall be subject to a fine of a minimum of one hundred dollars (\$100.00) and not exceeding three hundred and fifty dollars (\$350.00) or imprisonment for a period not to exceed six (6) months or both for conviction of a first offense; for a conviction of a second offense both of which are committed within a period of five years, punishable by a fine not less than three hundred and fifty dollars (\$350.00) nor more than seven hundred dollars (\$700.00) nor more than one thousand dollars (\$1000.00) or imprisonment for a period not to exceed six (6) months, or both. Each week's continued violation shall constitute a separate additional violation and offense.

All other provisions of the Town of Ridgeway Zoning Ordinance shall remain unchanged. This local law shall take effect upon proper passage and filing of same.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 66 – 5/19/14

RESOLUTION TO APPROVE LOAN
RESOLUTION WITH USDA, RURAL
DEVELOPMENT FOR WATER
DISTRICT #12 AND AUTHORIZE
SUPERVISOR TO SIGN

Offered by Councilwoman Woodruff, who moved its adoption.
Seconded by Councilman Toussaint.

Resolved to approve loan resolution with USDA, Rural Development for WD#12 and
authorize Supervisor to sign.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 67 – 5/19/14

RESOLUTION TO APPROVE AND
AUTHORIZE SUPERVISOR TO SIGN
ENGAGEMENT LETTER WITH AMATO,
FOX, PC TO PERFORM AUDIT FOR
YEAR 2013

Offered by Councilman Toussaint, who moved its adoption.
Seconded by Councilman Stalker.

Resolved to approve and authorize Supervisor to sign engagement letter with Amato,
Fox, PC to perform audit for year 2013.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 68 – 5/19/14

RESOLUTION TO SUPPORT
INITIATIVE TO ALLOW LOCALITIES
TO SET SPEED LIMITS (FOR TOWN
ROADS ONLY) AND AUTHORIZE
TOWN BOARD TO SIGN LETTER

Offered by Councilman Blajszczak, who moved its adoption.
Seconded by Councilman Stalker.

Resolved to support initiative to allow localities to set speed limits for Town roads only
and authorize Town Board to sign letter.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 69 – 5/19/14

RESOLUTION URGING STRUCTURAL
REFORM OF THE STATE DEDICATED
HIGHWAY AND BRIDGE TRUST FUND
(DHBTF)

Offered by Councilwoman Woodruff, who moved its adoption.
Seconded by Councilman Toussaint.

URGING STRUCTURAL REFORM OF THE STATE DEDICATED HIGHWAY AND
BRIDGE TRUST FUND (DHBTF)

WHEREAS, local governments are responsible for an increasing proportion of the Statewide highway and bridge system, including eighty-seven percent of the State's 110,000 miles of roadways and fifty percent of the State's 18,00 bridges; and

WHEREAS, a safe and efficient highway infrastructure is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities, emergency responders, as well as the general traveling public; and

WHEREAS, The New York State Comptroller has for two years in a row issued reports calling for the reform and restructuring of the Dedicated Highway and Bridge Trust Fund as taxpayers have paid billions in taxes and fees into a fund that was created to keep our roads and bridges in good repair and more than three-quarters of this money is siphoned off to pay for borrowing and operating costs of state agencies, leaving fewer dollars for improving our infrastructure; and

WHEREAS, the State's Dedicated Highway and Bridge Trust Fund was originally designed in 1991 as a pay-as-you-go financing method to support the state's transportation programs and purposes, using revenue from highway taxes, motor vehicle taxes and fees, petroleum business taxes and a number of smaller resources; and

WHEREAS, in an analysis of the State Budget, the State Comptroller reveals that less than 24 percent of the state's Dedicated Highway and Bridge Trust Fund (DHBTF)—originally established to fund transportation on a pay-as-you-go basis—is actually available for transportation capital this fiscal year. This is because total debt service on State bonding paid from the DHBTF is over 40 percent of all DHBTF disbursements; and

WHEREAS, State operations costs also consume an enormous share of the fund: nearly \$1.6 billion in the last fiscal year, including the costs of snow and ice removal by The Department of Transportation and day-to-day staff expenses at the Department of Motor Vehicles and other non-capital expenditures; and

WHEREAS, the structural deficit in the DHBTF will require a state general fund transfer reaching \$787.5 million in State Fiscal Year 2017-18, according to state budget documents; and

WHEREAS, legislation has been introduced in both houses of the Legislature seeks to reform the DHBTF by ensuring that money dedicated through the fund be used for highways and bridge construction and repairs and not diverted for non-capital uses; and a bill to enhance revenues to the DHBTF from heretofore uncommitted state gasoline tax receipts is being considered by the Senate; and

WHEREAS, dedicated revenue enhancements must be considered to insure the long term financial stability of the DHBTF and to attain adequate levels of state support to local roads and bridges; now, therefore be it

RESOLVED, that the Orleans County Legislature does hereby urge the Governor and the Legislature of the State of New York to develop a multi-year plan to return structural balance to the DHBTF in order to ensure its ability to meet the State's highway and bridge capital needs today and in the future by, among other actions, adopting the aforementioned legislature initiatives; and be it

FURTHER RESOLVED, that copies of this resolution be sent to NYSAC and Western NY Inter County encouraging member counties to enact similar resolutions; and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded to Governor Andrew M. Cuomo, State Senator George Maziarz, Assembly Member Stephen Hawley, Assembly Member Jane Corwin, all Towns and Villages in Orleans County, and all others deemed necessary and proper.

