

**TOWN OF RIDGEWAY
TOWN BOARD MEETING
MONDAY, NOVEMBER 16, 2015 -7:00 P.M.**

The regular board meeting was called to order by Supervisor Napoli at 7:00 P.M. at the Town Hall, Medina, NY.

Those Officers Present:	Brian Napoli Jeffrey Toussaint Paul Blajszczak David Stalker Mary Woodruff	Supervisor Councilman Councilman(Absent) Councilman Councilwoman(Absent Exc.)
Others:	Mark Goheen Daniel Wolfe Katherine Bogan Patricia Laszewski Barbara J. Klatt	Hwy Superintendent Code Enf. Officer(Abs. Exc.) Attorney Assessor Town Clerk
	Lynne Johnson Karen Kaiser Tom Fenton Larry Meyer Tim Elliott Sarah Fisher Don Marchner	O.C. Legislator Deputy Planning Bd. Chairman Zoning Bd. Chairman Fire Chief

PLEDGE OF ALLEGIANCE

**RESOLUTION NO. 106 – 11/16/15 RESOLUTION TO ACCEPT AGENDA
WITH ADDITIONS**

Offered by Councilman Stalker, who moved its adoption.
Seconded by Councilman Toussaint.

Resolved to accept agenda with additions to Old Business, Item B and Item C.

Adopted: 3 ayes 0 nays

**RESOLUTION NO. 107 – 11/16/15 RESOLUTION TO APPROVE MINUTES
OF OCTOBER 19, 2015 TOWN BOARD
MEETING AND NOVEMBER 12, 2015
PUBLIC HEARING**

Offered by Councilman Stalker, who moved its adoption.

Seconded by Councilman Toussaint.

Resolved to approve minutes of October 19, 2015 Town Board Meeting and November 12, 2015 Public Hearing.

Adopted: 3 ayes 0 nays

Supervisor Napoli congratulated all winners of the November 3, 2015 election.

COMMUNICATIONS:

- A. Senator Ortt's office thanked the Town of Ridgeway for the use of the Town Hall for their Breast Cancer Awareness roundtable.
- B. A letter was sent from Orleans County to the State DOT concerning unsafe bridges.
- C. Received a check in the amount of \$17,151.99 from Orleans County Treasurer for Mortgage Tax.

DATE OF NEXT MEETINGS

Work Session – Tuesday, December 15, 2015 @ 7:00 PM–Ridgeway Town Hall

Regular Town Board Meeting –Monday, December 21, 2015 @ 7:00 PM–Ridgeway Town Hall

End of Year Meeting – Wednesday, December 30, 2015 @ 2:00 PM – Ridgeway Town Hall

OLD BUSINESS

- A. WD#12 project is almost complete except for boring under the Erie Canal. This should be completed next week.
- B. RESOLUTION NO. 108 – 11/16/15 RESOLUTION TO MOVE FORWARD ON PROCEEDINGS PERTAINING TO WD#13 WHICH SHEILA CHALIFOUX, ESQ. IS AUTHORIZED TO DO

WHEREAS, the Town of Ridgeway (“Town”) seeks to install approximately 17,100 linear feet of 8 inch water main, valves, hydrants and appurtenances in the Town within the Water District Extension No. 13 along portions of Bates Road and East Scott Road that are not currently served by public water which will connect to existing water mains in Town Water Districts 2 and 8 (“Project”); and

WHEREAS, a Petition was filed and the Town Board considered the benefits of this public Project, namely to ensure that a potable water supply and water for fire protection be continually provided to Town residents, and approved the Project; and

WHEREAS, to complete the Project, it is necessary for the Town to acquire 17 Permanent Easements and 10 Temporary Easements and, to date, property owners have voluntarily granted 10 Temporary Easements and 16 Permanent Easements to the Town and one (1) remaining Permanent Easement must be acquired by the Town ("Easement"); and

WHEREAS, the 500 x 30 foot Easement is located at 11874 East Scott Road on Property owned by Joseph and Pamela Misiti (Tax Account Number 58.-1-38.21) and identified on the map set forth in Exhibit "A," attached hereto; and

WHEREAS, the Town has considered whether it is necessary, in conjunction with its continued efforts to obtain easements voluntarily, to proceed to use the Town's powers of Eminent Domain to expedite the acquisition of the remaining Easement in accord with New York's Eminent Domain Procedure Law ("EDPL"); and

