

## **Minutes of the Town of Westport Regular Board Meeting on March 10, 2020**

The meeting was called to order by Supervisor Tyler at 7:00 p.m.

Members present on a roll call were:

Councilperson Brankman  
Councilperson Kirkby  
Councilperson Viens  
Councilperson Morrison  
Supervisor Tyler

Others Present:

Julie Schreiber, Town Clerk  
Dennie Westover, DPW Superintendent  
Kye Perry, Youth Commission Director

### **RESOLUTION #59 APPROVAL OF MINUTES**

On a motion by Councilperson Morrison, seconded by Councilperson Viens, and approved on a roll call vote.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**RESOLVED** to accept the minutes of the February 25, 2020 regular meeting as received.

### **RESOLUTION #60 APPROVAL OF MINUTES**

On a motion by Councilperson Viens, seconded by Councilperson Brankman, and approved on a roll call vote.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**RESOLVED** to accept the minutes of the February 28, 2020 special meeting as received.

**YOUTH COMMISSION REPORT** – The Youth Commission has been discussing the summer program and changes that might be made to it (length of the program and start times). Kye asked the board if they wanted to consider allowing Elizabethtown students to attend. Supervisor Tyler would like the program to remain the same for now. He stated that there is no accurate prediction for the number of attendees and the number of

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counselors that would be needed. The council agreed that more information is needed before any changes are made. The Youth Commission will continue working on a proposal for combining programs in 2021.

**NEW BUSINESS**

**RESOLUTION #61**  
**APPROVAL OF BILLS**

On a motion by Councilperson Brankman, seconded by Councilperson Kirkby, and approved on a roll call vote.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**RESOLVED** to authorize the payment of bills on Abstract 5 in the amount of \$19,152.74 for Vouchers 123-147.

**MONTHLY REPORTS** – The supervisor is in receipt of February reports from the Town Clerk, Tax Collector, and Town Court.

**RESOLUTION #62**  
**COPYING AGREEMENT**

On a motion by Councilperson Viens, seconded by Councilperson Morrison, and approved on a roll call vote.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**RESOLVED** to authorize Supervisor Tyler to sign the Annual Copying Needs & Agreement for Shared Services with the Westport Fire District.

**RESOLUTION #63**  
**RECORDS DISPOSITION**

On a motion by Councilperson Brankman, seconded by Councilperson Viens, and approved on a roll call vote.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**RESOLVED** to authorize the disposition of the following records:

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<b>Record Series</b>	<b>Date of Records</b>	<b>Schedule Item</b>	<b>Retention</b>
22[22]	2013	Transfer Station Reports	6 years
5[349]	2013	Time Sheets	6 years
12[256]	2013	Water/Sewer Billing	6 years
16[16]	2013	Water/Sewer Work Orders	6 years
11[255]	2013	Abstracts/Vouchers	6 years
30[30]	2013	Postage Log	1 year
3[247]	2013	Journal Entries	6 years
1[263]	2013	Third Party Custodial	6 years
7[269]	2013	Deposits	6 years
15[625]	2013	Dig Safely Requests	6 years
17[282]	2013	Transfer Station Receipts	6 years
2[594]	2008-2009	Final Assessment Roll	10 years
12[590]	2012-2013	Tax Grievance File	6 years
2[594]	2013-2014	Tentative Assessment Roll	5 years

**RESOLUTION #64**  
**NYSDOT AGREEMENT**

On a motion by Councilperson Morrison, seconded by Councilperson Viens, and approved on a roll call vote.

5 Ayes      Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**RESOLVED** to authorize Dennis Westover to enter into a four year agreement with NYSDOT for shared services.

**RESOLUTION #65**  
**SOLAR ARRAY BID AWARD**

On a motion by Councilperson Kirkby, seconded by Councilperson Brankman, and approved on a roll call vote.

5 Ayes      Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**BE IT RESOLVED THAT** the Town Board of the Town of Westport reviewed all of the bids submitted for project #P-1012-2019, the Town Hall Upgrades Project, with assistance from Essex County Community Resources; and

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**BE IT FURTHER RESOLVED** that after review and discussion of the bids submitted to the Town Board at a regular board meeting on this date;

**WHEREAS**, the decision was made to select a contractor that produced the lowest responsible bid in accordance with New York State General Municipal Law subsection 103 and the requirement of the New York State Energy Research and Development Authority.

**THEREFORE BE IT RESOLVED** that the Town Board of the Town of Westport will award Albany Solar Solutions, LLC the GC contract for their bid of \$50,000.00, subject to compliance requirements as defined in the bid specifications.

**RESOLUTION #66**  
**SEWER DISTRICT 1 PUBLIC HEARING**

On a motion by Councilperson Morrison, seconded by Councilperson Viens, and approved on a roll call vote.

