

TOWN OF ESSEX

PO Box 355
2313 Main Street
Essex, New York 12936

Edward Gardner
Supervisor

Patricia Gardner
Town Clerk

TOWN COUNCIL:

Mark Wrisley
Bryan Garvey
Claire LaPine
James LaForest

Town Board
November 12, 2015
7:00pm

Supervisor Gardner opened the meeting with the pledge.

Roll Call: Supervisor Gardner, Councilpersons; LaForest, LaPine, Garvey and Wrisley.

Also in attendance: Tina Gardner, Lou Comeau, Bradley French, Jane Terlouw, Bonnie Monoski, Gretel Schueller, Tom Stranski

Supervisor Gardner offered the floor to Lou Comeau. Lou wanted to thank the board for their continued support with the Community Garden. He said it was a successful year and hoped next year to have more participants. He also thought our garden was much nicer than the one in Willsboro and it is also very convenient for those in the hamlet. Supervisor Gardner stated that throughout the summer we had many visitors to the town come in and comment how nice the garden was. He and the board thanked Lou for all his hard work.

The floor was offered to Mary-Nell Bockman. Supervisor Gardner first presented her with a framed resolution on the anniversary of the Grange. She thanked the board and told them it will be hung with honor. She then handed out the three bids for the paving and landscaping from The Carriage House Garden Center, Horseford Gardens and Nursery and Mossbrook Landscaping. The low bid went to The Carriage House. She said that they had met with Brad French concerning the snow removal and it will not impede the plowing. The board thanked her for the report.

Supervisor asked if there were any other concerns from the floor. Jane Terlouw asked if there was still a Grange Committee and if so, is she still on it. Claire LaPine said that we still had a committee, but we have not had any meetings. He also said that she was still on the committee and if anything came up she would call Jane.

Tom Stransky asked if one, can there be crosswalks put in because it is a danger to the public crossing in places and two, are there plans to continue the sidewalks? Supervisor Gardner said that there is a plan to continue doing sections each year, and that it was put back in the budget this year. Bradley French concurred that he was planning another section for the spring. As for the crosswalks, I have had concerns for and against adding crosswalks. Tom said that the day someone gets run over you will regret it. Supervisor responded that it can happen with crosswalks. Mark Wrisley asked if there were specific locations that you are concerned about. Tom stated that right here on the corner going to the church, the firehouse, and also in front of the Inn. Mark asked if he was looking to have them repainted because they are there. Supervisor Gardner stated that the state would have to do it and he would contact them.

Acceptance of the minutes of:

10/5/15 Tentative Budget - Motion Made by Claire LaPine and seconded by Bryan Garvey

	Yes	No
Roll Call: Councilperson LaPine		X
Councilperson Garvey	x	
Councilperson Wrisley	x	
Councilperson LaForest	x	
Supervisor Gardner	x	

10/8/15 Regular Meeting – Motion by Bryan Garvey seconded by Claire LaPine.

Roll Call:	Yes	No
Councilperson LaPine	X	
Councilperson Garvey	x	
Councilperson Wrisley	x	

Councilperson LaForest x
 Supervisor Gardner x
 10/22/15 Budget workshop – Motion by Mark Wrisley seconded by James LaForest

Roll Call:	Yes	No
Councilperson LaPine	X	
Councilperson Garvey		Abstained
Councilperson Wrisley	x	
Councilperson LaForest	x	
Supervisor Gardner	x	

11/5/15 Preliminary Budget Hearing - Motion made by Mark Wrisley seconded by James LaForest

Roll Call:	Yes	No
Councilperson LaPine	X	
Councilperson Garvey	x	
Councilperson Wrisley	x	
Councilperson LaForest	x	
Supervisor Gardner	x	

Supervisor Gardner asked the Town Clerk to read the letter of resignation from Emily Phillips to the ZBA Chairman and the Supervisor. A motion made by Bryan Garvey and seconded by James LaForest to accept her letter with regrets. All in favor, no nays. It was discussed that a letter be sent to Emily thanking her and that an ad be placed because we now have 2 positions open on the board.

Supervisor Gardner explained that the town had been awarded the grant for \$10,000 for the Octagon School House repair. The money still has not been received, but the documents supporting this have been submitted. The money has been put out for the supplies and they are asking to loan ECHO this money to cover the materials. The work is almost completed.