WHEREAS, the Town Board designated itself Lead Agency for the Project and fully reviewed the environmental impacts of this Project in full compliance with the State Environmental Quality Review Act (Article 8 of New York State's Environmental Conservation Law) and with Title 6 of the Codes, Rules and Regulations of the State of New York, Part 617 (collectively "SEQRA") and the National Environmental Policy Act ("NEPA"); and

WHEREAS, the Town Board adopted a Negative Declaration determining that the Project would have no significant impact on the environment; and

WHEREAS, the Town Board has considered various factors to determine whether the acquisition of the Property is de minimis in nature to that the public interest will not be prejudiced thereby, including the small area to be acquired relative to the total area of Owner's property, the fact that the location of this acquisition is along existing property lines, and that this acquisition is deemed not likely to interfere with the current and future use of the property; and

WHEREAS, the Town Board has considered whether the delay of the acquisition will cause harm to the public; and

WHEREAS, the Town Board has been advised that an appraisal is necessary to ascertain the value of the Easement that will be acquired and that, once authorized, the appraisal process can require four to six weeks to complete; and

NOW THEREFORE, it is

RESOLVED, that the acquisition of one (1) Easement, as identified on the map set forth in Exhibit "A", is necessary to construct the Project; and it is

FURTHER RESOLVED, that the public use, benefit or purpose of the acquisition is to allow the Town to construct the Project which will ensure that a potable water supply and water for fire protection are continually proved to the Town residents; and it is

FURTHER RESOLVED, that the Town's exercise of the power of Eminent Domain is appropriate and necessary to acquire the Project; and it is

FURTHER RESOLVED, that the acquisition of the Easement is de minimis in nature in that the public interest will not be prejudiced and that, pursuant to EDPL S206(D), the Town is exempt from compliance with Article 2 of the EDPL; and it is

FURTHER RESOLVED, that the Town Supervisor, or any agent he may designate, is authorized to proceed immediately to acquire the Easement through the exercise of the Town's power of Eminent Domain; and it is

FURTHER RESOLVED, that public interests will be prejudiced by delay and, accordingly, the Town Supervisor or any agent he may designate, is authorized to petition the court for immediate possession and right of entry pursuant to New York State Eminent Domain Procedure Law S402 (B) (6); and it is

FURTHER RESOLVED, that the Town Supervisor, or any agent he may designate, shall retain the authority to negotiate the purchase of the Easement on terms determined reasonable by him during the pendency of the condemnation action should that course of action be deemed by him to be feasible and desirable; and it is

FURTHER RESOLVED, that the Town Board authorizes the Supervisor to retain an appraiser to complete the necessary appraisals of the Easement at a rate not to exceed \$800.00; and it is

FURTHER RESOLVED, that the Town Supervisor or any agent he may designate, shall execute any and all documents necessary in the opinion of counsel to the Town to give effect to the resolutions made herein; and it is

FURTHER RESOLVED, that the Town Supervisor shall have the authority to take such other actions as he deems advisable and necessary in relation to obtaining the easement.

Offered by Councilman Stalker, who moved its adoption.
Seconded by Councilman Toussaint.

Adopted:

3 ayes

0 nays

C. RESOLUTION NO. 109 – 11/16/15

**RESOLUTION TO AUTHORIZE
CHATFIELD ENGINEERS TO SUBMIT
AND PREPARE A MODIFICATION TO
WD#13 DESIGNS FOR THE
PLACEMENT OF THE WATER MAIN
TO BE CONSTRUCTED WHOLLY ON
THE SOUTH SIDE OF WEST SCOTT
ROAD**

Offered by Councilman Stalker, who moved its adoption.
Seconded by Councilman Toussaint.

Resolved to authorize Chatfield Engineers to submit and prepare a modification to Water District 13 designs for the placement of the water main to be constructed wholly on the South side of West Scott Road, Medina, NY.

Adopted: 3 ayes 0 nays

NEW BUSINESS

RESOLUTION NO. 110 – 11/16/15

**RESOLUTION TO ACCEPT TOWN OF
RIDGEWAY 2016 BUDGET**

Offered by Councilman Toussaint, who moved its adoption.
Seconded by Councilman Stalker.

Resolved to accept Town of Ridgeway 2016 Budget as presented.

