

September 28, 2005

3284

The Audit/Workshop Meeting was held on September 28, 2005 at 4:30pm at the Town Hall.

PRESENT

Supervisor Duke	Councilman Gray	Councilman Hornbeck
Councilman Ryan	Councilman Santosky	Town Clerk Sommer
Attorney Christiana		

Supervisor Duke led the Pledge of Allegiance to the Flag.

APPROVAL OF BILLS:

A Motion was made by Councilman Hornbeck that the following bills be approved as audited this date:

General Bills	\$125,129.85
Highway Bills	109,163.50
Street Lighting	278.32
(Escrow Professional Account)	370.00

Seconded by: Councilman Gray Unanimously approved

Items to be Discussed

Town Points of discussion:

Accord Cemetery - Ralph Swenson and Attorney Christiana.
(Doug Dymond was unable to attend).

Ralph Swenson and his attorney discussed the concerns he has with the Accord Cemetery with the Town Board. There has been a ROW between his parents and the cemetery association. Mr. Swenson was asking the Board for an equitable solution to this situation. Mr. Swenson feels that this project needs to go before the Planning Board for a Site Plan Review and requested that the Board approach the Planning Board and address this issue. After discussion, it was explained that the Board does not have the authority to approach the Planning Board and they recommended that Mr. Swenson go to the ZBA if he wanted to appeal the CEO decision.

Budget Meeting - will be held October 5th at 3:30pm and will finish approximately 7:30pm.

WEB Policies - comments were added and the Board was asked to review them for discussion at the October 6th meeting when hopefully a resolution will be put into place.

The Board approved Dina Wilcox Literacy information to be posted on the WEB.

SPEEDWAY RAIN DATE REQUEST:

Resolution #136-2005

A Motion was made by Councilman Hornbeck that upon request from the Accord Speedway due to eight race dates being cancelled due to rain, and that the Town Board approves two additional race dates of Saturday, October 8, 2005 and Saturday, October 22, 2005 be added to the original race track dates.

Seconded by: Councilman Ryan

Discussion:

Last year an agreement was reached among Board members, after concerns expressed from residents in the Town, that resolutions would NOT be made and Public Hearings NOT be held during Audit/Workshop meetings. The reasoning was that Town residents find it more convenient to attend evening meetings and greater opportunity is provided for residents to hear about and react to Town issues. It was suggested that this request be dealt with at the October 6th Town Board Meeting.

September 28, 2005

3285

Councilman Hornbeck stated that postponing a decision on the request would make it too late for the Speedway to advertise its revised schedule.

Supervisor Duke asked if it was wise for the Board to violate its own prohibition on Audit meeting resolutions since the letter from Donna Palmer was received on September 21st and her request was late. Councilman Hornbeck said because of the timing and to show support for a local business, the request should be decided now.

Supervisor Duke said she had no problems with the suggested dates, but that they should be considered as substitutes for the rain dates already scheduled for November. It was pointed out that November is a difficult month for attracting racing fans due to the cold weather, so substituting October dates make sense.

Supervisor Duke expressed her concerns about approving the two dates as additional rather than substitute dates because of the precedent this would set, and the fear that in subsequent years the racetrack owners could use this tactic for adding dates to an already approved schedule. Councilman Gray also argued for a compromise that would offer the additional dates as substitutes for the November rain dates. Councilman Hornbeck stated he does not favor compromise when businesses are affected, although he acknowledged that he was not certain that the request was for additional or alternate dates. Councilman Santosky stated that it was unfortunate that the owner was not present to clarify this point.

Supervisor Duke said that the discussion generated from this request was a perfect example of why such issues should not be decided hurriedly, particularly when precedents are being set; but rather discussed and acted upon at the regular Board meeting, as Board members had previously agreed upon.

Motion carried 3-2
Gray - nay
Duke - nay

Rose Property

Resolution #137-2005

A Motion was made by Councilman Gray that the Town Board grant approval for the Attorney for the Town to commence action in Supreme Court to obtain an order to correct the numerous violations on the Rose property located at 701 Queens Highway.

Seconded by: Councilman Santosky

Unanimously approved

Transfer Station Heater discussion:

Supervisor Duke will gather more information. The following quotes were obtained from....

Tim's Air Conditioning & Heating	\$3,618.54
Philip Conklin	2,800.00
KOSCO	4,125.00

Highway points of discussion:

Landfill - discussion was held on the list of names the Highway Department has for those residents that have requested leftover fill from various Highway projects. It was requested that this procedure be explained and placed on the Town's WEB site. Superintendent Kelder approved that his secretary Merci be contacted by Marge Bonner re: this.

Lucas Avenue speed limit: - Wayne Kelder to get the name & address so a letter can be sent to the County regarding this issue.

September 28, 2005

3286

ADJOURNMENT:

A Motion was made by Councilman Hornbeck to adjourn the meeting at 5:30pm.

Seconded by: Councilman Gray

Unanimously approved

Respectfully submitted,

Veronica I. Sommer
Town Clerk/RMC