

A Public Hearing on the Water/Sewer Districts Extension was held on Monday October 26, 2009 at the Peru Town Hall. Those present were Mr. Cortland Forrence, Deputy Supervisor; Mr. Tom Powers, Councilman; Mr. Brandy McDonald, Councilman; Mr. Pete Glushko, Councilman; Mr. Don Biggs, Town Attorney; and Mrs. Kathleen Flynn, Town Clerk.

The meeting was called to order at 6:34 PM by Mr. Forrence, with the Pledge of Allegiance.

Motion by Mr. Powers, seconded by Mr. Glushko to open the Public Hearing on the Water/Sewer Districts Extension. Ayes 3 Nays 0 **Motion Carried**

Tom LaBombard, Engineer, offers a brief description of this proposal.

Mr. LaBombard states that the area being discussed is the Winding Brook subdivision. He states that subdivision was created North of Peru Central School. He says that water and sewer was extended into that; but the *district* was not extended. Mr. LaBombard says that the intention is that the entire subdivision will become full of homes. There will be no improvements made at this time. The infrastructure will be the responsibility of the developer when the time comes.

Frederick Hoffman-Asks if the developer is held to any specific type of standards. Mr. LaBombard replies yes, there are many standards set by the state and the town. Mr. Timmons also responds, indicating that he will be (and already has been) involved in this process as well.

Motion by Mr. Glushko, seconded by Mr. Powers, to adjourn the Public Hearing at 6:42 PM. Ayes 3 Nays 0 **Motion Carried**

**Mr. Forrence states that Mr. Biggs has provided all of the councilors with four resolutions to be passed for this evening regarding the extension of the proposed water/sewer districts.*

The regular meeting of the Town Of Peru, Town Board was held on Monday October 26, 2009. Those in attendance were Mr. Cortland Forrence, Deputy Supervisor; Mr. Tom Powers, Councilman; Mr. Brandy McDonald, Councilman; Mr. Pete Glushko, Councilman; Mr. Don Biggs, Town Attorney; and Mrs. Kathleen Flynn, Town Clerk.

The meeting was called to order at 7:01 PM, by Mr. Cortland Forrence with the Pledge of Allegiance.

Approval of Minutes

September 28, 2009- Mr. Powers refers to the word "delivered" on page 6 and specifically asks Mrs. Flynn to change the word to "passed on".

Motion by Mr. Powers, seconded by Mr. McDonald to pass resolution #09.10.26-1; approving the minutes from the September 28, 2009 meeting with the above mentioned word change. Ayes 3 Nays 0 **Motion Carried**

October 5, 2009- Mr. Powers refers to the word "work" on page 2 and specifically asks Mrs. Flynn to change the word to "replaced".

Motion by Mr. Powers, seconded by Mr. McDonald to pass resolution #09.10.26-2; approving the minutes from the October 5, 2009 meeting with the above mentioned word change. Ayes 3 Nays 0 **Motion Carried**

Motion by Mr. Powers, seconded by Mr. Glushko to pass resolution #09.10.26-3; approval of the minutes from the Special Meeting on October 14, 2009. Ayes 3 Nays 0 **Motion Carried**

Community Input-None

Update on Spitfire Drive drainage easement- Peter Gibbs briefed the board regarding his proposal for the drainage problem on Spitfire Drive. Mr. Gibbs states that he has offered a proposal which includes a topographic survey of the drainage catchment, review of the existing site topographic contours, review, evaluation, and design of a proposed dry detention pond or stormwater feature that could temporally detain stormwater prior to it being released and other suggested scopes of work to correct this.

Mr. Forrence specifically asks who has made the determination that this is a town problem and not a landowner problem. He also states that the board should determine the magnitude of the problem. Members agree to have Mr. Biggs review deeds of the homeowners to determine if there are easements.

