

**Organization Town of Champion****Board Town Board****Date and Time Monday, December 6 2010 at 7:00 PM****Place Town of Champion Offices Board Room (rear of building) 10 N Broad St, West Carthage NY****Contact [Chris Vargulick](#) Town Clerk Phone (315) 493-3240 Fax(315) 493-2900****Minutes**

The Town of Champion Town Board met in regular monthly session on Monday, December 6, 2010 at the Town Municipal Building, 10 North Broad Street, West Carthage. Present were Supervisor Buckley, Councilmen Stewart, Watkins, Buzzell, and Peck, Attorney Farley, and Highway Superintendent Sech.

Supervisor Buckley called the meeting to order at 7:00pm and opened the meeting for public comment. James Uhlinger, Sr. presented a rezoning application and the application fee to the Board. Mr. Uhlinger is requesting that parcel 76.00-2-38.41 be rezoned as a Business District. Currently, the 46.48 acres parcel is classified as R-1. Mr. Uhlinger explained that the property is contiguous to property fronting on NYS Route 26 that is already zoned Business and that this parcel would also be more conducive for a business purpose such as professional offices or retail. Mr. Uhlinger discussed the proposed placement of roads/driveways that would reduce the number entrances off both Cole Road and NYS Route 26 and reduce traffic at the intersection of the roads. Motion by Mr. Stewart, seconded by Mr. Peck to schedule a public hearing on the rezoning of parcel number 76.00-2-38.41 for Monday, January 3, 2010 at 7:15pm. Ayes-5, Nays-0. Motion carried.

Terry Freeman, 31592 Rutland Hollow Road, petitioned the Board to rescind their action opening the Eddy Road, in its entirety, as a year round road. Mr. Freeman cited the cost of constructing and maintaining the uninhabited portion of the road, an anticipated rise in criminal activities on the road including deer-jacking and improper disposal of garbage, and stated that the road would be better used for recreation. Councilmen Peck and Buzzell reiterated their rationale for opening the road.

Louis Waite, Chief of the Champion Fire Company submitted signed petitions in support of the Champion Volunteer Fire Company Inc. Mr. Waite questioned meetings held by the Town Board whereat the Board discussed the fire protection contract between the Town and the Fire Company. He requested that the Town provide training and provide details of the fire contract. Mr. Waite asserted that there are not training opportunities available through the County. Mr. Buzzell questioned the number of active firefighters. Mr. Waite responded that there are seventeen. Mr. Peck asked if that counted the underage member of the department. Mr. Waite responded affirmatively. A number of persons spoke against the Board's decision to not offer a 2011 contract to the Fire Company including: David Williams, Joan Schermerhorn, Brandy Loder, Joseph Sciotti, George Waite, John Coughlin, Julie Fiaschetti, Jennifer Waite, James Blackwell, Bernard Martin, Ruth Bezanilla, Stanley Buzzell, Delmar House, Heather Hallenbeck, Larry Waite, Ralph Ferguson, Michael Hallenbeck, Kyle Overton, Craig Waite, and Joseph Powell. Those opposed cited reasons including impact on the cost of fire insurance, problems with mutual aid, and impact on community events (chicken barbeques, dances, weddings). The following persons spoke in favor of the decision to offer a contract to the V/West Carthage to cover the area currently covered by the Champion Fire Company: Daniel Leary and Rick Westcott. Those in favor of not offering a contract to Champion Fire Company cited the fire company's lack of response to emergencies, the failure of members to certify for interior fire fighting, the number of calls with no responders, the lack of training for all members, questions about the fire company's ability to protect disabled persons within their coverage area, and the significant liability and potential costs thereof that the fire company exposes the Town to. Cathy Wright questioned if the Champion Fire Barn would become a satellite station for the West Carthage Fire Department. Supervisor Buckley responded that that decision rests with the courts. Todd Thomas, Great Bend Fire Department, pledged their department's support of the Champion Volunteer Fire Company.

Supervisor Buckley responded to a number of the issues that were raised. He stated that he and Councilman Peck had met with members of the Champion Fire Department in April to discuss deficiencies in the department and requirements that must be met to comply with the contract. The 2010 contract was signed on April 14, 2010. The fire company submitted only a portion of the requested documents. Supervisor Buckley reported that he contacted two insurance companies to determine the financial impact on fire insurance premiums for property owners within the Champion Fire Company protection area. The fire insurance premiums for persons living within a five mile (5 m) radius will not increase due to any changes in the awarding of the fire contract since all properties within the coverage area are within five miles of the West Carthage, Great Bend or Rutland Fire Departments. In regards to training, Supervisor Buckley explained that Jefferson County Emergency Management is allotted 850 hours of training annually. Class size is limited to meet certification requirements. Notices of all available training are forwarded to the fire department chiefs county-wide. Chiefs must, in a timely manner due to class size limits, enroll members of their departments for training. Training is also available at NYS fire academies on a regular basis. A training course in hazardous materials was offered in January, 2010 and scheduled to be held at the Champion Fire Barn. No members of the department enrolled. In August, members of the company failed to enroll for a pump operator course held in Rutland. When three members came without the necessary enrollment, they had to be turned away due to the number of attendees that did enroll. Supervisor Buckley acknowledged that volunteer firemen and women must commit to a significant amount of training. Firefighters must have 220 hours of training to comply with the requirements for Firefighter 1 certification. Supervisor Buckley concluded that the failure of all of the Champion Volunteer Fire Company to complete training and certification is a serious liability to the Town and that the Town cannot ignore the department's deficiencies since the Town is ultimately responsible.