Resolution 96-2015 November 12, 2015

Resolution 96-2015 is being offered to allow the town to loan ECHO \$10,000, the amount of the grant from NYS DEC, through the Town of Moriah that has been awarded. Upon receiving of the monies from the grant, the amount will be paid back. Motion Made By: Mark Wrisley Seconded By: James LaForest

	Yea	No
Councilperson LaPine	x	
Councilperson Wrisley	x	
Councilperson Garvey	x	
Councilperson LaForest	x	
Supervisor Gardner	x	

Resolution 97-2015 was accepted after changing of the wording from permanent to seasonal banning. There was concerns on how this came about. It started in the summer when the town received complaints that moorings were being dropped to close to others. After consulting with the NYS DEC it was discovered that our mooring laws are incorrect. Each mooring must have a permit from the DEC. In order for the DEC to enforce any illegal moorings, the town must place signage prohibiting personal property on the beach. Concerns were discussed about no access to the beach and permits that have been paid for. It was decided to make it a seasonal ban for now.

Resolution 97-2015 is being offered to allow the town to place an ad and signage concerning the town beach as follows:

The Town of Essex prohibits any personal property to be left on the town beach, in Whallons Bay, including but not limited to boats, dinghies and moorings between November 1st and May 1st. Anything left after November 1st will be removed by the town. To claim your property, you must submit proof of ownership and pay a recovery fee of \$100.

By Order of the Town Board
 Essex, NY

Made By: Bryan Garvey	Seconded By: Claire LaPine
	Yea No
Councilperson LaPine	x

Councilperson Wrisley	x
Councilperson Garvey	x
Councilperson LaForest	x
Supervisor Gardner	x

**Resolution 98-2015 - Final Order Establishing Town-Wide EMS District
November 12, 2015**

WHEREAS, the Essex Town Board wishes to form a Town-wide EMS District in accordance with Article 12-A of the New York Town Law for the purpose of providing emergency medical and ambulance services within the town; and

WHEREAS, the Town Board adopted a Resolution authorizing the preparation of a map, plan and report for the purpose of analyzing the formation of the District;

WHEREAS, a Map, Plan and Report was prepared concerning the proposed District and was filed in the Town Clerk's Office and made available for public inspection; and

WHEREAS, the Map, Plan and Report describes the boundaries of the proposed District, the proposed method of operation, the maximum amount proposed for the ambulance services and the cost of the proposed District to the typical property and, if different, the typical one or two family home; and

WHEREAS, on July 9, 2015, subsequent to the filing of the Map, Plan and Report with the Town Clerk, the Town Board adopted an Order reciting (a) the boundaries of the proposed District being the Town's border; (b) the proposed services and proposed method of operation; (c) the maximum amount proposed to be expended for the services; (d) the cost of the District to the typical property and the typical one or two family home (if not typical); (e) that no capital improvements are anticipated for the proposed District and, therefore, no financing will be employed; (f) the fact that a Map, Plan and Report describing the proposed District, services and capital improvement is on file in the Town Clerk's Office; and (g) the time and place of a public hearing on the proposed District; and

WHEREAS, copies of the Public Hearing Order were duly published and posted were filed with the Office of the State Comptroller, all as required by law; and

WHEREAS, prior to publication of the Public Hearing Order, a detailed explanation of how the estimated costs of the District to the typical property and typical property and typical one or two family home (if not typical property) were computed was filed with the Town Clerk for public inspection as part of the Map, Plan and Report; and

WHEREAS, a Public hearing on the proposed EMS District was duly held on August 6, 2015 and the Town Board has considered the evidence given together with other information; and

WHEREAS, on July 9, 2015th Town Board adopted a Resolution determining that providing of the services described in the Map, Plan and Report will not have a significant adverse impact on the environment and authorizing the filing of the completed SEQRA Short Form EAF as a SEQA Negative Declaration – Notice of Determination of Non-Significance regarding the action;

