

**Regular Town Board Meeting
April 19, 2006**

Call to Order: The regular meeting of the Town Board was called to order at 7:30 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 Collingsworth	Present

Others Present: Town Clerk, Terry Smith
Planning Board Chairman, David Hayes
Zoning Officer, Lee Hoaglan
Highway Superintendent, Jim Williamson
Water Commissioner, Jack Holley
Dog Control Officer, Aaron Covert
Ovid Gazette, Bill Chaisson
Town of Romulus Attorney, James Gabriel
Residents 11

Pledge of Allegiance: followed by a moment of silence.

Public Hearing: Supervisor David Kaiser opened the Public Hearing to discuss Zoning changes for the Industrial Parks. The County Planning Department suggested these changes in order to facilitate the potential development on the Seneca Army Depot with regards to Empire Bio Fuel. The Supervisor asked if there were any comments or questions. There were none and therefore, he closed the Public Hearing.

Approval of Minutes: Town Board Minutes, March 15, 2006
Motioned: Councilman Robert Gerlach
Seconded: Councilman Kyle Collingsworth
Carried Unanimously

Petitioners to the Board:

Mr. Zajac is here tonight as a Romulus Taxpayer, he explained that he was looking over some information that has been circulated throughout the town dealing with the sidewalk project in the Hamlet of Romulus. Mr. Zajac understands that any sidewalk project that any village or any board wants to take on is fine as long as the cost of that project is confined to benefit the district. Mr. Zajac stated that he had some serious questions on this proposal. He is not sure whether it is a proposal or whether there has been public hearings or meetings on it. He understands there was a public hearing on this and he states that he never received the minutes.

Supervisor Kaiser stated the public hearing Mr. Zajac is referring to was held in June 2005. Mr. Kaiser explained that it was a public hearing at a regular board meeting.

Mr. Zajac said that his only purpose here tonight was to address the financial part of that project. Mr. Zajac stated he had a lot of questions about liability, maintenance and using the type of labor that we are using. The first question Mr. Zajac asked was “Why the Hamlet of Romulus?”

Supervisor Kaiser said, “Safety of our youth coming to and going from school has been an ongoing issue in the Hamlet of Romulus. Because there is no sidewalk system on the Main Street, these students are forced to walk on the main highway. That has always been a concern of mine. In 1997, a camper on Main Street in the Hamlet of Romulus had struck a young girl. Anyone driving through the Hamlet of Romulus, has observed students walking along the highway. This Town Board has worked very hard on this issue. We were successful in getting a speed zone established in front of the School. This speed zone contributes greatly to the safety of our youth. The feelings of this board unanimous in the passing of the resolution brought forward in June of 2005.” Mr. Kaiser also states that he felt the town should continue to address the safety of our students in the Romulus School district.

Mr. Zajac replied “Shame on you using safety as an issue to put sidewalks in”. Mr. Zajac said “to use a safety issue when you have safety issues throughout this whole Township. You want to talk about safety issues, talk about traffic going up the Main Street”. Mr. Zajac the said “shame on all you Board Members for using an incident of safety like that to fund the sidewalk project out of Town funds”.

Supervisor Kaiser interrupted Mr. Zajac and said that Mr. Zajac is mistaken about the funds. The Bookkeeper had explained to Mr. Zajac in great detail what we are doing with regards to the funds. Supervisor Kaiser continued by saying that the Town is not purchasing sidewalks for anybody. What the Town Board has decided to do is to come up with a plan to make it possible for these residents and other residents who would like to have sidewalks improved, to establish a financial means to make it possible. What the Town has done is taken monies that were raised for services to other entities and put these monies aside for this project, not tax dollars. This money was derived from two places. One was the money that the town received from the Governor’s Office to administer the CDBG monies that have been funneled through us for Depot Development. The Town received \$12,796.00 for administrative fees for doing this. The second source is monies the town received for various contracted municipal work. In this case, it would be the Town of Varick. The money was set-aside in a fund, which will be a revolving loan fund. The Town will upfront the money from this fund for the cost of materials for the sidewalks. Then if the residents so choose will pay for these sidewalks in full or the Town will work an agreement out with the residents for so many dollars per year, 5 or 8 or 10 years whatever the Town Board decides is sufficient time for the residents to payback the fund. Hopefully throughout the Town, the Village of Willard and the Hamlet of Romulus, other residents will be able to make use of this program and pay it back. If, on the other hand, the town is successful in receiving grant money, to pay

