

Town of Norfolk
Town Board Meeting
May 12, 2014

A monthly meeting of the Norfolk Town Board was held on Monday, May 12, 2014 at 7:00 PM at the Norfolk Town Hall.

Present were: Supervisor Charles Pernice, Councilman Donald Purvis, Councilwoman Jean Gang, and Councilman Robert Harvey.

PLEDGE

The Pledge of Allegiance was said by all present.

CALL MEETING TO ORDER

Supervisor Pernice called the meeting to order.

APPROVAL OF MINUTES

The minutes of the April 14, 2014 Town Board meeting were reviewed and approved as submitted with a motion by Councilman Purvis and Councilwoman Gang. All in Favor – Carried

SUPERVISOR'S UPDATE

*Library: Supervisor Pernice reported that the Library Roof Project is going good. Town Engineer Aaron Jarvis noted that the cap needs to be replaced and he is getting a quote on that to be added to the project.

*Sewer Project: Supervisor Pernice asked the Board if they would like to have an official ground breaking ceremony for the sewer project. The all agreed that they would. Mr. Jarvis will coordinate it.

SEWER PROJECT – CONTRACT 5

Town Engineer Aaron Jarvis distributed a budget sheet for the entire project and it was reviewed. There was discussion. Construction on the project will begin right away. Mr. Jarvis stated that Contract 5 was re-bid twice and the low bid came in at \$833,300.00 by T.J. Fiacco Construction.

A motion was made by Councilman Harvey and Councilman Purvis to award Contract 5 to T.J. Fiacco Construction for the amount of \$833,300.00. All in Favor – Carried

REPORTS

*Monthly Police Report: Supervisor Pernice noted that Officer in Charge Karla Trimm has broken her wrist. The monthly report of Office Trimm was reviewed and approved as submitted with a motion by Councilwoman Gang and Councilman Purvis. All in Favor – Carried

*Monthly Court Report: The monthly report of the Norfolk Justice Court was reviewed and approved as submitted with a motion by Councilman Harvey and Councilman Purvis. All in Favor – Carried

*Monthly Dog Control Reports: The monthly reports of Dog Control Officer Matthew Kroeger and Backup Dog Control Officer Jim McConkey were reviewed and approved as submitted with a motion by Councilman Purvis and Councilman Harvey. All in Favor – Carried

*Monthly Code Enforcement Report: The monthly report of Code Enforcement Officer Leonard Halpern was reviewed and approved as submitted with a motion by Councilwoman Gang and Councilman Harvey. All in Favor – Carried

Councilman Purvis told Mr. Halpern that he has had residents express concerns over the burned out house on State Highway 56. They wondered if some of the junk and debris could be cleaned up. There was discussion. Mr. Halpern noted that he has created a detailed file on all of the abandoned properties that have been issues and the next step for them is condemnation by the Town Board. Supervisor Pernice stated that Mrs. Paige has filed foreclosure on the Hamms and no action can be taken until she gets the property back. Ownership has not yet been determined. CEO Halpern will call Mrs. Paige and check on the progress and speak with Brian Haggett who will be doing to clean up. Councilman Harvey noted that a security fence has not yet been put up and an asbestos survey will need to be done before cleanup is done.

*Monthly Town Clerk Report: The monthly report of Town Clerk Kathy Emlaw was reviewed and approved as submitted with a motion by Councilman Purvis and Councilwoman Gang. All in Favor – Carried

*Verbal Highway Report: Highway Superintendent Larry Villnave stated that he would like to hire two employees for summer help. The employees need

to be college bound. A motion to approve this was made by Councilman Purvis and Councilman Harvey. All in Favor – Carried

Mr. Villnave also brought up the issue of residences having basketball nets near or on the highways. This is a safety issue as they are in the Town's right of way. There was discussion on the issue. The Board agreed to ask the residents to move them first, or the Town Crew will move them out of the Town right of way which is twenty five feet from the center of the road.

COMMUNICATIONS

There were none at this time.

EXECUTIVE SESSION

An executive session was not required at this time.

ACTION ITEMS

*Cook Street Water: Supervisor Pernice has been working with Engineer Tim Burley looking into the possibility of supplying water to the Cook Street area. 58 Surveys have been returned with 41 for it and 17 against it. That is 71% in favor of the project. Supervisor Pernice has spoken with the Town of Massena who will supply the water. Step two will be to spend \$3,500.00 for an engineering report. There was discussion.

A motion was made by Councilman Purvis and Councilwoman Gang to approve the spending of \$3,500.00 for an engineering report on the project. All in Favor – Carried

*Sewer Consent Order: Supervisor Pernice state that the NYSDEC required the Sewer Consent Order to be amended and re-submitted. A motion was made by Councilwoman Gang and Councilman Purvis to give Supervisor Pernice authorization to sign the amended consent order. All in Favor – Carried

*Agreement to Spend Highway Funds: The Agreement to Spend Highway Funds for 2014 paving and repair of roads was reviewed. The sum of \$376,520.00 may be expended for general repairs upon 54.88 miles of town highways and sections of the following roads or streets will be repaired: Evergreen Ave., North Moor Park, Tromboli St., Riverside Dr., Woodland Dr., Fairlawn Ave., Raymond St., Old Market Rd., and River Rd.

The 2014 Agreement to Spend Highway Funds was approved as submitted with a motion by Councilwoman Gang and Councilman Harvey. All in Favor – Carried

*Erie Boulevard Hydropower easements: Supervisor Pernice noted that a decision on these easements is on hold. Town Attorney Eric Gustafson is reviewing the information.

