

*The Town of Orleans Board Meeting
August 14, 2014*

The Town of Orleans Board held a regular scheduled meeting on August 14, 2014 at the Municipal Building in LaFargeville, at 7:00PM

Members Present: Kevin Rarick, Peter Wilson, Gwen Kirkby, and Mary Ford-Waterman.

Members Absent: Thomas Johnston

Others Present: Tammy Donnelly, Town Clerk, Brian Kirkby, Rob Company, Brad Millett, Gerry & Jim Giambra, Ty Davis, Jack Woodward, Mike Curtiss, Judy Barbrie, John Skinner, Shirley Skinner, Fern Azzoto, Benedict B.W., Iris Waterson, and Dale Dingman.

Supervisor Rarick called meeting to order at 7:06PM

1. Approval of Minutes – A motion was made by Peter Wilson and seconded by Mary Ford-Waterman to accept July 10, 17, 23, and 30th minutes as read.

Kevin Rarick, Aye

Peter Wilson, Aye

Gwen Kirkby, Aye

Mary Ford-Waterman, Aye

Thomas Johnston, Absent All in favor motion carried

2. Cathy Satterley Financial Report - Cathy reviewed reports with town board. Discussion was held on transfers Cathy suggested. Town board thought they were 2014 transfers. Cathy stated they are from 2013. Discussion was held.

3. School easement for LA sewer upgrade project - Attorney Burrows presented an easement for the school board to consider and adopt the following Resolution.

**Town of Orleans
20558 Sunrise Avenue
P. O. Box 187
LaFargeville, New York 13656**

Supervisor
Kevin Rarick 658-4411
Town Clerk
Tammy Donnelly 658-9950
Highway Superintendent
Brian Kirkby
Town Assessor
Dale Raymo 658-4309

Zoning Officer
Brad Millett 658-2057
Town Council
Mary Ford-Waterman
Peter Wilson 658-9950
Thomas Johnston
Gwen Kirkby 658-9950

RESOLUTION

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WHEREAS, the Town Board of the Town of Orleans is responsible for, and serves as, the governing Board for the LaFargeville Sewer District; and

WHEREAS, the LaFargeville Sewer District is required to construct a new sewage force main connecting the district's sewage pump station to the sewage treatment plant; and

WHEREAS, the most direct route, and cost effective route, for the alignment would be to travel across real property owned by the LaFargeville Central School District; and

WHEREAS, the Town Board of the Town Orleans seeks to acquire a permanent Easement of 20 feet in width (10 feet on either side) of a new force main to be constructed, and a temporary Easement of 40 feet total width to allow for the initial construction over the entire length of the line across lands of the LaFargeville Central School District; and

NOW, THEREFORE, BE IT

RESOLVED, that Kevin Rarick, as Supervisor of the Town of Orleans and on its behalf, be and is hereby authorized to contact the governing body for the LaFargeville Central School District seeking such an Easement, and he is hereby authorized to execute all documents which may be required to effectuate the acquisition of such an Easement;

BE IT FURTHER RESOLVED, that the Easement to be sought is in the form attached as Exhibit "A."

The foregoing Resolution was offered by Board member Peter Wilson and seconded by Board member Gwen Kirkby, and upon roll call vote of the Board was duly adopted as follows:

Supervisor Kevin Rarick	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Mary Ford-Waterman	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Peter Wilson	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Thomas Johnston	Yes <input type="checkbox"/> No <input type="checkbox"/> absent
Gwen Kirkby	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Dated: August 14, 2014

Tammy Donnelly
Tammy Donnelly
Town Clerk

COPY

EASEMENT

THIS INDENTURE, made the ____ day of _____, 2014, between **The LaFargeville Central School District**, 20414 Sunrise Avenue, LaFargeville, New York, party of the first part, hereinafter designated the Grantor, and **THE TOWN OF ORLEANS**, a municipal corporation of the State of New York, having an office at Sunrise Ave., Lafargeville, NY, party of the second part, hereinafter designated the Grantee:

