

REGULAR TOWN BOARD MEETING

May 26, 2010

PLEDGE OF ALLEGIANCE:

I. CALL TO ORDER: (7:00 P.M.)

Board Members Present

Gay H. Lenhard, Supervisor
Thomas J. Cole, Councilman
David F. Feeney, Councilman
Malcolm E. Perry, Councilman

Board Members Absent

Thomas J. Uschold, Councilman

Others Present

Lynn Bianchi, Town Clerk
Daniel Schum, Town Attorney
David Widger, Highway Superintendent
1 Participation in Government student

Purpose of the Meeting

To audit claims, act on monthly reports and remittances, and to transact such other business which may legally come before said meeting.

II. APPROVAL OF THE MINUTES:

None

III. PRIVILEGE OF THE FLOOR:

None

IV. REPORTS AND REMITTANCES FROM TOWN OFFICERS:

None

V. TOWN AUDITS:

None

VI. CORRESPONDENCE RECEIVED AND FILED:

None

VII. REPORTS FROM TOWN OFFICERS:

Gay H. Lenhard, Supervisor

1. I went to Maggie Brooks' State of the County, which focused on jobs. She talked about people and companies that we have retained. She mentioned Spencerport and TOPS and how that would create 66 jobs.

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2. I went to the Citizens Police Academy graduation last week for high school students who went through the program. I give Scott Okolowicz a lot of credit for working on that program because it wasn't easy. It is usually for adults, and this was the first time it was for teenagers. He really had to change his mode of teaching to be more hands on and come up with innovative creative ways to teach. Tracy Mahoney also worked on it.
3. We had a Workers' Comp. meeting recently. Our loss analysis is very favorable. I will share those numbers with you during Work Session.
4. Dave and I met with a constituent who lives on the corner of Big Ridge and Rt. 259 regarding drainage issues. Dave and I both agreed that it is really not the Town's problem. It is the State's problem and has to do with a culvert and pipes that go down Rt. 259. However, Dave was very kind and contacted the State and corrected one issue. Dave will meet with Tom West to figure out how to flush the pipes on Rt. 259, which are plugged. It is also a Village problem, but I compliment Dave for trying to work out something.
5. I went to the last D.A.R.E. graduation at Bernabi School. I was very impressed with the kids and Jim Godshall, who keeps improving with every class.
6. Our Wellness Team had a kick-off meeting, and everybody is enthusiastic and all hoping to get healthier.

Thomas J. Cole, Councilman

No report.

David F. Feeney, Councilman

No report.

Malcolm E. Perry, Councilman

1. I met with Peter O'Brien on Tuesday morning and went over a couple of things that I will talk about in Work Session.

Thomas J. Uschold, Councilman

Absent.

David H. Widger, Highway Superintendent

1. I received confirmation from the County that we will be getting the one and only job being let out of the County. We are going to be working on Colby Street from Washington Street to the town line, which is starting to fail because of the heavy truck traffic. This is not C.H.I.P.S. money that is being withheld. We are going to walk ourselves through it so that we do not exceed the \$225,000 for labor, materials and everything.

Lynn A. Bianchi, Town Clerk

No report.

Daniel G. Schum, Town Attorney

1. I am trying to finish up the cooperative agreement with BOCES, and a meeting

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will be set up to finalize it.

2. I had code violations in Court on Monday and Tuesday nights. There were fines issued to property owners who just don't want to maintain their properties or bring up to code. **Supervisor Lenhard:** Kevin Kelly is going to get in touch with you to help with code violations.

VIII. UNFINISHED BUSINESS:

None

IX. NEW BUSINESS:

Resolution #138-5/10

Introduced by Councilman Feeney
Seconded by Councilman Cole

WHEREAS, there is a need for a seasonal mower in the Highway Department.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Ogden does hereby approve **rehiring** Gerald Hugelmaier as a seasonal laborer at the rate of \$13.75 an hour, effective May 17, 2010.

Vote of the Board:

Ayes: Cole, Feeney, Lenhard, Perry
Nays: None
Absent: Uschold

Resolution #139-5/10

Introduced by Councilman Feeney
Seconded by Councilman Cole

RESOLVED, that the Supervisor, Gay H. Lenhard, be and hereby is authorized to sign FRA's proposal for pump station improvements (Phase I, Phase II), located at 18 Meadow Drive, for a lump sum fee of \$4,700 to be paid by Rolling Acres Sewer District.

Dave Widger, Highway Superintendent: I was supposed to have this on the agenda a couple of weeks ago.

