

Town Board Members Present: Supervisor – Randy Preston
Councilman- Steve Corvelli
Councilman- Darin Forbes
Councilwoman-Dawn Stevens
Councilwoman-Rarilee Conway

Public Present: Gerald Bruce-Town Clerk, Bob Guynup-Code Enforcement, Mark J. Holzer, Celia Stephenson, Bill Meyer, Mini Shinkle, David Neumann, Alison Follos, Tim Preston, Wendy & Lyle Holzer, George Buck, Tom Hinman, Bob Hockert, Eric Voorhis (LPN) Scott Avery, Blanche Peck, Eric Diehl, Jeri Wright, Ford Hozley, Nancy Murphy, Al & Alicia Armstrong Darrell Austin & Dorothy Dadds.

RESOLUTION 46-10 TOWN BOARD APPROVED 6/8/2010 AND 6/30/2010 MINUTES.

Motion – Rarilee Conway Seconded – Steve Corvelli All in Favor

PUBLIC HEARING- 7:01 PM –TO DISCUSS THE PASSING OF LOCAL LAW # 4-10 PROVIDING FOR THE TAXATION OF CONVERTED CONDOMINIUM UNITS.

There were no questions from the Public.

PUBLIC HEARING CLOSED. 7:02 PM.

RESOLUTION 47-10 THE WILMINGTON TOWN BOARD HEREBY DETERMINES AND PROVIDES THAT THE PROVISIONS OF REAL PROPERTY TAX LAW # 581 SHALL NOT APPLY TO CONVERTED CONDOMINIUM UNITS WITHIN THE TOWN OF WILMINGTON.

WHEREAS, a proposed Local Law #4 for 2010 concerning the "Taxation of Converted Condominium Units" was introduced by Darin Forbes, Councilman, on the 13th day of July, 2010, and a copy of said proposed Local Law having on that date been delivered to or placed on the desks of all the members of the Town Board of the Town of Wilmington, and

WHEREAS, and by Resolution of the Town Board of the Town of Wilmington duly adopted on the 13th day of July, 2010, the Town Board did determine to conduct and hold a Public Hearing upon said Local Law on the 13th day of July, 2010, at the Town Hall, Wilmington, Essex County, New York, at 7:00pm, and

WHEREAS, said Notice of Public Hearing has been duly posted and published as required by law, and

WHEREAS, said Public Hearing was duly held and all persons attending the same have been heard.

NOW, THEREFORE, and after due deliberations, it is hereby enacted, ordered and resolved as follows:

1. That the Local Law of the Town of Wilmington entitled "Taxation of Converted Condominium Units" being proposed Local Law #4 for 2010 addressed within the Town of Wilmington be and the same is hereby enacted and adopted subject to complying with the filing requirements of the Municipal Home Rule Law of the State of New York.

2. That the Town Clerk and Town Attorney for the Town of Wilmington are hereby authorized, empowered and directed to file the same with the offices of the Secretary of State of the State of New York, as required by law.

3. That upon the filing of said Local law, the same shall become effective.

4. This Resolution shall take effect immediately.

Role Call Vote: Randy Preston - Yes
 Darin Forbes - Yes
 Rarilee Conway - Yes

 Dawn Stevens - Yes
 Stephen Corvelli - Yes

PUBLIC HEARING 7:06 PM

CONCERNING APPLYING FOR A \$200,000 COMMUNITY DEVELOPMENT BLOCK GRANT FOR SMALL BUSINESSES. MICRO ENTERPRISE PROGRAM.

There were no questions.

