

*The Town of Orleans Board Meeting  
February 13, 2014*

*The Town of Orleans Board held a regular scheduled meeting on February 13, 2014 at the LaFargeville Central School at 7:00PM.*

***Members Present:*** *Kevin Rarick, Peter Wilson, Gwen Kirkby, Mary Ford – Waterman and Thomas Johnston.*

***Others Present:*** *Tammy Donnelly, Town Clerk, Brian Kirkby, Pamela McDowell, Fishers Landing, David Reff, LaFargeville, Phil Reed, Fishers Landing, Duane Chalk, Fishers Landing, Tim and Sue Rapant, Collings Landing, Diane Morinigo, Seaway Ave., Erika & Steve Conaway, Seaway Ave., Joey Jeffers, Seaway Ave., Mark Walczik, Senator Ritchie's Office, Richard Tuper, Carolyn Sessa, Omar, Creighton Michael, Tamela Major, Seaway Ave., Ron Jacobs, Seaway Ave., Dave & Debby Schryver, Rte 12, Barry & Harry Chalk, Fishers Landing, Robert Slye, Seaway Ave., Mark Constance, Rte 12, Marcel Thibert, LaFargeville, Daniel Tubolino, LaFargeville, Todd Cerow, Rte 12, James Radcliff, Alex Bay, Ron Waterson, Iris Waterson, Fishers Landing, Debbie & Jerry Schaefer, Front Porch Reality, Amanda Patterson, Rte 12, Susan Derioun, LaFargeville, Terri Jones, Alex Bay, William Ball, Yazell's, Alan & Pam Cross, Martusewicz Lane, Michael Mannigan, USDA Rural Development, Pamela Morrissey, Fishers Landing, Kevin Kelly, Fishers Landing, Thomas Malesky, Seaway Ave, Paula Malesky, Seaway Ave., Nancy Carlisle, Fred Kocher, Gary Kerr, Augusta Withington, Robert Company, Mike & Cheri Shaw, and M. Ross.*

*Supervisor Rarick called the meeting to order at 7:10pm*

*1. Approval of minutes- A motion was made by Peter Wilson and seconded by Thomas Johnston to approve January minutes as read.*

*Kevin Rarick, Aye*

*Peter Wilson, Aye*

*Gwen Kirkby- Aye*

*Mary Ford-Waterman, Aye*

*Thomas Johnston, Aye All in favor*

2. **Resolution #8** – *Standard Work Day and Reporting Resolution*

*Peter Wilson (Councilman) - 4 days a month- 1 day a week*

*Thomas Johnston (Councilman) - 4 days a month- 1 day a week*

*Richard Hardy Sr. (Justice) – 8 days a month-2 days a week*

*Tammy Donnelly (Town Clerk/Tax Collector) – 20 days a month- 5 days week*

*Kelly Orvis (Historian) - 4 days a month – 1 day a week*

*Brad Millett (Zoning Officer) – 4 days a month- 1 day a week*

*Michele Elmer (Court Clerk) – 20 days a month- 5 days a week*

*Brian Kirkby (Highway Superintendent)-20 days a month – 5days a week*

*A motion was made by Thomas Johnston and seconded by Gwen Kirkby to accept the above resolution for the standard work day.*

*Kevin Rarick, Aye*

*Peter Wilson, Aye*

*Gwen Kirkby- Aye*

*Mary Ford-Waterman, Aye*

*Thomas Johnston, Aye All in favor*

3. *Violation of zoning ordinance resolution- Resolution #9*

**Town of Orleans**  
**20558 Sunrise Avenue**  
**P. O. Box 103**  
**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 #19

**Authorization to Commence  
Action/Proceeding Against  
Eileen Clout for Violation of  
Town's Zoning Ordinance**

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WHEREAS, Eileen Clout (the "Resident") is the record owner of real property located within the jurisdictional boundaries of the Town of Orleans, New York; and

WHEREAS, the Resident is using that real property in a manner not authorized by the Zoning Ordinance for the Town of Orleans; and

WHEREAS, the Resident has been found guilty of a violation of the Town of Orleans' Zoning Ordinance pursuant to trial in the Justice Court of the Town Orleans; and

WHEREAS, the Resident has refused, or neglected, to bring the real property into compliance with the Zoning Ordinance for the Town of Orleans despite repeated requests that she do so.

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Orleans, New York that an action should be commenced against Eileen Clout in a Court of competent jurisdiction seeking compliance with the Zoning Ordinance of the Town of Orleans and to abate a public nuisance; and

BE IT FURTHER RESOLVED that all Town officers, agents, employees, and attorneys are authorized to take such steps as necessary to bring the subject property into compliance with the Zoning Ordinance for the Town of Orleans; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

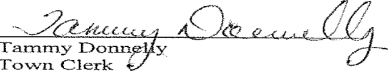
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The foregoing Resolution was offered by Board member Gwen Kirkby and seconded by Board member Mary Ford-Waterman and upon roll call vote of the Board was duly adopted as follows:

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"/>
Tom Johnston	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Gwen Kirkby	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Dated: February 13, 2014

  
Tammy Donnelly  
Town Clerk

*4. Planning board appointment - A motion was made by Thomas Johnston and seconded by Mary Ford-Waterman to appoint Chris LaBow and David Knapp to the planning board.*

*Kevin Rarick, Aye  
Peter Wilson, Aye  
Gwen Kirkby- Nay  
Mary Ford-Waterman, Aye  
Thomas Johnston, Aye 4-1 motion carried*

