

REGULAR TOWN BOARD MEETING
TUESDAY, NOVEMBER 17, 2009
7:00 PM-COMMUNITY CENTER

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

Public Present: Gerald Bruce-Town Clerk, Bill Skufca-Highway Superintendent, George Buck, Alan Oppenheim, Al Armstrong, Celia Stephenson and Michelle Burns

RESOLUTION 68-09 TOWN BOARD ACCEPTS THE MINUTES FROM 10-13-09/10-14-09
AND 11-4-09

Motion-Rarilee Conway Seconded- Steve Corvelli all in Favor

Allen Oppenheim and Ingrid Beck petitioned the Town to extend Water District #1 to include the Whiteface Overlook (previous White Stag Inn) and the Inn at Whiteface. All expenses for the extension would be paid for by Alan Oppenheim and Ingrid Beck.
This extension to Water District #1 will require a public hearing which was set for 12-8-09 at 7:00 PM.

RESOLUTION 69-09 TOWN BOARD WAS PETITIONED TO EXTEND WATER DISTRICT #1 TO INCLUDE WHITEFACE OVERLOOK LLC AND THE INN AT WHITEFACE PURSUANT TO ARTICLE 12 OF THE TOWN LAW.

SPECIAL DISTRICT: Order Calling Public Hearing on Establishment of the Town of Wilmington Extension #1 of Water District #1

PRESENT:

Town Supervisor Town Board Members

In the Matter Of the Establishment of the Town of Wilmington Extension #1 of Water District #1, in the Town of Wilmington, County of Essex, New York, Pursuant to Article 12 of the Town Law.

ORDER CALLING PUBLIC HEARING TO BE HELD ON DECEMBER 8 , 2009
ESTABLISHMENT OF THE TOWN OF WILMINGTON EXTENSION #1 OF
WATER DISTRICT #1

WHEREAS, the Town Board of the Town of Wilmington (the "Town Board" and the "Town", respectively), in the County of Essex, New York, has received a Petition dated November 17, 2009, pursuant to §191 of the Town Law for the establishment of an Extension of Water District #1 (the "District"), which Petition is signed by the owners of taxable real property situated in the proposed District, owning in the aggregate all of the assessed valuation of all of the taxable real property of the proposed District, as shown upon the latest completed assessment roll of said Town, and further that there are no resident owners of taxable real property in the proposed District owned by resident owners according to the latest completed assessment;

WHEREAS, said Petition purported to described the boundaries of the proposed District in a manner sufficient to identify the lands included therein as in a deed of conveyance and was signed by the

petitioners and duly acknowledged or proved in the same manner as a deed to be recorded; and WHEREAS, the proposed District is bounded and described as follows:

ALL THOSE CERTAIN LOTS, PIECES OR PARCELS OF LAND lying and being in the Town of Wilmington, County of Essex, State of New York, and more particularly shown as Tax Map Parcel ID #26.3-1-25.090 and #26.3-1-80.000 as depicted and shown upon the 2009 Town of Wilmington Tax Maps. The parcels are located along the New York State Route 86 in the Town of Wilmington, County of Essex, State of New York.

WHEREAS, the Town Board has received a map, plan and report duly prepared by Robert M. Sutherland, P.C., competent engineers duly licensed by the State of New York for the proposed establishment of said District, which map, plan and report sufficiently describes the construction of the water system therein, consisting of a pressure station, including such pumps and pump systems and original equipment, machinery, furnishings, fittings, connections, fills, services, appurtenances and related water improvements, and said map, plan and report is on file in the office of the Town Clerk; and

WHEREAS, the Town Board will give due consideration to the impact that such construction may have on the environment and on the basis of such consideration, the Town Board will determine the environmental impact, if any, to be caused by such construction; and

WHEREAS, the maximum amount proposed to be expended for the construction of the improvements in the Extension District is estimated to be \$ 1.00 or less, and the plan of financing does not include the issuance of any serial bonds of the Town to finance said costs, and does not involve the assessment levy or collection of special assessments upon the two parcels of land located within the District, which the Town Board shall determine and specify to be especially benefited thereby, and

WHEREAS, the estimated cost to the typical property, as defined in the Town Law, based on current water rates charged within the Town, will be less than \$624.00 annually; therefore the cost is not above the average estimated cost of the typical properties for the establishment of similar types of districts as computed by the State Comptroller, and be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 7 Community Center Circle, Wilmington, New York on December 8, 2009 at 7:00 P o'clock to consider the establishment of the proposed District herein referred to, and the construction of such water system improvements therein and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED that the Town Clerk publish at least once in the official newspaper of the Town, and post on the signboard of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said

Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing; and

FURTHER ORDERED, that the Town Clerk file a certified copy of this Order with the Comptroller of the State of New York on or before the date of the publication of a copy of this Order.

