

PROCEEDINGS OF A TOWN BOARD MEETING HELD AT THE TOWN MUNICIPAL OFFICE ON AUGUST 13, 2009.

The meeting was called to order by Supervisor Taylor at 7:00 p.m. with the following present:

Ronald C. Taylor, Supervisor	Merle C. Otis, Hwy Supt.
Mary C. Smith, Town Clerk	Steve Harter, Ck to Supr. Absent
Michael Gracey, Councilman	Gene Langone, Atty.
William Jesmore, Councilman	Terry Buckley, Assessor
Mark Thompson, Councilman	Jessica Jenack, Planner
Karl Vebber, Councilman	Dean Russell, ZEO

A motion was made by Gracey and seconded by Thompson to adopt the minutes of the regular meeting held on July 9, 2009. Carried Ayes 5 Nay 0.

Evans Mills Volunteer Ambulance gave their monthly report.

Mayor Lee Carpenter has requested the Town to purchase a TRACS system for the Village of Black River and Evans Mills Police Department. The cost of this equipment would be \$4000. A motion was made by Thompson and seconded by Jesmore to have the Town Attorney provide an Intermunicipal agreement between the Town and the two Villages. Carried Ayes 5 Nay 0.

Jessica Jenack reported on Planning Board projects. Also, she has asked the board for permission to attend NY Planning Federal Conference in Lake Placid September 13-15. A motion was made by Thompson and seconded by Vebber to authorize Jessica Jenack to attend Conference. Carried Ayes 5 Nay 0.

Gregor Smith, BCA reported that the Carey Well was now online. He presented a quote for installing a fence around the well heads from Marcellus Construction in the amount of \$13,550.00. The board wanted to wait until next month board meeting to further discuss this with the Financial Officer.

Merle C. Otis, Highway Superintendent would like to purchase a new roll-off for the transfer site. Merle has obtained two quotes Hacker's Packers in the amount of \$3950.00 and TEPCO in the amount of \$4100.00. A motion was made by Vebber and seconded by Gracey that we purchase the roll off from Hacker's Packer in the amount of \$3950.00. Carried Ayes 5 Nay 0.

A motion was made by Gracey and seconded by Thompson that Abstract #8, vouchers 723-876 in the amount of \$158,767.37 be paid from the above accounts.

Cash Balances as of
July 31, 2009

Current Month
Abstract #8

\$	2,079,463.09	General Fund	\$84,798.45
\$	280,669.31	Highway Fund-Townwide	\$ 8,780.49
\$	596,214.38	Highway Fund-Town Outside	\$37,556.74
\$	65,061.76	Water District # 1	\$ 1,492.04
\$	430,912.58	Water District # 2	\$ 7,734.26
\$	12,319.98	Water District # 3	\$ 370.39
\$	71,752.56	Sewer District # 1	\$ 4,674.93
\$	93,405.65	Sewer District # 2	\$ 2,599.96
\$	7,285.21	Sewer District # 3	\$ 1,767.36
\$	3,988.82	Capital Project # 3B	\$
\$	8,209.73	Capital Project # 4S	\$
\$	229,071.76	Capital Project # 4W	\$ 4,685.70
\$	3,241.70	Trust & Agency	\$ 4,307.05

Carried Ayes 5 Nay 0.

A motion was made by Vebber and seconded by Thompson to approve the following resolution:

**NYS Department of State
2009-2010 Local Government Efficiency Grant Program
Resolution**

Whereas: The NYS Department of State – Division of Local Government Services has announced the availability of funding to support cooperative and shared municipal service initiatives through the 2009-20010 Local Government Efficiency Grant (LGEG) Program; and

Whereas: The Lewis County towns of Denmark, Lowville Croghan and Martinsburg and Village of Lowville and the Jefferson County towns of Adams, Alexandria, Champion, Clayton, LeRay, Philadelphia and villages of West Carthage and Philadelphia, in conjunction with Lewis & Jefferson Counties, have a shared interest in enhancing cost/benefit efficiencies and effectiveness through the management of highway and water/sewer resources based upon an economy of scale; and