for a particular project such as in the Hamlet of Romulus, which is being pursued by the Town Board, then of course that money if successful in receiving this grant will be applied toward those residents in the affected district. This would be the same if we received grant monies for installing water lines. We are progressively pursuing water on Route 89 as well as other projects that would be funded in the same way.

Mr. Zajac then asked if the CDBG monies of \$41,000.00 were given to the Hamlet of Romulus? Supervisor Kaiser explained that the \$41,000.00 was part of the request for grants. Mr. Zajac asked what the "Town additional line strain" was.

Supervisor Kaiser explained that if we decided to go ahead with the project, this is showing them that we can do it with less money, but we probably would not want to do that.

Mr. Zajac said that there were entirely too many people including him that would not benefit from this project. Mr. Zajac also proposed the question of these sidewalks being maintained.

Supervisor Kaiser asked Mr. Zajac to recall who put the sidewalks in at Hernon Park back when he was Supervisor.

Mr. Zajac couldn't remember and also said that it wasn't a sidewalk it was a track. Mr. Zajac seems to think it might have been Jim MacCheyne.

Supervisor Kaiser said that the Town Highway did the track. Mr. Zajac said that the Town Highway might have contributed some of the work. Mr. Williamson said that he did some of the work in the drainage ditch at Hernon Park. Supervisor Kaiser then said that Mr. Zajac had the Town Highway using town funds to do work in a private park off the Town right of way, at the Town Tax Payers expense.

Mr. Zajac said, "that the total tax payers could go and use that Park. Not everyone will go and walk on the sidewalks at Romulus School. You don't go ask a tax payer to pay for somebody else's sidewalk".

Supervisor Kaiser agreed the taxpayers shouldn't purchase sidewalks for any other resident.

Mr. Zajac then said "if you agree with me then you would be doing it in the proper manner, which is to establish a separate special sidewalk district with maps and boundaries and say "fine" we will form that district and petition those people. You have to have a vote and on and on and on. If you want to loan that district the money with the liability of paying it back, fine, but don't put the liability of some project on my shoulder".

The next petitioner scheduled is Stanley Legawitz - Mr. Legawitz is not here tonight.

Communications to be Filed

- a. Seneca County IDA – Payment in Lieu of Taxes – See Attached
- b. Senator Nozzolio – Considering request for sidewalk funds – See Attached
- c. Letters to the Town of Varick – See Attached
 - I. Requested proposal for bookkeeping services
 - II. Letter for non-payment (still waiting for debt service funds)
- d. Assemblyman Kolb – See Attached
 - I. Letter requesting funds for sidewalks
 - II. Considering request for sidewalk funds
- e. Seneca Meadows – Request for support of their expansion efforts – See Attached.
- f. Seneca County Health and Safety Fair – May 6, 2006 from 10am – 1 pm at the Seneca County Fair Grounds. Post on Bulletin Board

Code Enforcement Officer – Report Attached

- a. Letter to property owner at 1869 Rte 96 – Unlicensed, unregistered vehicles – attached.
- b. Letter to owner at 2872 Swick Rd. – unlicensed/unregistered vehicles - attached. Sent to Current resident
- c. Letter to owner at Timberlake Terrace – notification for special use permit attached
- d. Letter of Resignation presented to Town Board. Mr. Hoaglan offered to help any new person taking his place. Also he made a suggestion that any new employee be made employee of the town and not contracted by Town.

Planning Board's Report

- a. Minutes Attached – March 13, 2006
- b. Minutes Attached – April 3, 2006
- c. GFLRP Regional Workshop – Friday, May 19, 2006.