5 Ayes      Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**WHEREAS**, the Town Board of the Town of Westport, Essex County, New York has caused to be prepared a map, plan, and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities Sewer District No. 1 in the Town of Westport, Essex County, New York, being the cost of the construction of new, as well as improvements to and reconstruction of, pump stations and sewer transmissions and manholes, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith; and

**WHEREAS**, said capital project has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (SEQRA), the implementation of which as proposed, as such will not result in any significant adverse environmental impact and the documentation relating to SEQRA compliance is available in the office of the Town Clerk for inspection during normal office hours; and

**WHEREAS**, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Sewer District No. 1 in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law.

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**NOW, THEREFORE, IT IS HEREBY ORDERED** by the Town Board of the Town of Westport, Essex County, New York as follows:

**Section 1.** A public hearing will be held in the Town Hall, 22 Champlain Avenue, Westport, New York on March 24, 2020 at 2:30 P.M. Prevailing Time, on the question of the increase and improvement of the facilities Sewer District No.1 in the Town of Westport, Essex County, New York in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

**Section 2.** The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more that twenty days before the date designated for the hearing.

**Section 3.** The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

**Section 4.** This Order shall take effect immediately.

**RESOLUTION #67**  
**PLANNING BOARD ALTERNATES**

On a motion by Councilperson Viens, seconded by Councilperson Morrison, and approved on a roll call vote.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**RESOLVED** to appoint Elisha Bartlett and Dwayne LaMotte to the Planning Board as Alternates for terms to expire 12/31/2022.

**RESOLUTION #68**  
**SEQRA DETERMINATION**

On a motion by Councilperson Morrison, seconded by Councilperson Kirkby, and approved on a roll call vote.

5 Ayes Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**BE IT RESOLVED** by the Town Board of the Town of Westport, Essex County, New York as follows:

**Section 1.** It is hereby determined that the Board adopting this resolution has declared itself to be the lead agency under the State Environmental Review Act (SEQRA) and the regulations promulgated thereunder for purposes of determining the

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environmental impact of the project described in Section 3 hereof, and completed all requisite requirements in connection therewith.

**Section 2.** It is hereby determined that the project described in Section hereof is a Type II Action, which it has been determined such regulations provide will not have any significant adverse effects upon the environment pursuant to 6 NYCRR 617.5(c) (1) and (2).

**Section 3.** The project which is the subject of this resolution is described as follows: Construction of new, as well as improvements to and reconstruction of, pump stations and sewer transmissions mains and manholes, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses, in connection therewith at a maximum estimated cost of \$3,148,395.

**Section 4.** This resolution shall take effect immediately.

**RESOLUTION #69**  
**WESTPORT WWTP AWARD**

On motion by Councilperson Kirkby, seconded by Councilperson Brankman, and approved on a roll call vote.

5 Ayes      Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**RESOLVED** that an award be made to an engineering firm for the Westport Sewer District No. 1 upgrades, Project #P-1010-2019.

**WHEREAS**, the ranking of the firms is as follows:

1. MJ Engineering, PC                      99/100 points
2. AES Northeast, PLLC                    96/100 points
3. C2AE, PC                                  91/100 points
4. EDP, LLC                                  82/100 points

**BE IT FURTHER RESOLVED** that the notice of award shall be made after an acceptable price for these services be agreed upon between the firm ranked first by the Qualification Based Selection process and the Town.

**RESOLUTION #70**  
**WESTPORT WWTP UPGRADES CONTRACT**

On a motion by Councilperson Kirkby, seconded by Councilperson Brankman, and approved on a roll call vote.

5 Ayes      Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

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**BE IT RESOLVED** that the Town Board of the Town of Westport has reviewed all proposals for the Westport Sewer District No. 1 Upgrades Request for Proposals with the assistance Essex County Community Resources; and

**BE IT FURTHER RESOLVED**, that after review and discussion of the proposals submitted to the Town Board at a Regular Board Meeting on this date; and

**WHEREAS**, the decision was made to select an engineering firm that most fits the needs associated with this project and an acceptance price has been agreed upon.

**THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Westport will award MJ Engineering and Land Surveying, PC the engineering contract for said project.

**DPW SUPERINTENDENT REPORT** – Dennie provided comparison reports of snow season expenses. He is waiting on the county for blacktop pricing.

**RESOLUTION #71**  
**ROAD WEIGHT LIMIT**

On a motion by Councilperson Brankman, seconded by Councilperson Morrison, and approved on a roll call vote.

5 Ayes      Brankman, Kirkby, Viens, Morrison, Tyler  
0 Nays

**RESOLVED** to authorize the advertisement of a reduced weight limit for all town roads.

**RESOLUTION #72**  
**ADJOURNMENT**

On a motion by Councilperson Brankman, seconded by Councilperson Kirkby, and approved on a roll call vote, the meeting adjourned at 7:52 p.m.

Minutes respectfully submitted,

Julie Schreiber, Town Clerk