*5. TIERS Update – Supervisor Rarick signed a one year contract with TIERS for the period of January 1, 2014-December 31, 2014, in the sum of \$79,000.*

*6. Audits- Supervisor Rarick would like to have audit done. Discussion was held. Supervisor Rarick will get three quotes.*

7. *Public Comment – Assemblywoman Addie Russell spoke regarding water problems on Seaway Ave and Rte 12(salt contamination from DOT Salt Barn on Rte 12 ). She stated that the Department of Health is willing to work with the town to help obtain points for grants.*

8. *Town Clerk report- Town board reviewed report.*

9. *Bills were audited in the amount of \$290,950.18.*

10. *Public Hearing on Route 12 Proposed Water District- Supervisor Rarick opened public hearing at 7:20pm. Attorney Burrows spoke and briefed public on proposed water district 2. Attorney Burrows also stated Town Clerk advertised and posted legal notice of meeting and public hearing on town bulletin board.*

*Public hearing started at 7:30pm with Rob Campany presenting a slide presentation on the proposed water district to the public. Rob also answered questions from the public.*

*Steve Conaway of Seaway Ave – Spoke and stated he feels his family and business have been victimized from the salt contamination and he is in favor of a water district.*

*Carolyn Sessa – Stated her water is not drinkable. She is in favor of water district.*

*Joey Jeffers – Family has health problems. He is in favor of water district.*

*Debbie Shafer- She has problems with her animals getting sick. She is in favor of water district.*

*Paula Valesky – In favor of water district.*

*Iris Waterson – Water at Thrift store is bad. She is in favor of water district.*

*Ron Waterson- Concerned with properties on Rte 12 and stated Town of Orleans looks horrible. He is in favor of water district.*

*Phil Reed – Phil stated his property is also affected. He is in favor of water district.*

*Alan Cross – In favor of water district.*

*Bob Slye – Stated people should go after the DOT.*

*Michael Mannigan of USDA Rural Development – spoke and stated that they are working with the town on funding but there is a process and it takes time.*

*Senator Patty Richie is working with Supervisor Rarick. Patty feels that the DOT is responsible and we all need to stick together. She would like to take another look at getting water for the residents that are affected.*

*Senator Patty Richie was able to secure \$100,000 dollars from EFC, to start construction process. She stated the Dept of Health is ready to help.*

*A motion was made by Thomas Johnston to hold public hearing open until summer residents come back. There was no second. Motion failed.*

*A motion was made by Gwen Kirkby and seconded by Peter Wilson to close the Public Hearing.*

*Kevin Rarick, Aye*

*Peter Wilson, Aye*

*Gwen Kirkby- Aye*

*Mary Ford-Waterman, Aye*

*Thomas Johnston, Nay 4-1 motion carried.*

*Public Hearing Closed at 9:00pm*

*Resolution #10- A motion was made by Mary Ford-Waterman and seconded by Peter Wilson to accept the following resolution.*

**RESOLUTION OF THE TOWN BOARD  
OF THE TOWN OF ORLEANS**

# 10

At a regular meeting of the Town Board of the Town of Orleans, held at the Town Offices, Sunrise Avenue, LaFargeville, New York, on February 13, 2014, there were:

PRESENT:

Kevin Rarick  
Gwen Kirkby  
Mary Ford-Waterman  
Tom Johnston  
Peter Wilson

ABSENT:

\_\_\_\_\_  
\_\_\_\_\_

WHEREAS, by Order of this Board dated January 9, 2014, another public hearing was scheduled for February 13, 2014, at 7:30 p.m., to consider the formation of Water District No. 2 within the Town of Orleans, pursuant to a certain amended Map, Plan and Report filed with the Town Clerk; and

WHEREAS, the Order scheduling the public hearing was duly posted and published as required by law, and on February 13, 2014, at 7:30 p.m., a public hearing was held to consider all persons interested in the formation of the Water District.

NOW, on motion duly made and seconded, this Board makes the following determinations:

1. The notice of public hearing dated January 9, 2014, was duly published and posted as required by law, and is otherwise sufficient.
2. All property and property owners to be benefited by the proposed expanded District are included within the limits of the proposed expanded District.
3. All of the property owners and all of the property located within the proposed District are benefited thereby.
4. The formation of the Water District pursuant to the amended Map, Plan and Report is on file in the office of the Town Clerk, and upon which the public hearing was held on February 13, 2014, is in the public interest.

5. The creation of the boundaries of Water District No. 2 as described in the amended Map, Plan and Report and providing of the service as described therein is hereby approved.

6. A negative declaration under the State Environmental Quality Review Act (Article VIII of the Environmental Conservation Law) was duly adopted by the Town Board of the Town of Orleans on July 12, 2012.

7. This Resolution is adopted subject to a Permissive Referendum.

Dated: February 13, 2014

  
Tammy Donnelly, Town Clerk



*Board took a break and meeting was back to order at 9:30pm*

*A motion was made by Thomas Johnston and seconded by Peter Wilson to go into executive session to discuss litigation matters.*

*Entered 9:35pm*

*Exited 9:40pm*

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

*Kevin Rarick, Aye*

*Peter Wilson, Aye*

*Gwen Kirkby- Aye*

*Mary Ford-Waterman, Aye*

*Thomas Johnston, Aye All in favor*

*Meeting adjourned at 9:41PM*

*Respectfully submitted*

*Tammy Donnelly*