Whereas: Said towns, villages and counties are eligible to apply for a not-to-exceed amount of \$400,000 per county or a not-to-exceed \$800,000 total project cost with a 10% local cash match through the LGEG category of Efficiency Implementation and/or 21st Century Demonstration Grant: and

Whereas: said towns, villages and Jefferson County are requesting Lewis County serve as lead applicant, on behalf of all parties, in submitting a request to LGE Grant Program for funding in a shared effort to contract for professional services to inventory highway and water/sewer resources, purchase/renew license of management software & equipment and train staff to build management capacity to implement the “Lewis & Jefferson County: Joint Infrastructure Management Initiative; and

Whereas: The Lewis County towns of Denmark, Lowville, Croghan and Martinsburg and Village of Lowville and Jefferson County towns of Alexandria, Champion, Clayton, LeRay, Philadelphia and villages of

Philadelphia & West Carthage and Jefferson County will serve as co-applicant to the request for funding and will enter into an inter-municipal agreement with Lewis County upon receiving notice of an LGEG award for funding; and

Whereas: The towns of Denmark, Lowville, Croghan, Martinsburg, Alexandria, Champion, Clayton, LeRay, Philadelphia and villages of Lowville, Philadelphia and West Carthage, in conjunction with Lewis & Jefferson Counties, will share in providing the 10% local cash match, of a not-to-exceed amount of \$80,000 for a total project cost not to exceed \$800,000, through the respective highway budgets; therefore

Be it Resolved: that the Town of LeRay authorizes Lewis County to serve as lead applicant and the Chair, Jack T. Bush, to submit an application to the New York Department of State for funding through the 2009-2010 Local Government Efficiency Grant Program; and

Be it further Resolved: that the Town of LeRay authorizes the Chair, Jack Bush, to sign all agreements, certifications and other documents required to complete the application and to accept grants and administer the programs that are to be proposed through the NYS DOS 2009-2010 Local Government Efficiency Grant Program, on behalf of the towns of Denmark, Lowville, Croghan, Martinsburg, Adams, Alexandria, Champion, Clayton, LeRay, Philadelphia and villages of Lowville, Philadelphia and West Carthage and Jefferson County.

By Order of the Town Board of the Town of LeRay: The question of the adoption of the foregoing resolution was duly put to vote as follows:

Supervisor Taylor	Voting- Yes
Councilman Gracey	Voting- Yes
Councilman Jesmore	Voting- Yes
Councilman Thompson	Voting- Yes
Councilman Vebber	Voting- Yes

The resolution was hereby declared and duly adopted. Carried Ayes 5 Nay 0.

RESOLUTION

At a regular meeting of the Town Board of the Town of LeRay, Jefferson County, New York, held at the Town Offices, in said Town, on the 13th day of August 2009 at 7:00 p.m., prevailing time.

The meeting was called to order by Supervisor Taylor and upon roll being called, the following were:

PRESENT:

<u>Ronald C. Taylor</u>	<u>Supervisor</u>
<u>Michael Gracey</u>	<u>Councilman</u>
<u>William Jesmore</u>	<u>Councilman</u>
<u>Mark Thompson</u>	<u>Councilman</u>
<u>Karl Vebber</u>	<u>Councilman</u>

ABSENT:

The following resolution was offered by Councilman Thompson, who moved its adoption, second by Councilman Gracey, to wit:

WHEREAS, the Town Board of the Town of LeRay is in receipt of a proposed agreement from the County of Jefferson with respect to transferring jurisdiction of certain County highways to the Town and certain Town highways to the County, and

WHEREAS, the Town Board has duly reviewed such agreement together with the Highway Superintendent, and

WHEREAS, the Town Board finds that the proposed transfers would be in the public interest, and

WHEREAS, such transfers are allowed pursuant to Sections 115 and 115(b) of the New York Highway Law, and

WHEREAS, the County has proposed a written agreement to effect the same.