Adopted: 3 ayes 0 nays

SUMMARY OF THE TOWN BUDGETS FOR THE YEAR 2016

	Expenditures		Estimated Revenue		Unexpended Balance	Amount to be Raised by Tax
	\$	\$	\$	\$	\$	\$
RIDGEWAY						
General	\$ 698,257.00	\$ 268,120.00	\$ 98,635.00	\$ 331,502.00		
General Outside Village	\$ 95,860.00	\$ 32,520.00	\$ 10,983.00	\$ 52,357.00		
Highway Townwide	\$ 578,966.00	\$ 145,400.00	\$ 64,451.00	\$ 369,115.00		
Highway Outside Village	\$ 460,034.00	\$ 210,100.00	\$ 57,952.00	\$ 191,982.00		
Fire Protection District	\$ 188,700.00	\$ 25.00	\$ (25.00)	\$ 188,700.00		
Knowlesville Light District	\$ 3,277.00	\$ 10.00	\$ (10.00)	\$ 3,277.00		
Knowlesville Sewer District	\$ 36,554.00	\$ 10.00	\$ 6,544.00	\$ 30,000.00		
Water Debt Service 31E	\$ 9,200.00	-	-	\$ 9,200.00		
Water Debt Service 269	\$ 8,185.00	-	-	\$ 8,185.00		
Water #2 Debt Service	\$ 19,675.00	-	-	\$ 19,675.00		
Water #3 Debt Service	\$ 32,207.63	-	-	\$ 32,207.63		
Water #4 Debt Service	\$ 72,218.75	-	-	\$ 72,218.75		
Water #5 Debt Service	\$ 26,394.25	-	-	\$ 26,394.25		
Water #6 Debt Service	\$ 13,971.26	-	-	\$ 13,971.26		
Water #7 Debt Service	\$ 6,020.00	-	-	\$ 6,020.00		
Water #8 Debt Service	\$ 8,883.95	-	-	\$ 8,883.95		
Water #9 Debt Service	\$ 5,333.74	-	-	\$ 5,333.74		
Water #10 Debt Service	\$ 14,492.50	-	-	\$ 14,492.50		
Water #11 Debt Service	\$ 2,062.50	-	-	\$ 2,062.50		
Total Water Improvement Areas	\$ 2,280,292.58	\$ 656,185.00	\$ 238,530.00	\$ 1,385,577.58		
TOTALS						

LEGAL NOTICE

Town of Ridgeway
Public Hearing
Annual Preliminary
Budget for 2016

NOTICE is hereby given that the Annual Preliminary Budget of the Town of Ridgeway for the fiscal year beginning January 1st, 2016 has been completed and filed in the Office Of the Town Clerk of Ridgeway at the Town Hall, 410 West Avenue, Medina, New York, where it is available for inspection by any interested persons at all reasonable hours.

FURTHER NOTICE is hereby given that the Town Board of the Town of Ridgeway will meet and review said Preliminary Budget and hold a Public Hearing hereon at the Town Hall at 7:00 PM on the 12th day of November 2015 and that at such hearing any person may be heard in favor or against the Preliminary Budget as compiled, or for or against item or items therein contained.

PURSUANT IN section 113 of the Town Law, the proposed salaries of the following Town Officers are specified as follows:

SUPERVISOR	\$9882
COUNCILMAN	3560
TOWN JUSTICE	25750
TOWN CLERK	40016
HIGHWAY SUPERINTENDENT	56504

BY ORDER OF THE TOWN CLERK
BARBARA J. KLATT
TOWN CLERK
TOWN OF RIDGEWAY
DATED: OCTOBER 19, 2015

RESOLUTION NO. 111 – 11/16/15

RESOLUTION TO APPROVE SNOW
AND ICE CONTRACT NO. D009838
BETWEEN NYS DOT AND TOWN OF
RIDGEWAY AND AUTHORIZE
SUPERVISOR TO SIGN

Offered by Councilman Toussaint, who moved its adoption.
Seconded by Councilman Stalker.

WHEREAS, the Ridgeway Board of the Town of Ridgeway on November 16, 2015 makes a resolution to approve the Snow & Ice Contract No. D009838 between the State of New York and the Town of Ridgeway for snow and ice control which will expire on June 30, 2017 unless further extended. The contract will be for \$38,581.98

Adopted: 3 ayes 0 nays

RESOLUTION NO. 112 – 11/16/15

RESOLUTION TO RATIFY ASSESSOR
CONTRACT WITH TOWNS OF SHELBY
AND YATES AND AUTHORIZE
SUPERVISOR TO SIGN

Offered by Councilman Stalker, who moved its adoption.
Seconded by Councilman Toussaint.

Resolved to ratify Assessor contract with Towns of Shelby and Yates and authorize
Supervisor to sign.