WITNESSETH, that the Grantor, in consideration of ONE DOLLAR (\$1.00) lawful money of the United States, the receipt of which is hereby acknowledged, and other good and valuable consideration, paid by the Grantee, does hereby grant and release unto the Grantee, its successors and assigns, forever, a Permanent and Perpetual Easement to be exercised in, on, over, under, through, and across the hereinafter described property for the purpose of constructing, laying, installing, replacing, operating, maintaining, cleaning, repairing, and removing sanitary sewer pipeline(s,) and appurtenances of whatever type or material, so as to enable the transmission of sewage through any line now on, under, or between the Orleans Sewer District sewage pump station and the Orleans Sewer District sewage treatment plant or any line to be hereafter placed upon, under, or through said property, as the Grantee may now or shall from time to time hereafter deem necessary for the transmission of sewage, which said property is described as follows:

ALL that tract or parcel of land situate in the Town of Orleans, County of Jefferson, and State of New York being a strip of land twenty feet (20') in width, the center line of which being the approximate center line of the certain sanitary sewer pipeline or appurtenances within Tax Parcel No. 32.11-1-37.1 by deed recorded in the Jefferson County Clerk's Office in Liber 782 of Deeds at Page 402 as shown on the as built "plans" titled Town of Orleans Sewer District No. ____ Wastewater Collection and Treatment Facilities prepared by St. Lawrence Engineering.

During and for the purpose of the construction of the sanitary sewer pipeline or appurtenances, the Grantee shall have the right to clear and use additional land (Temporary Easement), said Temporary Easements shall be a maximum of 10 feet in width on each side of the Permanent Easement. The grant of the Temporary Easement shall terminate upon completion of construction of the facilities and surface restoration.

The Grantee or its duly authorized representatives shall have the right at any time to cut roots or remove trees and vegetation or other obstructions on or adjacent to said above described premises which in the opinion of the Grantee may be likely to interfere with or prevent the free and unrestricted use and exercise of the Permanent Easement and the rights hereinabove described.

The Grantee shall, after the completion of initial construction or any other work required to be done in connection with the granting of these Easements, restore the surface of, the surrounding ground to substantially its former condition except for such trees or shrubs as have to be cut or removed in connection with the work of installing the sanitary sewer pipeline, and appurtenances.

Reserving, however, to the Grantor of the above described property and its successors in interest, the right and privilege of using such property, except for the erection of buildings or other structures over said line, provided the exercise of such right and privilege does not interfere or is not likely to interfere with or prevent the free and unrestricted use and exercise of the Permanent Easement and rights hereinabove described.

The Grantee or its duly authorized representative or representatives shall have the right at any time of ingress or egress, and regress, over and upon the premises of the Grantor, its successors and/or assigns into and from the aforesaid premises for the purposes hereinbefore or hereinafter set forth with vehicles or machinery of any kind or on foot without becoming or being liable for trespass.

TO HAVE AND TO HOLD the rights hereby granted unto the Grantee, its successors, and assigns forever; and the said Grantor hereby covenant as follows:

FIRST: That the Grantee shall quietly enjoy the rights hereby granted.

SECOND: That the Grantor, its successors and/or assigns will forever **WARRANT** the title to the rights hereby granted.

IN WITNESS WHEREOF, the Grantor has hereunto caused these premises to be signed by its duly authorized representatives the day and year first above written.

By: _____ Grantor(s)

STATE OF NEW YORK)
) ss:
COUNTY OF JEFFERSON)

On the ____ day of August, 2014, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

4. *SASS update meeting is August 18th at the Opera House in Clayton.*

5. *Update from Dale Raymo on assessor business- Dale stated he received letter from state, the town is at 100% equalization rate. Dale stated he is working on new construction and permits. Dale would like the board to consider getting him a tablet so he can update data, pictures, etc.*

while on location Dale stated Lori Durand would like to know where the board is at with the landfill property she would like to purchase. Discussion was held. Dale, Kevin and Brian will meet and walk property on Thursday.

6. Update from Brian Kirkby on highway issues - Brian stated the county would like the town to take over culvert/Bridge on Carter Street. Discussion was held. Town board is not interested.

Brian stated he paved Tubolino Road. Brian would like to know if the board wants highway to work on skating rink. Discussion was held. Brian will try to come up with material list and prices.

Discussion was held on Brian having vehicles towed that are on town streets during winter months. Jim Burrows will look into. Brian does not want to have to call police.