CLOSED PUBLIC HEARING 7:07 PM

RESOLUTION 48-10 TOWN BOARD WILL APPLY FOR A MICROENTERPRISE GRANT IN THE AMOUNT OF \$200,000 THROUGH THE NEW YORK STATE HOUSING AND TRUST FUND CORPORATION, NEW YORK STATE OFFICE COMMUNITY RENEWAL, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Motion – Darin Forbes Seconded – Dawn Stevens All in Favor

RESOLUTION 49-10 TOWN BOARD APPROVED A SUBRECEPIENT AGREEMENT BETWEEN THE TOWN AND THE ESSEX COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA) FOR A MICROENTERPRISE GRANT THROUGH NEW YORK STATE HOUSING AND TRUST FUND CORPERATION, THE NEW YORK STATE OFFICE FOR COMMUNITY RENEWAL, COMMUNITY DEVELOPMENT BLOCK GRANT. THE ECIDA IS TO RECEIVE \$2,500 FOR PROGRAM ADMINISTRATION AND \$5,000 FOR PROGRAM DELIVERY.

Motion- Darin Forbes Seconded - Dawn Stevens All in Favor

REGULAR TOWN BOARD MEETING
TUESDAY, JULY 13, 2010
7:00 PM – COMMUNITY CENTER

**PUBLIC HEARING 7:08 PM – PROPOSED AMENDMENT OF THE LOCAL ORDINANCE
PROVIDING FOR LICENSING AND REGULATING FOR AUTOMOBILE JUNK YARDS IN
& FOR THE TOWN OF WILMINGTON.**

Celia Stephenson- Why do we need a amendment to the junk vehicle ordinance.

Supervisor Preston- The current law allows for one “junk” vehicle to be visible indefinitely this amendment would include that abandoned vehicle.

Mark J. Holzer There is a tree down of Bonnieview Rd., The grass needs mowing near the Cemetery, The Town Men should take care of that problem.

David Neumann- Why not just junk vehicles? Why have bus, trailer, truck, tractor, motor home, motorcycle, mini bicycle, snowmobile, go-cart, bicycle, golf cart, lawn mower, travel trailer, camper or any other pieced machinery Originally intended to travel.

Supervisor Preston- one lawn mower is not a problem having 8-10 lawn mowers in your yard would be.

Scott Avery-Why not just enforce the law now in effect, look what’s happening at the corner can’t that be enforced?

Supervisor Preston- Our Code Enforcement Officer summons them and they clean up then clutter again.

Lyle Holzer- What if you are building one vehicle from two vehicles?

Supervisor Preston- just keep them out of sight.

Alison Follos-Residentually it’s a great place to live.

There were no more questions

Town Board will amend the amendment to the local junk yard ordinance.

PUBLIC HEARING CLOSED 7:29 PM

RESOLUTION 50-10 TOWN BOARD APPROVED THE AMENDMENT TO THE LOCAL ORDINANCE PROVIDING FOR LICENSING AND REGULATION AUTOMOBILE JUNK YARDS IN THE TOWN OF WILMINGTON, ESSEX COUNTY, NEW YORK, DATED 11/6/1967.

**AMENDED ORDINANCE (Amending Ordinance date,
November 6,1967)**

**A Local Ordinance Providing for Licensing and Regulating Automobile Junk Yards in the Town of
Wilmington, Essex County, New York**

BE IT ENACTED by the Town Board of the Town of Wilmington, Essex County, New York as follows:

This Amendment to the aforementioned Ordinance shall include revisions to Section 2: Definitions and Section 3: Requirement for Operation or Maintenance.

SECTION 2: DEFINITIONS

Junked Vehicles means any motor vehicles whether automobile, bus, trailer, truck, tractor, motor home, motorcycle, mini bicycle, snowmobile, all terrain vehicle, go-cart, bicycle, golf cart, lawn tractor, boat, snow blower, lawn mower, travel trailer, camper, or any other pieced machinery originally intended for travel on the public highways which (1) is unlicensed, wrecked, stored, discarded or dismantled or partly dismantled; which is not intended or in any type of usable condition. With respect to any motor vehicle not required to be licensed or motor vehicle not usually used on public highways, the fact that such motor vehicle has remained unused for more then six (6) months and is not in condition to be removed under its own power, shall be presumptive evidence that such motor vehicle is a "junk vehicle".