A resident at Lake Shore Landing has requested a 160' dock. At this point in time we don't have anything in the Zoning for the length of a dock. I talked with the Army Corp of Engineers who are the ones to oversee all waterways in the United States. The lady I talked to was in charge of the project for the resident said that if they would if we would put a moratorium on it at this time they would restrict the dock to 75' until further review. They would honor it. They realize that we are not trying to tell them what they can or cannot put up in the water. They are willing to go with the fact that it is a view issue. It hampers the neighbors view. They honor those but they don't expect us to tell them what they can or cannot do in the water as we have no jurisdiction with that. I am asking the Board to pass a resolution to put a moratorium on dock building in the Town of Romulus to a 75' limit. This would be for 90 days. This would be sufficient time for the Planning Board to get it all worked out. Town Attorney Jim Gabriel said that Moratoriums are a dangerous thing particularly that we have never regulated the size of docks. The rule that the Corp gives is that you can go 100 feet for up to 4 foot depth which ever occurs first. Mr. Hayes said he talked to representative and to hit the 4 foot mark, they would have to go 160 feet. The event occurs that is regulated by

the Home Owners Assoc. and they are highly regulated. Mr. Gabriel said he would think that the Town would want to consider even before the moratorium exactly what we would be getting into to regulate all your shoreline in the terms of Docks. If the issue is in a sub division that has a Home Owners Association, maybe they should be implementing what they want to do. A representative from this Home Owners Assoc. is here, Sue Ellen Bulluss. Ms. Bulluss spoke saying they are looking for support from the Town on this issue. This is not just the size of the Dock but also the Lift with a cover on it and additional decking. It would be a little town out there. Mr. Gabriel said that the Home Owners Assoc. would have an easier time regulating view issues than the Town would. Moratoriums are usually a last resort and the Town would be putting itself in a firing line for sure as far as the litigation is concerned. The Corp Of Engineers said they would stand behind the Town with whatever the Town wanted to do. If the Town wanted to stay with 75 feet then that is what you would get. Mr. Gabriel said that you need to be careful in establishing something for one particular event when you have a lot of shoreline. Mr. Gabriel recommended that the town board be given a copy of the newsletter concerning moratoriums. The Planning Board will be looking into this matter and getting more facts. The Town Board has not completely dismissed the idea of proposing a moratorium.

Zoning Board Report See attached.

Highway Superintendent's Report See Attached

Monthly Report - Sweeping of the intersections will be finished April 20, 2006

Highway School Request for Jim Williamson

There is going to be an accident in Hayts Corners with chickens running across the roads etc.

NYMIR – Loss Prevention Report These are recommendations that NYMIR wants the Town Board to Address. We are required to make the corrections suggested in their report. This will be forwarded to the Highway committee to look at.

Request for resolution for grant proposal – Resolution in the packet

Dog Control Officer's Report

Monthly Report Attached – Looks like a very busy month.

Water Commissioner's Report

We are continuing to work on the Willard water line replacement project. The pipe has arrived at our vendors yard.

A request to hook to the Romulus Water & Sewer District has been received on behalf of Mike Millspaugh who is purchasing a lot in Romulus. I have spoken with his contractor and I would recommend granting his request.

We have chosen an Engineer to do the work on the Willard water project. I would like the boards permission to have him start on the project.

Supervisor's Report

I am proud to announce, officially, the Romulus Town Web Site. It was created by our Bookkeeper, Angle Lawrence. It is up and running. The address; Romulustown.com. We are very proud that we had staff that was capable to creating this web site. It was done very inexpensively. We had software that we received in a software package that was received from other software that was purchased.

I would like to report on some contracts that we have in the works. They are service contracts with other entities. The contract for the administration of the State Veterans Cemetery is still in the early stages. The project is moving ahead per Senator Nozzolio's Office. We are in negotiations with the town of Varick to provide Bookkeeping services. That is also in the negotiating stages.

The Town Board is continuing new ways to lessen the burden on our Town Tax Payers. This Board is very proud that in the last few years, we have been able to expand services to our town residents, and provide pay raises to our Town Employees. We also have still lowered taxes.