Vote of the Board:

Ayes: Cole, Feeney, Lenhard, Perry
Nays: None
Absent: Uschold

Resolution #140-5/10

Introduced by Councilman Feeney
Seconded by Councilman Cole

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WHEREAS, the Town of Ogden has been identified as a Municipal Separate Storm Sewer System (MS4) under the EPA's Phase II Stormwater Regulations under the Clean Water Act of 1999, and

WHEREAS, the Phase II Program requires each MS4 to prepare a Draft Annual Report on the Town's efforts to protect and improve the water quality of our streams and water bodies, and

WHEREAS, the public is invited to review the Draft Annual Report and provide input, and

WHEREAS, a Draft Annual Report has been prepared in conformance with the Phase II Regulation by the Highway Department, and

WHEREAS, the Annual Report must be submitted to the New York State Department of Environmental Conservation offices in Albany, NY, by June 1, 2010.

NOW, THEREFORE BE IT RESOLVED that the Town Board accepts said Draft Annual Report and is available for public review at the Town Hall, Community Library, and the Highway Department.

BE IT FURTHER RESOLVED that all comments on the Draft Annual Report will be incorporated into the Final Annual Report to the NYS D.E.C.

Dave Widger, Highway Superintendent: This report is on our web site, available to anyone who wants to read it. It is 309 pages long and is a joint report now. This report goes to Albany from the whole county, rather than one report from each town and village, and Brockport College. Doing this together is working out well and making less paperwork.

Supervisor Lenhard: Lynn, is this the item that you e-mailed to us a while ago when we were having a problem with Blackwater Crossing? **Lynn:** I put it on the I Drive.

Vote of the Board:

Ayes: Cole, Feeney, Lenhard, Perry

Nays: None

Absent: Uschold

Resolution #141-5/10

Introduced by Councilman Perry

Seconded by Councilman Cole

WHEREAS, a contract termination and assignment agreement by and between the Town of Ogden, the County of Monroe and Ogden Telephone Company has been negotiated in form and content acceptable to the Town Attorney; and

WHEREAS, it is necessary for the Town Board to authorize the execution of the agreement by the Supervisor.

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NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Ogden, Monroe County, New York, as follows:

SECTION I: That the Supervisor be and she hereby is authorized to execute a certain contract termination and assignment agreement among the Town of Ogden, the County of Monroe and Ogden Telephone Company in form and content acceptable to the Town Attorney.

Dan Schum, Town Attorney: I did not comment on this during my report, but this is the first half of the Widger Road realignment. The next one will be the new lease between the town and the county, and that is almost done.

Vote of the Board:

Ayes: Cole, Feeney, Lenhard, Perry
Nays: None
Absent: Uschold

Resolution #142-5/10

Introduced by Councilman Perry
Seconded by Councilman Feeney

WHEREAS, there is a need for limited part-time help in the Recreation Department.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Ogden does hereby approve **hiring** the following part-time Laborers:

effective May 22, 2010:

Edward DeBellis	\$9.50/hour	Cleaner/Desk Attendant
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effective May 24, 2010:

Frank Hutchison	\$9.50/hour	Cleaner/Desk Attendant
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Vote of the Board:

Ayes: Cole, Feeney, Lenhard, Perry
Nays: None
Absent: Uschold

Resolution #143-5/10

Introduced by Councilman Perry
Seconded by Councilman Feeney

RESOLVED, that Timothy Smith's employment with the Town of Ogden is hereby terminated, effective May 19, 2010.

Vote of the Board:

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Ayes: Cole, Feeney, Lenhard, Perry
Nays: None
Absent: Uschold

Resolution #144-5/10

Introduced by Councilman Feeney
Seconded by Councilman Cole

BE IT RESOLVED, that the Town Board of the Town of Ogden does hereby approve **amending** Resolution #236-9/08 to read as follows:

RESOLVED, that the Supervisor be and hereby is authorized to sign the Amendment to Change the Estimated Expenditure for Snow & Ice Agreement between New York State D.O.T. and the Town of Ogden **for the snow & ice season 2009-2010, with an increase in payment of \$12,647.01.**

Dave Widger, Highway Superintendent: At the end of every year the state requires us to do a resolution to accept more money to cover our contract.

Vote of the Board:

Ayes: Cole, Feeney, Lenhard, Perry
Nays: None
Absent: Uschold

X. ADJOURNMENT:

Resolution #145-5/10

Introduced by Councilman Feeney
Seconded by Councilman Perry

RESOLVED, that the Regular Meeting of the Town Board of the Town of Ogden be and hereby is adjourned to Work Session at 7:15 p.m., at which time the public was invited to attend, and hereby is adjourned at 8:10 p.m.

Vote of the Board:

Ayes: Cole, Feeney, Lenhard, Perry
Nays: None
Absent: Uschold

Respectfully submitted,

LAB/dmk

Lynn A. Bianchi, Town Clerk