Water/Sewer rate change for the hamlet of Peru-

Motion by Mr. Powers, seconded by Mr. Glushko to pass resolution #09.10.26-4;

WHEREAS, in consultation with the Water and Sewer superintendent and in order to meet the operation and maintenance needs of the Peru Water District, be it

RESOLVED, that, effective January 1, 2010, the water use rates in the District shall be increased Two Dollars (\$2.00) per quarter for the first six thousand (6000) gallons of water used to \$52.00 per quarter; and it is further

RESOLVED, that, effective January 1, 2010, the water use rates for out-of-district users shall be increased Two Dollars (\$2.00) per quarter for the first six thousand (6000) gallons of water used to \$94.00 per quarter; and it is further

RESOLVED that, effective January 1, 2010 the water connection fees will be increased by \$50.00 to \$550.00.

Roll Call: Mr. Powers-Yes Mr. McDonald-Yes Mr. Glushko-Yes

Motion Carried

Motion by Mr. Powers seconded by Mr. McDonald to pass resolution #09.10.26-5;

WHEREAS, in consultation with the Water and Sewer superintendent and in order to meet the operation and maintenance needs of the Peru Sewer District, be it

RESOLVED, that, effective January 1, 2010, the sewer use rates in the District shall be increased Two Dollars (\$2.00) per quarter for the first six thousand (6000) gallons of water used to \$52.00 per quarter; and it is further

RESOLVED that, effective January 1, 2010 the sewer connection fees will be increased by \$50.00 to \$550.00.

Roll Call: Mr. Powers-Yes Mr. McDonald-Yes Mr. Glushko-Yes

Motion Carried

Approval for purchasing of natural gas equipment for the Water/Sewer Garage and Highway Garage

Mr. Forrence explains that this project will cost approximately \$7,000.00. Mr. Timmons then informs members that he is planning on dividing the conversion and costs up to allow this project to be completed within the next year. He states that he will complete half of the job in the very near future, (which will cost \$3,500.00), and he will take @ \$1,700.00 out of the Sewer District Budget and \$1,700.00 out of the Water Budget.

Mr. Forrence reminds all employees of the procurement policy and to be mindful of that.

Allowing the Deputy Supervisor to sign Clinton County Assessment Services contract.

Motion by Mr. Powers, seconded by Mr. McDonald allowing Deputy Supervisor, Forrence to sign the Clinton County Assessment Services contract as presented. Ayes 3 Nays 0

Motion Carried

Reminder of bond interest payments due November 1st for \$13,875.51 on the 2001B Bond and Nov. 15 for \$912.00 on 1991 A Serial Bond

Mr. Forrence reminds members of the upcoming bond payments due which are mentioned above.

Set and advertise the Public Hearing for 2010 Preliminary Budget on November 5, 2009 and advertise Public Official's salaries

Mr. Glushko asks Mr. Forrence if it is possible to use a portion of the unappropriated fund balance to off set the budget. Mr. Forrence agrees to call the comptroller to see how to handle this.

Motion by Mr. Powers, seconded by Mr. McDonald to set a Public Hearing on the 2010 Preliminary budget for November 5, 2009 at 6:30 PM. Ayes 3 Nays 0

Motion Carried

Set a date for healthcare workshop

Mr. Forrence states that he would like to have a workshop to discuss the many issues involved in the decision making regarding purchasing and making decisions on the town's healthcare.

Motion by Mr. Glushko, seconded by Mr. Powers to set a workshop regarding healthcare on Thursday November 5, 2009 at 7:30 PM. Ayes 3 Nays 0

Motion Carried

Decision on carpet replacement for Town Hall and wall renovation

Mr. Forrence refers to new carpet installation for the town hall, and he also refers to moving a wall within the secretary to the board's office.

Motion by Mr. Powers, seconded by Mr. McDonald to go with two walk off carpets in addition to installation of carpet for the town hall (as suggested by Mr. McBrayer) and to be coordinated by Pam Barber. Ayes 3 Nays 0

Motion Carried

Mr. Timmons briefs the board regarding renovating the secretary to the board's office (extending a wall) Mr. Timmons states that the material should cost @ \$300.000 -\$400.00 and will allow more square footage for the office.

Motion by Mr. Powers, seconded by Mr. McDonald approving the improvements to the secretary to the board's office. Ayes 3 Nays 0

Motion Carried

Signing of the Adirondack Architectural Heritage contract

Mr. Forrence refers to Mr. Powers recently pulling a bill due because the proper person had not signed the contract. Members agree that signing of contract should be done by either the Supervisor, or the Deputy Supervisor.