On March 29, 2006, the Town hosted an ad hoc committee meeting on mailbox vandalism. Out of that meeting we established the South Seneca Mailbox action Committee. This will be made up of the Supervisors of the South Towns of the County, Board members of the towns, and any concerned resident who is concerned with mailbox vandalism. Our intent to create a deterrent. Amongst many things we have a \$300.00 reward leading to any information on any culprits. We are pursuing the purchase of surveillance cameras with the Sheriff's Dept. of Seneca County placed in various spots and having them rotate. We will be advertising this and making it well known that this make culprits think twice. Dumpster Days will be June 9 and June 10, 2006, Friday and Saturday, from 8 AM to 6 PM. Starting this year, we will be requiring a photo ID. The problem was the last couple of years there has been an abuse.

I would like to Thank the staff at the Willard Drug Treatment Campus, for the expert craftsmanship and installation of our new Town Seal Sign on the Front of our Town Hall. We are looking forward to the New Welcome Town Signs also being created by the staff at the Willard Drug Treatment Campus.

I hope that all the residents of this Town can look at ourselves as a wheel with each of our communities and all parts in between that are signified on our town seal, can look at each other as one community where we are one for all and all for one. I hope that we don't get into any politics of division and pit one resident of the town against another or one section of the town against another.

Committees:

Heron Park Meeting schedule for 9:00 AM on April 24, 2006

Old Business - None

New Business – Mr. Hoaglan spoke about having called Mr. Gabriel on numerous

occasions for his legal opinions and advice on different things and would like to commend him for the wonderful job he has done and all the assistance he has given this Zoning Officer over the years.

Mr. Hayes, speaking as a resident not of the Hamlet of Romulus, said that he thinks the sidewalks are a definite plus. He does not live in the Hamlet but does see kids up and down the highway.

Resolutions:

Accept Zoning Law Amendments

Resolution #27-06

Not acted on

Verification of Payables

Resolution #28-06

Motioned: Councilman Robert Gerlach

Seconded: Councilman Ralph Walborn, Jr.

Carried Unanimously

Authorize Planning Board Members to attend School

Resolution: #29-06

Motioned: Councilman Robert Gerlach

Seconded: Councilwoman Barbara McCall

Carried Unanimously

Authorize Water Dept Employees to Attend Conference

Resolution #30-06

Motioned: Councilwoman Barbara McCall

Seconded: Councilman Ralph Walborn, Jr.

Carried Unanimously

Authorize Highway Superintendent to attend Conference

Resolution #31-06

Motioned: Councilman Robert Gerlach

Seconded: Councilman Ralph Walborn, Jr.

Carried Unanimously

Authorize Supervisor to Sign Engineer's Proposal

Resolution #32-06

Motioned: Councilman Ralph Walborn, Jr.

Seconded: Councilman Robert Gerlach

Carried Unanimously

Agreement for Town to Commit to Funding its Portion of the Grant

Resolution #33-06

Motioned: Councilman Robert Gerlach

Seconded: Councilman Ralph Walborn, Jr.

Carried Unanimously

Support for Landfill Expansion

Resolution #34-06

Motioned: Councilman Robert Gerlach

Seconded: Councilwoman Barbara McCall

Carried Unanimously

Approve & Sign Application for Water

Resolution #35-06

Motioned: Councilman Robert Gerlach

Seconded: Councilman Ralph Walborn, Jr.

Carried Unanimously

Approve & Sign Application for Sewer

Resolution #36-06

Motioned: Councilman Ralph Walborn, Jr.

Seconded: Councilman Kyle Collingsworth

Carried Unanimously

**Accept Resignation From F. Lee Hoaglan in the Capacity of Zoning Officer
For The Town of Romulus**

Resolution #37-06

Motioned: Councilman Robert Gerlach

Seconded: Councilman Kyle Collingsworth

Carried Unanimously

Town Clerk's Report

Monthly Report – Accept

Motioned: Councilman Robert Gerlach

Seconded: Councilwoman Barbara McCall

Meeting adjourned:

Motioned: Councilwoman Barbara McCall

Seconded: Councilman Kyle Collingsworth