Highway Superintendent Sech, a former member of the department, stated highway employees decide

individually whether to be members of the fire department and that highway employee/members are contractually allowed to respond to fire calls if they are not, at the time of the call, responsible for essential Town services (ie. Plowing, shared services projects). Mr. Sech expressed his disdain for unsigned cyber messages that have been disseminated.

### **Monthly Reports**

- Councilmen – Mr. Peck reported that voters in the Great Bend Fire District will elect fire commissioners on December 14, 2010 between the hours of 6-9:00pm.
- Highway Superintendent – Mr. Sech reported on the month's activity and equipment repairs. In response to Mr. Peck, Mr. Sech reported that Eddy Road has "soft spots" and that the turn-around is being maintained as a contingency.
- Attorney – No report
- Assessor – No report
- Historian – Mrs. Thornton conducted a tour of the Hiram Hubbard House and Champion Grange for forty scouts and their families.
- Circuit Rider – Ms. Amyot reported that the land use review is moving forward and that training has been scheduled for the JIMI project.

Motion by Mr. Peck, seconded by Mr. Stewart to approve the minutes of November 1, 2010 as presented. Ayes-5, Nays-0. Motion carried.

Motion by Mr. Stewart, seconded by Mr. Buzzell to pay the following bills as presented:

General #277-298.....	\$24,934.52
Highway #238-259.....	\$17,750.04
RACOG #42-49.....	\$1,166.30
Con WD#1 O&M #74-81.....	\$20,823.32
WD#4 O&M #13.....	\$84.00
WD#5 O&M #22-24.....	\$438.99
SD#1 O&M #7.....	\$2,603.12
SD#2 O&M #30-33.....	\$2,643.80

Ayes-5, Nays-0. Motion carried.

The Supervisor's monthly report was read and discussed. Motion by Mr. Buzzell, seconded by Mr. Peck to accept the report as presented. Ayes-5, Nays-0. Motion carried.

The Board reviewed and discussed recommended budget transfers. Motion by Mr. Peck, seconded by Mr. Stewart to approve the budget transfers as presented (inserted in minute book).

### **New Business**

- Supervisor Buckley reported that the Town is close to completing financing for the Consolidated Water Supply project and recommended the adoption of the bond counsel agreement and resolution. Motion by Mr. Peck, seconded by Mr. Stewart to authorize the Supervisor to execute the bond counsel agreement as presented. Ayes-5, Nays-0. Motion carried.
- Members reviewed a bond resolution authorizing the construction of a water treatment and well field and associated distribution and transmission piping for its consolidated water supply project at an amount not to exceed \$1.4M in serial bonds of the town to pay the cost. Motion by Mr. Stewart, seconded by Mr. Buzzell to adopt a bond resolution authorizing the construction of a water treatment and well field and associated distribution and transmission piping for its consolidated water supply project at an amount not to exceed \$1.4M in serial bonds of the town to pay the cost thereof. Roll call vote: Mr. Stewart-aye, Mr. Watkins-aye, Mr. Buzzell-aye, Mr. Peck-aye, and Supervisor Buckley-aye. (Full copy of resolution inserted in minute book.)
- The Board discussed correspondence from the Association of Towns relative to a regulatory proposal by the US EPA for water quality standards in the Chesapeake Bay Watershed. Motion by Mr. Watkins, seconded by Mr. Stewart to adopt the following: a resolution expressing opposition to the Chesapeake Bay Total Maximum Daily Load (TMDL) regulatory proposal by the United States Environmental Protection Agency (EPA) and raising serious concerns regarding the unattainable mandate and lack of parity represented in load allocations for the State of New York compared to other Bay states and watershed jurisdiction partners; and requesting intervention by our elected representatives in the United States Congress, New York State Senate and New York State Assembly in securing a moratorium on regulatory implementation of the Chesapeake Bay TMDL in New York until such objections and concerns are fully addressed. Ayes-5, Nays-0. Motion carried.
- Supervisor Buckley advised members that there is vacancy on the Board of Assessment Review due to the resignation of Sam Emerson.
- Motion by Mr. Stewart, seconded by Mr. Peck to resolve that the standard work day for Helen Novak is six (6) hours per day/ four (4) days per pay period for a term of one year expiring 12/31/2010. Ayes-5, Nays-0. Motion carried.
- Board members agreed, by consensus, to schedule the year end meeting on Friday, December 31, 2010 at 10:00am for the purpose of paying year end bills and any other necessary business.
- Motion by Mr. Stewart, seconded by Mr. Buzzell to go into executive session for the purpose of discussing negotiations. Ayes-5, Nays-0. Motion carried. Executive session began at 9:39pm.
- Motion by Mr. Stewart, seconded by Mr. Peck to resume open session. Ayes-5, Nays-0. Motion carried. Open session resumed at 10:28pm.
- The Board agreed, by consensus, to schedule a special meeting on Monday, December 13, 2010 at 7:00pm to discuss issues regarding the Champion Volunteer Fire Company's non-compliance with the fire protection

contract between the Town of Champion and the Fire Company and such other issues as may come properly before the Board.

- Motion by Mr. Stewart, seconded by Mr. Peck to adjourn. The meeting adjourned at 10:35pm.

Christina Vargulick  
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Town Clerk