NOW THEREFORE BE IT RESOLVED the Town Board of the Town of LeRay does hereby authorize and agree that a portion of County Route 17 also known as Kiser School House Road, and Culvert K064 located on County Route 17 also known as Kiser School House Road may be transferred by the County and to the Town, and it is further

RESOLVED, that a portion of Simonet Road, the Simonet Cutoff Road, a portion of Gardnerville Road, and Culverts K024, K025 and K027 shall be transferred by the Town to the County pursuant to the written agreement, a copy of which is attached hereto; and it is further

RESOLVED, that the Town Supervisor and the Town Highway Superintendent are hereby authorized and directed to execute such agreement annexed, and all documents necessary to carry-out such transfers, and it is further

RESOLVED that upon the completion of the conveyances as outlined, the Town shall take full responsibility for all facilities transferred to it from the County and the County shall take full responsibility for all facilities transferred to it from the Town.

The question of the adoption of the foregoing resolution was duly put to a vote as

follows:

<u>Ronald C. Taylor</u>	<u>Yes</u>
<u>Michael Gracey</u>	<u>Yes</u>
<u>William Jesmore</u>	<u>Yes</u>
<u>Mark Thompson</u>	<u>Yes</u>
<u>Karl Vebber</u>	<u>Yes</u>

The resolution was thereupon declared and duly adopted.

Carried Ayes 5 Nay 0

RESOLUTIONPRIVATE

At a regular meeting of the Town Board of the Town of LeRay, Jefferson County, New York, held at the Town Offices, in said Town, on the 13th day of August 2009 at 7:00 p.m., prevailing time.

The meeting was called to order by Supervisor Taylor and upon roll being called, the following were:

PRESENT:

<u>Ronald C. Taylor</u>	<u>Supervisor</u>
<u>Michael Gracey</u>	<u>Councilman</u>
<u>William Jesmore</u>	<u>Councilman</u>
<u>Mark Thompson</u>	<u>Councilman</u>
<u>Karl Vebber</u>	<u>Councilman</u>

ABSENT:

The following resolution was offered by Councilman Gracey, who moved its adoption, second by Councilman Vebber, to wit:

WHEREAS, the Town Board of the Town of LeRay is aware that there is a road located within the Town which is known as County Route 17, but which has also been known by other names, which names include the following: Kiser Road, Kiser School House Road, Kizer Road, Keysor Road and Keyser Road, among others.

WHEREAS, the Town Board believes that the name of the road should be consistent, and

WHEREAS, it appears that the family name for which the road is designated as shown on the cemetery monument is Keyser, and

WHEREAS, the Highway Superintendent has recommended to the Town Board that the road hence forth be known as Keyser Road, formerly known as County Route 17.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of LeRay does hereby designate what has previously been known as Kiser Road, Kiser School House Road, Kizer Road, Keysor Road and Keyser Road to hence forth be known as Keyser Road, formerly known as County Route 17, and

BE IT FURTHER RESOLVED, that the Town Highway Superintendent notify the County Highway Superintendent of this designation and that the same also be registered with County Emergency Management Services for purposes of 911 calls.

The question of the adoption of the foregoing resolution was duly put to a vote as follows:

<u>Ronald C. Taylor</u>	<u>Yes</u>
<u>Michael Gracey</u>	<u>Yes</u>
<u>William Jesmore</u>	<u>Yes</u>
<u>Mark Thompson</u>	<u>Yes</u>
<u>Karl Vebber</u>	<u>Yes</u>

The resolution was thereupon declared and duly adopted.

Carried Ayes 5 Nay 0.

A motion was made by Jesmore and seconded by Thompson that the Town do a refresher training course on the Workplace Violence Prevention program. Carried Ayes 5 Nay 0.

A motion was made by Thompson and seconded by Vebber to authorize Supervisor Taylor to sign Intermunicipal Drainage Agreement with NYS DOT located on US Route 11 for LeRay Crossing project. Carried Ayes 5 Nay 0.