Adopted: 3 ayes 0 nays

RESOLUTION NO. 113 – 11/16/15

RESOLUTION TO RATIFY ASSESSOR
PERSONNEL AGREEMENT WITH
TOWNS OF SHELBY AND YATES AND
AUTHORIZE SUPERVISOR TO SIGN

Offered by Councilman Toussaint, who moved its adoption.
Seconded by Councilman Stalker.

Resolved to ratify Assessor Personnel Agreement with Towns of Shelby and Yates and
authorize Supervisor to sign.

Adopted: 3 ayes 0 nays

RESOLUTION NO. 114 – 11/16/15

RESOLUTION TO APPROVE PAY
APPLICATION NO. 2 FOR WD#12 AND
AUTHORIZE SUPERVISOR TO SIGN

Offered by Councilman Toussaint, who moved its adoption.
Seconded by Councilman Stalker.

Resolved to approve Pay Application No. 2 in the amount of \$314,890.88 and authorize
Supervisor to sign.

Adopted: 3 ayes 0 nays



Contractor's Application for Payment No. 2

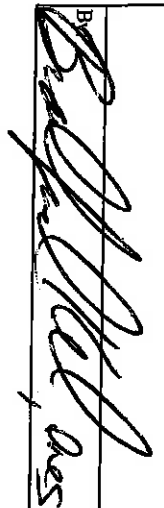
To (Owner): Town of Ridgeway 410 West Avenue Medina, NY 14103	From (Contractor): Highlander Construction, Inc. 5774 Kester Road Memphis, NY 13112	Application Date: 11/2/2015	Contract: Water District No. 12
Project: Town of Ridgeway Water District No. 12	Contractor's Project No.:	Engineer's Project No.:	2800 Dewey Avenue Rochester, NY 14616
Owner's Contract No.:	Contractor's Project No.:	Engineer's Project No.:	09-931

Application For Payment Change Order Summary

Approved Change Orders	Number	Additions	Deductions
	1	\$155,930.00	
TOTALS		\$155,930.00	\$0.00
NET CHANGE BY CHANGE ORDERS		\$155,930.00	


Contractor's Certification

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

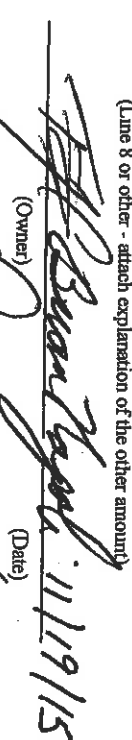
By:  Date: 11/18/15

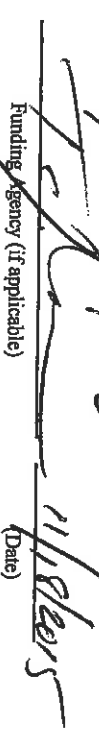
1. ORIGINAL CONTRACT PRICE..... \$ 587,384.20
2. Net change by Change Orders..... \$ 155,930.00
3. Current Contract Price (Line 1 ± 2)..... \$ 743,314.20
4. TOTAL COMPLETED AND STORED TO DATE
(Column F on Progress Estimate)..... \$ 5530,422.20
5. RETAINAGE:
 - a. 5% X \$530,422.20 Work Completed..... \$ 26,521.11
 - b. 5% X \$ Stored Material..... \$ -
 - c. Total Retainage (Line 5a + Line 5b)..... \$ 26,521.11
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... \$ 583,901.09
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ \$189,010.21
8. AMOUNT DUE THIS APPLICATION..... \$ 314,890.88
9. BALANCE TO FINISH, PLUS RETAINAGE
(Column G on Progress Estimate + Line 5 above)..... \$ 239,413.11

Payment of: \$ 314,890.88
(Line 8 or other - attach explanation of the other amount)

is recommended by:  (Engineer) 11/6/15 (Date)

Payment of: \$ 314,890.88
(Line 8 or other - attach explanation of the other amount)

is approved by:  (Owner) 11/19/15 (Date)

Approved by:  (Date) 11/18/15

Funding Agency (if applicable)

RESOLUTION NO. 115 – 11/16/15

RESOLUTION TO ACCEPT 2016
HEALTH INSURANCE RATES AND
AUTHORIZE SUPERVISOR TO SIGN

Offered by Councilman Toussaint, who moved its adoption.
Seconded by Councilman Stalker.