SECTION 3: REQUIREMENT FOR OPERATION OR MAINTENANCE

Individual Junk Vehicles No individual junk vehicle, as that term is defined herein, may be located so as to be visible from public roads, public trails, public boat or canoe routes for a period of greater than six (6) months. In the event that a junk vehicle is visible from these areas, the junk vehicle must be removed within ten (10) days of receiving notice from an authorized officer of the Town of Wilmington.

Anyone in violation of this Section 3 shall be subject to the same penalties as set forth in Section 13 of the original Ordinance.

BE IT FURTHER ENTEND THAT: All other provisions of the original Ordinance regarding this Licensing and Regulations of Automobile Junk Yards, dated November 6,1967 shall remain in full force and effect.

This Ordinance shall take effect ten (10) days after publication and posting of said Ordinance pursuant to applicable Section of Town Law.

Supervisor – Randy Preston	YES
Councilman- Steve Corvelli	YES
Councilman- Darin Forbes	YES
Councilwoman-Dawn Stevens	YES
Councilwoman-Rarilee Conway	YES

Carried (5 YES 0 NOS)

Town Board discussed Wayne Price selling packaged goods at the beach ..Ice Cream ...soda ...etc.
 Darin Forbes....He would not have exclusive rights.
 Dawn Stevens...He should be given a spot to set up.

**RESOLUTION 51-10 TO ALLOW WAYNE PRICE TO SELL PACKAGED GOODS AT THE BEACH
 AND PAY FOR WHAT EVER EXECTRICITY HE USES.**

Motion – Darin Forbes Seconded – Dawn Stevens All in Favor

The Town is updating the Land Use Code and the committee has completed the revision and would like meet with the public on July 28, 2010 at 7:00 at the Community Center for questions and answers and any possible additions or deletions.

Next work session will be on July 28, 2010 at 4:30 PM.

RESOLUTION 52-10 TOWN BOARD APPROVED TRANSFERS AND EXPENSES.

Payrolls			Amt:	22338.57
Social Security			Amt:	1618.41
Health Insurance			Amt:	6131.25
Other:			Amt:	
Other:			Amt:	
Other:			Amt:	
			Amt:	
Highway	<u>From:</u> H138	To H160	Amt.	6988.25
		:		
Payrolls			Amt.	10952.49
Social Security			Amt.	789.59
Health Insurance			Amt.	6656.39
Other:			Amt.	
Other:			Amt.	
Water	<u>From:</u> W136	To W162	Amt.	5713.85
		:		
Payrolls			Amt.	2862.40
Social Security			Amt.	291.08
Health Insurance			Amt.	1265.74
Other: BAN Int.			Amt.	1750.00
Other:			Amt.	
GARBAGE DIST.	<u>From:</u> GD23	To GD27	Amt.	1268.02
		:		
Payrolls			Amt.	1351.20
Social Security			Amt.	95.82
Health Insurance			Amt.	954.40
Other:			Amt.	
Other:			Amt.	
WD1 & 2 Project 17052	From: WF27	WF277	Amt.	483.86
	5			

TUESDAY, JULY 13, 2010
7:00 PM – COMMUNITY CENTER

GENERAL

Sale of Surplus	5290.00	7110.2 Park equipment	5290.00
Equipment Fund	5000.00	7110.2 Park equipment	5000.00
Fund Balance	8371.00	7110.2 Park equipment	8371.00
CYC Reimbursement	3632.00	7310.4 Yth Center expense	3632.00
Contingency	500.00	6772.4 Aging expense	500.00
Beautification (Adeline's Fund)	2000.00	8510.4 Beautification expense	2000.00
Totals	24793.00		24793.00

Motion – Rarilee Conway Seconded- Dawn Stevens All in Favor

Motion to Adjourn by Dawn Stevens Seconded by Rarilee Conway All in Favor

Respectfully Submitted:

Gerald L. Bruce/Town Clerk