

REGULAR TOWN BOARD MEETING
TUESDAY- JANUARY 14, 2014
7:00 PM- COMMUNITY CENTER

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

Public Present: Gerald L. Bruce-Town Clerk, Bill Skufca-Highway Superintendent, Terry Avery and George Buck.

RESOLUTION 4-14 TOWN BOARD APPROVED JANUARY 2ND ORGANIZATIONAL MINUTES.

Motion-Dawn Stevens Seconded- Steve Corvelli All in Favor

PUBLIC HEARING 7:00 PM TO DISCUSS CHANGING THE CLOSING OF THE TOWN PARK FROM 11:00 P.M. TO 10:00 P.M.

Terry Avery said she really appreciates changing the time from 11:00 PM to 10:00 PM.

Supervisor Preston said the reason it has been 11:00 PM in the past is because the Beach closed at 11:00 PM. But, that this changing of the time at the Park does not affect the beach closing time.

There were no further questions or comments.

PUBLIC HEARING CLOSED 7:04 PM

RESOLUTION 5-14 REGULATION OF THE HOURS OF OPERATION OF THE TOWN OF WILMINGTON RECREATION PARK.

WHEREAS, a proposed Local Law #1 for 2014 concerning the “Regulation of hours of operation of the Town of Wilmington Recreation Park” was introduced by Steve Corvelli, Councilman, on the 10th day of December, 2013, and a copy of said proposed Local Law having on that date been delivered to to 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 10th day of December, 2013, the Town Board did determine to conduct and hold a Public Hearing upon said Local Law on the 14th day of January 2014, at the Town Hall, Wilmington, Essex County, New York, at 7:00 PM, 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 “Regulation of the hours of operation of the Town of Wilmington Recreation Park” being proposed Local Law #1 for 2014 addressed within the Town of Wilmington be 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 filing of said Local Law, the same shall become effective.
4. This Resolution shall take effect immediately.

Dated 1/14/2014

Roll Call Vote	Randy Preston	AYE
	Dawn Stevens	AYE
	Steven Corvelli	AYE
	Darin Forbes	AYE
	Rarilee Conway	AYE

TOWN OF WILMINGTON LOCAL LAW #1 FOR 2014

A local Law to enact Regulations regarding the hours of operation of the Town of Wilmington Recreation Park.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF WILMINGTON AS FOLLOWS:

SECTION 1. TITLE

This Local Law shall be known and cited as “Regulation of hours of operation of the Town of Wilmington Recreation Park: being Local Law #1 of 2014.

SECTION 2. AUTHORITY

This Local Law is enacted pursuant to the authority granted by New York State Town Law and Municipal Home Rule Law of the State of New York.

SECTION 3. PURPOSE

The purpose of this local law is to ensure the peace and repose of all residents that have homes bordering the Town Recreation park and to curb any and all illegal activities carried on after hours within the parks boundaries.

SECTION 4. RESTRICTIONS

(A) The Town of Wilmington Recreation Park shall be closed from 10:00 PM until Dawn, every day for the entire calendar year. This relates to the property owned by the Town of Wilmington on either side of Park Lane off from Springfield Road, to include the Ball Park, Youth Center, Basketball and Tennis Courts, Skate Park, Dirt Jumps Playgrounds area, and area known as the (Pines).

1. It shall be illegal for anyone to be on Park Grounds during these hours except when a special use permit has been obtained from the Town of Wilmington Town Board based upon the requirements established by said board. (Said permits will be issued on a case by case basis for special use reasons).

SECTION 5. PENALTIES

Any person who violates this Local Law or knowingly permits the violation of this Local Law or any of the provisions thereof shall be deemed to have committed an offense under this Local Law and any person convicted of any such violation after investigation and hearing shall be punished as hereinafter set forth:

(A) Any such persons upon such conviction for a first violation hereof shall be subject to a fine not to exceed \$25.00 and upon conviction of a second offense hereof, shall be subject to a fine not to exceed \$50.00 and upon conviction of any subsequent violations hereof shall be subject to a minimum fine of \$75.00 and a maximum fine not to exceed \$250.00 and/or imprisonment for a period not exceeding fifteen (15) days.