A petition was received from the residents of LeRay Heights off of Route 11 to reduce the area speed limit from 30mph to 20 mph.

A motion was made by Jesmore and seconded by Gracey that the board accept Agreement of Adjustment from the NYSDOT for 2 parcels of land owned by the Town in the amounts of \$8,925 and \$18,950 located on Anable Ave. for the new Fort Drum Connector road and to authorize Supervisor Ronald Taylor to sign agreements. Carried Ayes 5 Nay 0.

Terry Buckley, Town Assessor reported that he has completed the 6 year plan for annual assessing and it has been approved by ORPS. He would like to attend the Annual Assessor Conference in Saratoga September 27-30.

A motion was made by Jesmore and seconded by Vebber to authorize Terry Buckley, Assessor to attend the annual Assessor Conference in Saratoga September 27-30. Carried Ayes 5 Nay 0.

Terry's computer has been replaced; he would like to take the old one home for his use when someone calls at home he could look up the information and give them an answer. A motion was made by Vebber and seconded by Thompson to authorize as a town asset the use of the computer in his home. Carried Ayes 5 Nay 0.

A motion was made by Thompson and seconded by Gracey that the board pass the following resolution and publish such resolution which is subject to permissive referendum.

RESOLUTION

At a regular meeting of the Town Board of the Town of LeRay, Jefferson County, New York, held at the Town Offices, in said Town on the 12th day of February, 2009 at 7:00 p.m., prevailing time. The meeting was called to order by Supervisor Taylor and upon roll being called, the following were:

PRESENT:

Ronald C. Taylor	Supervisor
William Jesmore	Councilman
Mark Thompson	Councilman
Karl Vebber	Councilman
Michael Gracey	Councilman

The following resolution was offered by Councilman Thompson who moved its adoption, seconded by Councilman Gracey, to wit:

WHEREAS, the Town owns a well site in fee and easement access to the same acquired by deed dated August 1, 1991; said easement access running through the lands currently owned by Eagle Ridge Partners and JCIDA, and

WHEREAS, Eagle Ridge proposes to provide a more direct access easement to existing well site and land of Town (Irving Place) and the Town Board of the Town of LeRay has determined that certain realty referenced in GYMO Project 2005-2145.12 (Eagle Ridge) as

lot 3 is necessary for such realignment, and

WHEREAS, the .137 acre parcel is deemed to be surplus and not necessary for any public purpose, and

WHEREAS, the Town Board wishes to free such parcel for the transfer thereof in exchange for an amended access easement which is a more direct route to the well site, Now, therefore be it

RESOLVED that the Town Board of the Town of LeRay does hereby declare that the property so described is surplus and unneeded for any Town purpose and thus available for transfer, and it is hereby

RESOLVED that this resolution and the transfer of said .137 acre parcel is subject to receipt of JCIDA's approval of Eagle Ridge's intentions and completion and filing of pending Subdivision plat, and it is hereby

RESOLVED that this resolution declaring this property to be surplus and therefore available for transfer is subject to permissive referendum. The Town Clerk is directed to publish a notice in the official newspaper of the Town indicating the passing of this Resolution subject to permissive referendum, and it is hereby

RESOLVED that this Resolution shall become effective thirty (30) days after publication in the newspaper unless a permissive referendum is requested in which event it shall become effective only after approval at referendum.
Carried Ayes 5 Nay 0.

A motion was made by Thompson and seconded by Gracey that the board goes into executive session at 8:40 p.m. to discuss ongoing litigations. Carried Ayes 5 Nay 0.

A motion was made by Vebber and seconded by Gracey that the board return to regular session at 8:45 p.m. Carried Ayes 5 Nay 0.

A motion was made by Vebber and seconded by Thompson that the board adjourns meeting at 8:50 p.m. Carried Ayes 5 Nay 0.

Respectfully given:

Mary C. Smith, RMC

Town Clerk