Brian stated he will be getting quotes for new dump truck for 2015 budget. The board had asked Brian to wait until 2015 to purchase. Some board members would like to see repair log on truck he wants to replace. Brian stated if he does not get a new truck his repair budget line will need to be increased for 2015.

Residents thanked highway crew for brush pickup.

7. Updated from Shookie Millett – Shookie stated that there is a subdivision meeting next Tuesday at 7:00pm for Blind Bay.

Shookie stated he was served to appear in court for the Attorney of the Hoffman's. Shookie will need to clarify the town ordinance.

Some residents of Fishers Landing would like Town Ordinance to include lawn care. Residents are complaining of neighbor's yard located at 41842 Orleans Ave. which is not being mowed, resident stated it is causing rodents. Discussion was held.

8. Quotes for removal of trailers- Shookie received 3 quotes for the removal of Cloot's trailers on Rte. 180. Cost will be added to Cloot's taxes. Trailers must be destroyed on site.

Ludlow's Auto Salvage \$5,000.00
Newberry Construction - \$6,400.00
David Flint/Mark Norfolk- \$8,000.00

A motion was made by Peter Wilson seconded by Gwen Kirkby to accept Ludlow's bid in the amount of \$5, 000, Contingent on Ludlow's having insurance. Board would also like quicker completion time.

Kevin Rarick, Aye
Peter Wilson, Aye
Gwen Kirkby, Aye

Mary Ford-Waterman, Aye
Thomas Johnston, Absent All in favor motion carried

A motion was made by Peter Wilson and seconded by Mary Ford-Waterman to accept Newberry Construction quote if Ludlow's do not have insurance.

Kevin Rarick, Aye
Peter Wilson, Aye
Gwen Kirkby, Aye
Mary Ford-Waterman, Aye
Thomas Johnston, Absent All in favor motion carried

Town Clerk will contact Ludlow's in the morning.

10. TI Park update - Rob Campany stated he will be going to TI Park to mark problem area's out and will be talking to residents about disruptions. Park Corp. will assist town employees with project.

11. EFC updates LA Sewer – Supervisor Rarick stated he had conference call with EFC.

Supervisor Rarick stated Rte 12 water project has been approved for a hardship loan at 0% finance for 30 years.

12. Mike Curtiss stated hand rails have not been put on stairs at Bonnie Small's. Supervisor Rarick will see what he can do.

13. John Skinner of Fishers Landing approached the board. John stated the tennis courts in Fishers Landing need to have more routine maintenance and repairs

John also stated from the light on rte 12 to Foxy's on Reed Pt Rd. the double yellow lines have faded. He would like the town to hire contractor to paint yellow double lines. He feels this is a public safety concern.

Mr. Skinner is very frustrated with the abandon property that is not being cared for at 41842 Orleans Ave. Weeds and grass are 4.5ft tall, rodents and animals on property, and concerned about rabies.

Mr. Skinner would like to go on record that he submitted a bill in the amount of \$149.77 for the removal of a bee hive on his property, which he feels is due to the abandon property next door. Discussion was held. Attorney Jim Burrows stated it is illegal for the town to reimburse Mr. Skinner for that bill. Jim suggested that Mr. Skinner would need to take his neighbor to small claims court.

14. Councilman Gwen Kirkby - Gwen would like to see more police presence in LaFargeville for speeding cars and drugs.

15. Supervisor Rarick received letter from Mike Curtiss of Fineview Homeowners Association, requesting, hidden driveway signs for 43126, 43128, and 43290 County Route 100 and a legally blind sign for Titus Davis.

A motion was made by Peter Wilson and seconded by Mary Ford-Waterman to request that the county put signs up per Mike Curtiss's request.

Kevin Rarick, Aye

Peter Wilson, Aye

Gwen Kirkby, Aye

Mary Ford-Waterman, Aye

Thomas Johnston, Absent All in favor motion carried

Bills were audited in the amount of \$ 249,208.64

A motion was made by Gwen Kirkby and seconded by Peter Wilson to adjourn meeting.

Kevin Rarick, Aye

Peter Wilson, Aye

Gwen Kirkby, Aye

Mary Ford-Waterman, Aye

Thomas Johnston, Absent All in favor motion carried

Meeting adjourned at 10:00PM

Respectfully submitted

Tammy Donnelly

Town Clerk