Adopted: 3 ayes 0 nays

RESOLUTION NO. 116 – 11/16/15

RESOLUTION TO SUPPORT PROPOSED
LAW CHANGE TO ALLOW LOCAL
MUNICIPALITY TO PURCHASE
STREET LIGHTS

Offered by Councilman Stalker, who moved its adoption.
Seconded by Councilman Toussaint.

Resolved to support proposed law change to allow local municipality to purchase street
lights.

Adopted: 3 ayes 0 nays

RESOLUTION NO. 117 – 11/16/15

RESOLUTION TO SUPPORT PARITY
FUNDING WITH MASS TRANSIT
AUTHORITY AND NEW YORK STATE
DEPARTMENT OF TRANSPORTATION

Offered by Councilman Toussaint, who moved its adoption.
Seconded by Councilman Stalker.

Resolved to support parity(equal amount)funding with MTA and NYS Department of
Transportation.

Adopted: 3 ayes 0 nays

OTHER BUSINESS

A. FIRE COMPANY REPORT

Ridgeway Vol. Fire Co. report (Oct.) compiled and read by Fire Chief, Don Marchner.

RIDGEWAY VOLUNTEER FIRE CO. INC



11392 Ridge Road
PO Box 816
Medina, NY 14103-0816
ridgeway@rochester.rr.com



ASST CHIEF
Pat Kelly

CHIEF
Don Marchner

ASST CHIEF
Francis Woodward

MONTH OF OCTOBER 2015

1 - Grass/Brush Fire
1 - Automatic Alarm
13 - E.M.S. Calls
15 - Total Calls
2.4 Firefighters Per Call
16.8 Firefighter Hours

Respectfully,



**Don Marchner
Fire Chief**

DEPARTMENT AND COUNTY LEGISLATOR REPORT

Water Superintendent, Mark Goheen, remarked about the reduction of funds from NYS Snow and Ice contract.

He also discussed ,with the board, the condition of the Knowlesville bridge. There is a possibility that the bridge could close if weight limit goes down. He is also hoping for the Marshall Road bridge to advance to a weight limit of 20 tons. The weight limit is now at 11 tons.

The Highway is getting ready for the snow by putting plows on the trucks. Also, there are several residents on WD#12 that are hooking up to the waterline.

Attorney Bogan also stated that the Assessor agreement with Town of Shelby and Town of Yates needs to signed and returned soon.

Orleans County Legislator, Lynne Johnson, stated that the 2016 Orleans County Budget has been the lowest budget since 2007.

Legislator Johnson also wanted to remind the public that there will be a ribbon cutting ceremony at the Knowlesville bridge at 11AM on Wednesday, Nov. 18, 2015.

She also received a request from a student, Murdock Rd. resident, concerning the speed limit north of Ridge Rd. He would like to see a speed limit sign posted since none exist now. A request was made, by Legislator Johnson, to follow through and possibly conduct a traffic study and speed study in this area. Since this is a County Road, Gerry Gray, of the Orleans County Hwy. Dept., will have to be contacted.

COUNCILMAN REPORT

BOARD REPORTS: PLANNING, ZONING – View on website
www.townridgeway.org

Planning Bd. Chairman, Tom Fenton, and Zoning Bd. Chairman, Larry Meier discussed the Home Class B change and the effect it would have to zoning. Per Planning Bd. there was a unanimous vote not to change it.

County Planning Bd. will not be meeting this month.

RESIDENT CONCERNS – None

RESOLUTION NO. 118 – 11/16/15

RESOLUTION TO PAY BILLS

Offered by Councilman Toussaint who moved its adoption.
Seconded by Councilman Blajszczak.

Resolved to pay bills as presented:

PREPAID ABSTRACT	\$ 741.97
ABSTRACT	\$ 138623.38
TOTAL ABSTRACT	\$ 139365.35

Adopted:

3 ayes

0 nays

Motion made by Councilman Toussaint and Seconded by Councilman Stalker to open an executive session concerning personnel matter at 7:55 P.M.

Motion carried: 3 ayes 0 nays

Motion made by Councilman Toussaint and Seconded by Councilman Stalker to adjourn the executive session at 8:55 P.M.

Motion carried: 3 ayes 0 nays

Resumed regular board meeting at 8:55 P.M.

ADJOURNMENT

As there was no further business to discuss, a motion was made to adjourn the meeting at 8:56 P.M. by Councilman Stalker and seconded by Councilman Toussaint.

Town of Ridgeway,

Barbara J. Klatt
Town Clerk