SECTION 6. ENFORCEMENT

This Local Law shall be enforced by the NEW YORK STATE POLICE AND/OR the ESSEX COUNTY SHERIFF'S OFFICE.

SECTION 7. INTENT

It is the intent of this Local Law to curb illegal activities, vandalism, underage drinking and unnecessary noise on Town Park Property. It is not the intention of this Local Law to punish innocent residents who may cut through the park after hours while walking their dog.

RESOLUTION 6-14 TOWN BOARD APPROVED THE IRON MAN RACE IN WILMINGTON ON JULY 27, 2014.

Motion Rarilee Conway Seconded Dawn Stevens All in Favor

RESOLUTION 7-14 TOWN BOARD WILL VOLUNTARILY PROVIDE DISABILITY BENEFITS FOR ONE OR MORE OF ITS EMPLOYEES.

WHEREAS, The Town of Wilmington held a Regular Town Board meeting on January 14, 2014 and has adopted a resolution to voluntarily provide Disability Benefits for one or more of its employees:

NOW, THEREFORE, BE IT RESOLCED: That pursuant to Section 212 of the Workers' Compensation Law, the Town Board of the Town of Wilmington, does hereby elect to voluntarily provide disability benefits for all eligible employees for whom disability benefits are not required by law. These disability benefits will be provided for a period of at least one year, and thereafter unless and until terminated. To discontinue this voluntary coverage, the Board must give at least (90) ninety days prior written notice to the covered employees and to the Chair of the State of New York Workers' Compensation Board Disability Benefits Bureau. Said termination is subject to the approval of the Chair.

Resolution made by: Steve Corvelli Aye
Resolution seconded by: Dawn Stevens Aye
Randy Preston Aye
Darin Forbes Aye
Rarilee Conway Aye

(5 Aye's 0 Nays Carried)
Resolution was passed and adopted on this 14th day of January 2014

RESOLUTION 8-14 THE FOLLOWING RESOLUTION WAS OFFERED BY RARILEE CONWAY WHO MOVED FOR ITS ADOPTION.

WHEREAS, THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES MANDATES IN LAW 420 ARTICLE 16, THE YEARLY APPOINTMENT OR REAPPOINTMENT OF A PERSON TO ACT AS A REPRESENTATIVE ON THE COUNTY YOUTH BOARD/PLANNING COMMITTEE TAKE PLACE, AND

WHEREAS, ALSO IN EXECUTIVE LAW 420 ARTICLE 16, A MUNICIPALITY RECEIVING OFFICE OF CHILDREN AND FAMILY SERVICES FUNDS MUST APPOINT A YOUTH COMMISSION, NOW THEREFORE,

BE IT RESOLVED, THAT THE TOWN OF WILMINGTON APPOINTS RARILEE CONWAY
1104 SPRINGFIELD RD BOX 87 WILMINGTON, N.Y. 12997 PHONE # 946-2630

REPRESENTATIVE FOR THE TOWN OF WILMINGTON ON THE YOUTH BOARD/PLANNING COMMITTEE AND THAT PAULA MCGREEVY 882 SPRINGFIELD RD BOX 474 WILMINGTON, N.Y. 12997 PHONE #946-2492 SHALL ACT AS HER ALTERNATE, AND

BE IT FURTHER RESOLVED THAT THE TOWN BOARD OF THE TOWN OF WILMINGTON APPOINTS THE FOLLOWING TO SERVE ON THE YOUTH COMMISSION.