WHEREAS, on July 9, 2015 The Town Board ADOPTED A Resolution determining that (a) the notice of Public Hearing was published and posted as required by law and was otherwise sufficient; (b) all of the property and property owners within the proposed District would be benefited thereby, (c) all of the property and property owners benefited are included within the boundaries of the proposed District and (d) the establishment of the District as therein described is in the public interest and approving the establishment of the District as the boundaries are set forth in the Map, Plan and Report subject to permissive referendum in the manner provided in Town Law Article 7; and

WHEREAS, the Town Board exercised its authority to make the formation of the EMS District subject to public referendum; and

WHEREAS, such referendum as held on Tuesday, November 3, 2015 and the EMS District formation was approved by the Town's voters; and

WHEREAS, the permission of the State Comptroller is not required pursuant to Town Law Section 209-f;

NOW, THEREFORE, IT IS HERBY ORDERED, that the Town of Essex Town-wide EMS District be established as described in the Map, Plan and Report and the services described in the Map, Plan and Report be provided upon the required funds being made available for; and it is

FURTHER ORDERED, that the Essex Town Clerk is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the County Clerk in the time and manner required by law; and it is

FURTHERE ORDERED, the Essex Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be filed in the office of the State Department of Audit and Control in the time and manner required by law.

Duly adopted this 12th day of November, 2015, by the following vote:

Motion Made By: Bryan Garvey Seconded By: Claire LaPine

	Yea	No
Councilperson LaPine	x	
Councilperson Wrisley	x	
Councilperson Garvey	x	
Councilperson LaForest	x	
Supervisor Gardner	x	

Resolution 99-2015 – Forgiveness of money due from Wall Capital Project November 12, 2015

This resolution is being offered to clear the Wall Capital Project Loan from the general fund.

The Wall Capital Project went over by \$15, 065.25.

Resolution 24-2014 was offered to pay the bill of \$95,000 with approval of the board.

Resolution 26 of 2014 was made to pay back the general fund for wall capital project with the matching grant with approval of the board.

This leaves a balance of 15,065.25 due back to the general fund.

This resolution will forgive the balance due to the General Fund from the Wall Capital Project, closing out the Wall Capital Project.

Motion Made By: James LaForest Seconded By: Bryan Garvey

	Yea	No
Councilperson LaPine	x	
Councilperson Wrisley	x	
Councilperson Garvey	x	
Councilperson LaForest	x	
Supervisor Gardner	x	

Resolution 100-2015 – Accepting the 2016 Budget November 12, 2015

Resolution 100-2015 is being offered to accept the 2016 Budget, after preparation of the Tentative Budget and conducting the Preliminary Public Hearing on November 5, 2015.

Motion Made By: James LaForest Seconded By: Bryan Garvey

	Yea	No
Councilperson LaPine	x	
Councilperson Wrisley	x	
Councilperson Garvey	x	
Councilperson LaForest	x	
Supervisor Gardner	x	

Bryan Garvey made and Claire LaPine seconded motion to pay Abstract 11-2015

	Yea	No
Councilperson LaPine	x	
Councilperson Wrisley	x	
Councilperson Garvey	x	
Councilperson LaForest	x	
Supervisor Gardner	x	

Motion made by Mark Wrisley and seconded by Claire LaPine to accept the Town Clerk's Report - All in favor, no nays.

Motion made by Bryan Garvey and seconded by Mark Wrisley to accept the Supervisor's Report – All in favor, no nays.

Supervisor Gardner asked if all received, Sewer Report and Water Report. James LaForest asked about the email she sent out. She explained about the sewer hookup for the Ferry Dock having never been completed. He asked about the Masonic Hall and she explained that they are all hooked up and that the Pink Pig was all hooked up and that the digester will be removed because it can be gravity fed now. Tom Stransky asked about the other property holders having troubles. It was again explained that it is up to the property holders to contact AES concerning their problems. The town can give them information but town law says we cannot get involved with it.

Supervisor Gardner said that he had met with the Ferry Company and when they redo the ferry dock they are going to connect. Claire stated that this has been in the works for quite a few years and nothing has happened yet.

James asked what the statement from Moore was and Supervisor Gardner stated that this was to show you that we are still getting money from them but like the letter said the price of metal is going down.

Supervisor Gardner asked if there was anything else to come before the board.

Motion made by James LaForest and seconded by Bryan to adjourn the meeting at 8:30.

Respectfully Submitted,

Patricia Gardner