Motion by Mr. Powers, seconded by Mr. Glushko allowing Mr. Forrence to sign the appropriate contract to allow this issue to be resolved. Ayes 3 Nays 0

Motion Carried

Other Business

Mr. Forrence states that Tom Kester gave a presentation to employees regarding the possibility of the Town Of Peru donating to the United Way.

Mr. Powers refers to the School Street Sidewalk project. He informs members that DOT (Watertown) has mailed him contracts that need to be signed. Mr. Forrence requests that Mr. Biggs reviews the contracts before approval. Mr. Powers pass down all material to Mr. Biggs for his review.

Mr. Powers reminds members that Friday night is Cabbage night and he (and the neighborhood watch) will be out patrolling the town and asks and offers anyone that wishes to participate to contact him.

Mr. Biggs refers to resolutions pertaining to the Public Hearing which was held this evening.

Motion by Mr. Powers, seconded by Mr. Glushko to pass resolution #09.10.26-6;
WHEREAS, the Town Board has conducted a public hearing on this date regarding the proposed extension of the Water district described as follows:

Beginning at the northern end of the existing water district at Spaulding Brook approximately 245.27' east of NYS route 22B,
Thence proceeding in accordance to the deed description filed with the Clinton County Clerk, Volume 802, page 53 from Clinton Adirondack Timber to Donald Swain N10 degrees 48' W 841.54'
Thence proceeding northerly parallel to Route 22B, 1403.03'
Thence proceeding northeasterly approximately 111.78'
Thence proceeding N6 degrees 3' E 639.30'
Thence proceeding S 83 degrees 24' east approximately 765.18' to the existing water district
Thence proceeding southerly to Spaulding Brook
Thence proceeding westerly along Spaulding Brook to the point of beginning

Total area of the proposed water district extension is approximately 55 acres

And it is now,

RESOLVED the notice of hearing for the aforesaid public hearing was published and posted as required by law and is otherwise sufficient; and it is further,

RESOLVED that all of the property and property owners within the limits of the proposed extended district are benefited by the proposed extension; and it is further,

RESOLVED all of the property and property owners benefited by the proposed extension of the district are included within the limits of the proposed extension of the district as well as the district itself; and it is further

RESOLVED that the proposed extension of the district is in the public interest.

Roll Call: Mr. Powers-Yes Mr. McDonald-Yes Mr. Glushko-Yes
Motion Carried

Motion by Mr. Powers, seconded by Mr. McDonald to pass resolution #09.10.26-7;

WHEREAS, the Town Board has conducted a public hearing on this date regarding the proposed extension of the Sewer district described as follows:

Beginning at the northern end of the existing water district at Spaulding Brook approximately 245.27' east of NYS route 22B,
Thence proceeding in accordance to the deed description filed with the Clinton County Clerk, Volume 802, page 53 from Clinton Adirondack Timber to Donald Swain

N10 degrees 48' W 841.54'
Thence proceeding northerly parallel to Route 22B, 1403.03'
Thence proceeding northeasterly approximately 111.78'
Thence proceeding N6 degrees 3' E 639.30'
Thence proceeding S 83 degrees 24' east approximately 765.18' to the existing water district
Thence proceeding southerly to Spaulding Brook
Thence proceeding westerly along Spaulding Brook to the point of beginning

Total area of the proposed sewer district extension is approximately 55 acres

And it is now,

RESOLVED the notice of hearing for the aforesaid public hearing was published and posted as required by law and is otherwise sufficient; and it is further,

RESOLVED that all of the property and property owners within the limits of the proposed extended district are benefited by the proposed extension; and it is further,

RESOLVED all of the property and property owners benefited by the proposed extension of the district are included within the limits of the proposed extension of the district as well as the district itself; and it is further

RESOLVED that the proposed extension of the district is in the public interest.