RARILEE CONWAY 1104 SPRINGFIELD RD. WILMINGTON, N.Y. 946-2630
PAULA MCGREEVY 882 SPRINGFIELD RD. BOX 474 WILMINGTON, N.Y. 946-2492
STEVE CORVELLI 858 SPRINGFIELD RD BOX 492 WILMINGTON, N.Y. 12997 946-7430
RANDY PRESTON 24 STONEY BIRCH WAY P.O. BOX 71 WILMINGTON, N.Y. 12997 946-7384
KATE SEARS P.O. BOX 207 WILMINGTON, N.Y. 12997 412-867-9105

ALSO, BE IT FURTHER RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF WILMINGTON AUTHORIZES THE DIRECTOR OF THE ESSEX COUNTY YOUTH BUREAU TO SIGN AMENDMENTS OF NO INCREASE/NO DECREASE IN STATE AIDE FOR SAID MUNICIPALITY, AND THAT THE DIRECTOR OF THE YOUTH BUREAU HAS AGREED TO RETURN COPIES OF THE AMENDMENTS TO THE MUNICIPALITY, AND

BE IT FURTHER RESOLVED THAT THE CLERK OF THIS BOARD SHALL SUBMIT A COPY OF THIS RESOLUTION TO THE ESSEX COUNTY YOUTH BUREAU, ESSEX COUNTY GOVERNMENT CENTER, ELIZABETHTOWN, N.Y. 12932

THIS RESOLUTION WAS DULY SECONDED BY STEVE CORVELLI AND WAS ADOPTED.

RARILEE CONWAY	AYE
STEVE CORVELLI	AYE
RANDY PRESTON	AYE
DARIN FORBES	AYE
DAWN STEVENS	AYE

(CARRIED 5 AYE'S 0 NAY'S)

RESOLUTION 9-14 TOWN BOARD AGAIN DECIDED TO RUN A YOUTH SERVICE PROGRAM(S)

THE FOLLOWING RESOLUTION WAS OFFERED BY RARILEE CONWAY, WHO MOVED ITS ADOPTION.

WHEREAS, Town of Wilmington has again decided to run a youth service program(s), and
WHEREAS, the Town of Wilmington has approved the appointment of its Youth Commission members, and
WHEREAS, the Youth commission has been authorized to expend at least \$ 21,000 to cover the 50/50 match Required by the New York State Office of Children and Family Services, therefore,
BE IT FURTHER RESOLVED, that the Town of Wilmington approved the 2014 application and authorizes the Youth Commission to expend at least \$21,000. for the 2014 youth services program(s), and
BE IT FURTHER RESOLVED, that the clerk send a copy of this resolution to the Essex County Community Resources office, 7533 Court Street, Elizabethtown N.Y. 12932.

THIS RESOLUTION WAS DULY SECONDED BY STEVE CORVELLI AND WAS ADOPTED.

Rarilee Conway AYE
Steve Corvelli AYE
Randy Preston AYE
Darin Forbes AYE
Dawn Stevens AYE
(Carried 5 Aye's 0 Nay's)

RESOLUTION 10-14 TOWN BOARD APPROVED THE EXPENSES FOR DECEMBER 2013

	2013	2014	
	<u>From:</u> G652	<u>To:</u> G44	Amt: 27642.13
			Amt: 34701.77
			Amt: 2476.66
			Amt: 2500.00
Retirement			Amt: 39897.00
			Amt:
			Amt:
			Amt:
	<u>From:</u> H01	<u>To:</u> H29	Amt. 19710.07
			Amt. 30514.04
			Amt. 2266.22
			Amt. 1981.71
Retirement			Amt. 41500.00
			Amt.
	<u>From:</u> W291	<u>To:</u> W11	Amt. 4655.39
			Amt. 10728.85

		Amt.	786.94
		Amt.	
Retirement		Amt.	8494.00
		Amt.	
	<u>From:</u> GD30 To: GD02	Amt.	722.33
		Amt.	2173.20
		Amt.	152.85
		Amt.	
Retirement		Amt.	3718.00
		Amt.	

January 14, 2014

Motion Darin Forbes Seconded Dawn Stevens All in Favor

The Work session will be on Wednesday January 22, 2014 at 4:30 PM

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

Respectfully Submitted,

Gerald L. Bruce/Town Clerk