*Water/Sewer Refund: Mr. Kenny Plumb paid his 2014 water/sewer bill in full at the beginning of the year. He had his water shut off in November of 2013 and turned back on in May of 2014. It was shut off for six months. Mr. Plumb is requesting a refund in the amount of \$304.00. This was approved with a motion by Councilman Harvey and Councilwoman Gang. All in Favor – Carried

*Public Parking at Downtown Park: Supervisor Pernice noted there is an issue with parking at the park. He would like to restrict parking there to two hours for the summer and then take the sign down for the winter so vehicles can get off the main street for plowing. This was approved with a motion by Supervisor Pernice and Councilman Harvey. All in Favor – Carried

*Alternate to Planning Board: Planning Board Chairman Kate Chepeleff requested that the Board appoint an Alternate member to the Planning Board to be able to fill in when a member is not available. She recommended Dale Tucker. A motion was made by Councilwoman Gang and Councilman Harvey to appoint Dale Tucker as an Alternate Member to the Planning Board. All in Favor – Carried

*Youth Soccer: Norwood Norfolk Youth Soccer has requested to renew their contract for services in the amount of \$650.00 with the Town. This was approved with a motion by Councilman Purvis and Councilwoman Gang. All in Favor – Carried

*Local Law #1 of 2014 – Adoption of the New Code: The new code book is finally ready. All Town Laws and Ordinances have been combined into one book with the Zoning Regulations. Supervisor Pernice noted that the required Public Hearing has been held. A motion was made by Supervisor Pernice and Councilwoman Gang to adopt Local Law #1 of 2014 “Code of the Town of Norfolk”. All in Favor – Carried

Supervisor Pernice noted that the paperwork will be filed with the Secretary of State.

*Resolution #6 of 2014 – Solar Project: The Board reviewed the Negative Declaration submitted. There was discussion. Supervisor Pernice noted that the Town Crew under the supervision of Scott Shipley will do a lot of the assembly work. The contract with Fourth Coast is for \$155,000.00. Resolution #6 for approval of the project was reviewed.

A motion was made by Councilwoman Gang and Councilman Harvey to adopt Resolution #6 of 2014 authorizing approval of the Solar Project as submitted. All in Favor – Carried

COUNCIL COMMENTS

*Councilwoman Gang noted that the first rabies clinic in many years was held on April 15th and was very successful. Dr. Perez volunteered his services. Seventy six vaccinations were done to dogs and cats.

*Councilman Purvis asked Mr. Villnave to look into a storm drain issue.

*Councilman Harvey asked Mr. Villnave to look into installing guard rails or posts on the Marsh Road. There is an area where the road is really close to the water.

APPROVE PAYMENT OF BILLS

Bills #66 – 80 in the amount of \$14,380.04 for the Highway Abstract and bills #290 – 350 in the amount of \$41,775.33 for the Regular Abstract were reviewed and approved for payment with a motion by Councilman Harvey and Councilwoman Gang. All in Favor – Carried

PUBLIC COMMENTS

*Mr. Roger Conte asked if the burned out property on State Highway 56 had a Land Contract that was recorded in Canton. CEO Halpern checked the Assessor's Book and stated that he believed it did as the (LC) was listed. Mr. Conte said if it was not recorded in Canton then Mrs. Paige still owned it. Mr. Conte stated that Mrs. Paige's using the same Attorney as the Town is a conflict of interest.

*Mr. Roger Conte stated that he feels that limiting the parking at the downtown park to two hours is discriminating and it should be the same at all parks.

*Mr. Richard Castle asked where the Cook St. water will come from. Supervisor Pernice said from the Town of Massena. There was discussion.

*Mr. Roger Conte stated that he feels that his tenants parking issue is harassment.

*Mr. Roger Conte stated that Mrs. Eva Enache's Beauty Salon is still going on. Supervisor Pernice thanked him for his comment.

*Mr. Roger Conte stated that Mrs. Ilona Joy's Beauty Salon is still going on. Supervisor Pernice thanked him for his comment.

*Mr. Roger Conte asked if there has been an audit on the water / sewer. Supervisor Pernice stated that there was an audit done last year and there will be one done this year and next year on the water / sewer.

ADJOURNMENT

The meeting was adjourned with a motion by Councilman Harvey and Councilman Purvis. All in Favor – Carried

Supervisor – Charles Pernice

Councilman – Donald Purvis

Councilwoman – Jean Gang

Councilman – Robert Harvey

Dated: May 12, 2014

Kathy M. Emlaw – Norfolk Town Clerk

Town of Norfolk
Local Law #1 of 2014
Public Hearing
May 12, 2014

A Public Hearing was held on Monday, May 12, 2014 at 6:30 PM at the Norfolk Town Hall to review and hear input on Local Law #1 of 2014 pertaining to the new "Code of the Town of Norfolk".

Present were Supervisor Charles Pernice, Councilman Donald Purvis, Councilwoman Jean Gang and Councilman Robert Harvey.

PUBLIC COMMENTS

Supervisor Pernice opened the hearing and asked for any Public Comments. There were none at this time.

COUNCIL COMMENTS

Councilwoman Gang asked Planning Board Chairman Kate Chepeleff if she was happy with the new code. Mrs. Chepeleff stated that she was. Supervisor Pernice noted that the Planning Board did a great job on it.

Councilman Harvey stated that it has taken five years to complete the project.

There was discussion on the cost of reproduction.

ADJOURN

A motion was made by Councilman Purvis and Councilman Harvey to adjourn the Public Hearing. All in Favor – Carried

Supervisor – Charles Pernice

Councilman – Donald Purvis

Councilwoman – Jean Gang

Councilman – Robert Harvey

Dated: May 12, 2014

Kathy M. Emlaw – Norfolk Town Clerk