Roll Call; Mr. Powers-Yes Mr. McDonald-Yes Mr. Glushko-Yes
Motion Carried

Motion by Mr. Powers, seconded by Mr. Glushko, to pass resolution #09.10.26-8;

WHEREAS, the Town Board has considered the extension of the water district such extension described as follows:

Beginning at the northern end of the existing water district at Spaulding Brook approximately 245.27' east of NYS route 22B,
Thence proceeding in accordance to the deed description filed with the Clinton County Clerk, Volume 802, page 53 from Clinton Adirondack Timber to Donald Swain
N10 degrees 48' W 841.54'
Thence proceeding northerly parallel to Route 22B, 1403.03'
Thence proceeding northeasterly approximately 111.78'
Thence proceeding N6 degrees 3' E 639.30'
Thence proceeding S 83 degrees 24' east approximately 765.18' to the existing water district
Thence proceeding southerly to Spaulding Brook
Thence proceeding westerly along Spaulding Brook to the point of beginning

Total area of the proposed water district extension is approximately 55 acres

And,

WHEREAS the Engineer's map, plan and report regarding the extension is on file with the Town Clerk; and

WHEREAS the Town board has followed the procedures outlined in Article 12-A of the Town Law; it is now

RESOLVED that the Town Board approves the extension of the Water District, as described and limited above and as more fully outlined in the Engineer's map, plan and report; and it is further

RESOLVED that this resolution is subject to permissive referendum in the manner provided in article 7 of the Town Law and the Town Clerk is hereby directed to post and publish a notice which shall set forth the date of the adoption of this resolution and which shall concisely state the purpose and effect thereof.

Roll Call; Mr. Powers-Yes Mr. McDonald-Yes Mr. Glushko-Yes
Motion Carried

Motion by Mr. Powers, seconded by Mr. Glushko to approve resolution #09.10.26-9;

WHEREAS, the Town Board has considered the extension of the sewer district such extension described as follows:

Beginning at the northern end of the existing water district at Spaulding Brook approximately 245.27' east of NYS route 22B,
Thence proceeding in accordance to the deed description filed with the Clinton County Clerk, Volume 802, page 53 from Clinton Adirondack Timber to Donald Swain N10 degrees 48' W 841.54'
Thence proceeding northerly parallel to Route 22B, 1403.03'
Thence proceeding northeasterly approximately 111.78'
Thence proceeding N6 degrees 3' E 639.30'
Thence proceeding S 83 degrees 24' east approximately 765.18' to the existing water district
Thence proceeding southerly to Spaulding Brook
Thence proceeding westerly along Spaulding Brook to the point of beginning

Total area of the proposed sewer district extension is approximately 55 acres

And,

WHEREAS the Engineer's map, plan and report regarding the extension is on file with the Town Clerk; and

WHEREAS the Town board has followed the procedures outlined in Article 12-A of the Town Law; it is now

RESOLVED that the Town Board approves the extension of the Sewer District, as described and limited above and as more fully outlined in the Engineer's map, plan and report; and it is further

RESOLVED that this resolution is subject to permissive referendum in the manner provided in article 7 of the Town Law and the Town Clerk is hereby directed to post and publish a notice which shall set forth the date of the adoption of this resolution and which shall concisely state the purpose and effect thereof

Roll Call: Mr. Powers-Yes Mr. McDonald-Yes Mr. Glushko-Yes

Motion Carried

Mr. McDonald refers to recent false statements that were reported regarding him on a website. He states that they were corrected and thanks whom ever was responsible.

Mr. Forrence reads a letter from the Association of Towns regarding the current vacancies on the Town Board. Specifically, Town Supervisor and two year seat vacated by Mr. Forrence. Mr. Forrence informs members that it is the opinion of the State that upon certification of the election the vacant seats should be filled by those elected.

Mr. Farrell refers to the recently installed four way stop signs installed on the Brand Hollow Road and Military Turnpike. He specifically thanks Mrs. LaMountain for her efforts in working with the Highway department regarding this.

Mr. McBrayer asks the board if they think that the Preliminary budget should be placed on the town website.

Motion by Mr. Powers, seconded by Mr. Glushko to approve the bills in the amount of \$259,574.29. Ayes 3 Nays 0

Motion Carried

Motion by Mr. Powers, seconded by Mr. McDonald to adjourn the regular meeting at 8:52 PM. Ayes 3 Nays 0

Motion Carried

_____ **Deputy Supervisor** _____ **Councilman**

_____ **Councilman** _____ **Councilman**

_____ **Town Clerk**