Adopted:

5 ayes

0 nays

RESOLUTION NO. 70 – 5/19/14

RESOLUTION TO APPROVE
AGREEMENT AND RETAIN BOUVIER
PARTNERSHIP TO ACT AS SPECIAL
COUNSEL FOR THE TOWN OF
RIDGEWAY REGARDING MATTERS
DEEMED NECESSARY AND
APPROPRIATE BY THE TOWN BOARD

Offered by Councilman Stalker, who moved its adoption.
Seconded by Councilwoman Toussaint.

Resolved to approve agreement with Bouvier Partnership for legal services.

Adopted:

5 ayes

0 nays

RESOLUTION NO. 71 – 5/19/14

RESOLUTION TO AUTHORIZE
SUPERVISOR TO SIGN AND
SUBMIT THE APPLICATION FOR

LOAN AND GRANT ASSISTANCE TO
USDA RURAL DEVELOPMENT WD#13

Offered by Councilman Blajszczak, who moved its adoption.
Seconded by Councilwoman Woodruff.

Resolved, that the Supervisor of the Town of Ridgeway, Orleans County, New York, is hereby authorized as the official representative of the Town to execute and submit the application for loan and grant assistance to the USDA Rural Development for improvements to the Town of Ridgeway Water District #13, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information and to execute such documents as may be required in connection with obtaining said loan and grant funds.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 72 – 5/19/14

RESOLUTION TO AUTHORIZE
HIGHWAY SUPERINTENDENT TO
PURCHASE 2015 FORD PICKUP
AT COUNTY BID

Offered by Councilman Toussaint, who moved its adoption.
Seconded by Councilman Blajszczak.

Resolved to authorize Highway Superintendent to purchase 2015 Ford pickup at County Bid cost of \$33,300.32

Adopted: 5 ayes 0 nays

OTHER BUSINESS

Fire Company Report: not received

Department and County Legislator Reports:

Town Clerk reported that all Town/County unpaid taxes have been turned over to the Orleans County Treasurer along with final payment for paid taxes and recycle.

Highway Superintendent, Mark Goheen, told the board that his crew is filling potholes and working on ditching.

Assessor, Trisha Laszewski, indicated that she has participated in two webinars that pertain to assessments. (Basic Star & Tax Freeze)

Exemption renewals between January 2014 – March 1, 2014 = 869

Grievance on assessments will occur on May 27, 2014 from 4-8 P.M.

Attorney, Katherine Bogan, will be obtaining easements for Water District 12 from Chatfield Engineers to send out. Attorney Bogan also spoke with Kathy Dear, Stuart Brown Assoc., on Water District #13 which she will take charge in processing.

Code Enforcement Officer, Daniel Wolfe, told the board that property violations were sent out and will be monitored. He also stated that twenty-four building permits were issued, one area variance, one site plan review (Apex) and all motor vehicle reviews passed except one (Lilley).

Councilman Report:

Councilman Toussaint spoke about the possibility of Lyndonville youth participating in swimming lessons at the Wise Middle School in Medina on a trial basis in the afternoon summer class. More details will be discussed this coming week.

Planning/Zoning Board:

RESOLUTION NO. 73 – 5/19/14

RESOLUTION TO PAY BILLS

Offered by Councilman Stalker, who moved its adoption.
Seconded by Councilman Toussaint.

Resolved to pay bills as presented:

PREPAID ABSTRACT	\$ 593.88
ABSTRACT	\$ 48388.81
TOTAL ABSTRACT	\$ 48982.69

Adopted: 5 ayes 0 nays

Resident, Carl Wagner, spoke to the board about the flooding on the West side of Knowlesville, between Lilley's and McAdoo's property. He wondered when the ditch will be cleaned to decrease water in backyard.

Highway Superintendent, Mark Goheen, said that the ditch has never been cleaned but it has to be drier to do so. He will also talk with John Lilley to get permission to go on his property to clean the ditch.

David Barhite questioned the board if there were any additional cost of bills for mailings, etc. pertaining to Mindful Media since the original mailings sent to residents prior to the Village of Medina election.

Dean Bellack asked what process determined the amount spent for such mailings. He asked if it was in the budget line and if there would be any communications with the Village in the future or any speaking done by the board.

ADJOURNMENT

As there was no further business to discuss, a motion was made to adjourn the meeting at 8:05 P.M. by Councilman Stalker and seconded by Councilman Toussaint.

Town of Ridgeway,

Barbara J. Klatt
Town Clerk