DATED: 11-17-09

TOWN BOARD OF THE TOWN OF WILMINGTON

Darin Forbes, Councilperson

Stephen Corvelli, Councilperson

Dawn Stevens, Councilperson

Rarilee Conway, Councilperson

PETITION

FOR THE ESTABLISHMENT OF THE TOWN OF WILMINGTON EXTENSION #1
OF WATER DISTRICT #1 ESSEX COUNTY, NEW YORK

The undersigned Petitioners, respectfully petition the Board as follows:

1. The undersigned are the sol* owners of all of the real property located in the proposed area of the Town of Wilmington Extension #1 of Water District #1 (hereinafter "Extension District") and thereby in the aggregate own all of the assessed valuation of the taxable real properties within title area of the proposed extension district, according to the latest assessment rolls of the Town of Wilmington. There are no resident property owners in the proposed Extension District. Annexed as Exhibit "A" is a legal description of the parcels to be included in the proposed Extension District. The parcels are further identified on the Tax Maps for the Town of Wilmington, Essex County, New York as Tax Map Parcel ED #26.3-1-25.090 and (SQ6.3-1-80.000, and are depicted and shown on the map of the proposed Extension Area annexed hereto as Exhibit "B". The area proposed for the Extension lies wholly within the Town of Wilmington and outside of any incorporated city or village.
2. Annexed hereto as Exhibit "C" is the Whiteface Overlook Engineering Map, Plan and Report prepared by Aaron J. Ovios, P.E., for Robert M. Sutherland, P.C., dated September 2, 2009, competent engineers, duly licensed in the State of New York setting forth in detail the boundaries of the proposed Town of Wilmington Extension #1 of Water District #1 and general plan for waterlines and other improvements proposed for the Extension District
3. The maximum amount of Town funds proposed to be expended by the Extension District is less than One (\$1.00) Dollar, as all costs shall be payable by the developer of Tax Map Parcel ID #26.3-1-80.000 within the Extension District
4. It is respectfully requested that the necessary action be taken to create the Extension as shown above pursuant to the provisions of the Laws of the State of New York and such other approvals which shall be required by law.
5. This petition shall request the authorization by the Town to expend the sum of one (\$1.00) Dollar or so much thereof as may be necessary for the construction and acquisition of the Town of Wilmington Extension #1 of Water District #1.
6. Town Board shall apportion any capital costs of the system according to Town Law, §202. The costs as assessed by the Town Board shall be borne in proportion to the benefit which each lot or parcel of land will derive from the system, and the costs of operation and maintenance shall be collected pursuant to §202(a) of the Town Law. The first year cost of debt repayment and full operation for typical properties within the District is less than \$624.00, which will be based upon an ad valorem charges. Hook up fees to the property line are included in the estimated maximum cost
7. The undersigned have signed this petition and set opposite the names, the property owned by them, together with the assessed valuation thereof, according to the last preceding completed assessment roll of the Town of Wilmington, Essex County, New York.

Steve Corvelli Aye Darin Forbes Aye Rarilee Conway Aye Randy Preston Aye
(Carried 4 Ayes 0 Nays)

Destination Plan for Wilmington-completed-Presentation Monday November 30th at 7 PM.

The Water Meters are all in and updated with the exception of about 30 which will be done by water commissioner Orsi at his earliest convenience.

The 2010 budget was adopted with a 1.4% increase.

The Transfer Station will find a place for leaves and free compost.

Seniors received \$600. from the Whiteface Community Methodist Church to help on their bus tours.

The next work session will be November 25, 2009 at 4:30 PM

RESOLUTION 70-09 THE TOWN BOARD AUTHORIZED SUPERVISOR PRESTON TO SIGN THE ORDER THAT ALL THAT CERTAIN PIECE OF 4.00 ACRE PARCEL ON LAND SITUATED IN THE TOWN OF WILMINGTON, COUNTY OF ESSEX, STATE OF NEW YORK, LYING SOUTH OF NEW YORK STATE ROUTE 86 AND OFFERED TO THE TOWN OF WILMINGTON FOR A PUBLIC HIGHWAY. DEDICATING "OUTLOOK LANE" AS A PUBLIC HIGHWAY IN THE TOWN OF WILMINGTON.

Darin Forbes – Aye Rarilee Conway – Aye Steve Corvelli Aye Randy Preston Aye (Carried 4 Ayes 0 Nays)

RESOLUTION 71-09 TOWN BOARD APPROVED THE TRANSFERS AND EXPENSES

Dated: November 17, 2009
GARBAGE DISTRICT-RECEIPTS
October 1, 2009

Balance forward
546.56

Usage
2,420.00

Savings
2,000.00

TOTAL RECEIPTS
4420

GARBAGE DISTRICT EXPENDITURES

October 31, 2009

Payrolls
1,968.00

Social Security
143.68

Operating expense
962.42

Health Insurance

427.47

TOTAL EXPENSES

3501.57

October 31, 2009

Balance in checking

1464.99

Balance in savings

5374.61

GENERAL

Contingency

1000.00

1110.4 Justice expense

1000.00

Refund of expenses

2000.00

1620.4 Buildings

2000.00

Refund of expenses

150.00

1670.4 Central Printing

150.00

Refund of expenses

620.98

6410.4 Publicity

620.98

Fund Balance

700.00

6772.1 Aging

700.00

Fund Balance

500.00

7110.4 Parks

500.00

CYC Reimb

7000.00

7310.4 YC

7000.00

Gifts & Donations

3500.00

8510.4 Beautification

3500.00

Totals

15470.98
15470.98

HIGHWAY

5148.1 Other Govts. S/I
3500
5110.1 Roads
3500.00

WATER

Refund of expenses
400
9030.8 Social Security
400.00

Motion- Darin Forbes Seconded – Steve Corvelli All in Favor

Motion to adjourn by Rarilee Conway Seconded by Steve Corvelli All in Favor

Respectfully Submitted:
Gerald Bruce/Town Clerk