

**Organization Town of Champion**

**Board Town Board**

**Date and Time Tuesday, September 6 2011 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 Tuesday, September 6, 2011 at the Town Municipal Building, 10 North Broad Street, West Carthage. Present were Supervisor Buckley, Councilmen Stewart, Watkins, Buzzell, and Peck (7:04), Highway Superintendent Sech and Attorney Farley.

Supervisor Buckley called the meeting to order at 7:00pm and opened the meeting for public comment. No one from the public spoke.

**Monthly Reports**

- Councilmen – Mr. Watkins distributed materials regarding the scenic highways and water ways. Mr. Buzzell commended the Highway Department for the reconstruction of VanBrocklin Road.
- Highway Superintendent – Mr. Sech reported on the following: guide rails will be installed as soon as possible on VanBrocklin Road; mowing; equipment repair; work for other municipalities; winter sand stockpiling; and grindings that the department has drawn from Fort Drum. Mr. Sech reported that the Whitaker mine has been inspected and received a positive report.
- Parks – N. Eddy reported that he is pleased with the utilization of the park and hopes to plan educational events in the future.
- Historian – Mrs. Thornton announced that on October 7<sup>th</sup> the Shadow Chasers, paranormal investigators, will conduct an investigation at the Hiram Hubbard House. There will be a limited number of tickets available to members of the public who wish to participate in the event.
- Engineer – Gregor Smith, BC&A, reported that the sampling results for Farney Pit wells #3 and #4 are satisfactory and have been accepted by NYSDOH. The project bid opening is scheduled for September 27, 2011. Mr. Smith reviewed the design plans with the Board.
- Circuit Rider – Ms. Amyot updated the Board on upcoming events. In response to a question from Mr. Peck, Ms. Amyot stated that she has no information regarding the ongoing SAGE review.

Proof of notice having been furnished, the public hearing on the extension of WD#4 was called to order at 7:15pm by Supervisor Buckley. No one spoke for or against the proposed action. All persons desiring to be heard, having been heard, the hearing was closed at 7:20pm.

Motion by Mr. Peck, seconded by Mr. Stewart to approve the minutes of August 1, 2011 as presented. Ayes-5, Nays-0. Motion carried.

Motion by Mr. Stewart, seconded by Mr. Buzzell to approve payment of the following bills as presented:

General #215-236.....	\$15,579.42
Highway #135-157.....	\$47,572.13
RACOG #25-31.....	\$1,151.04
Con WD#1 O&M #53-61.....	\$4,581.56
WD#4 O&M #9-10.....	\$481.64
WD#5 O&M #17-18.....	\$305.07
SD#2 O&M #20-23.....	\$8,027.91
WD#5 Capital #5.....	\$10,000.00

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 recommended budget transfers. Motion by Mr. Buzzell, seconded by Mr. Stewart to approve the budget transfers as presented. Ayes-5, Nays-0. Motion carried.

**New Business**

Resolution offered by Mr. Watkins, seconded by Mr. Stewart that:

WHEREAS, a map, plan and report relating to the extension of the Town of Champion Water District No. 4 prepared by BERNIER, CARR & ASSOCIATES, duly licensed engineers of the State of New York, in a manner and in such detail as has been determined by this Town Board, has been duly filed with the Town Clerk, in accordance with the requirements of Article 12-A of the Town Law; and

WHEREAS, an Order was duly adopted by this Town Board on August 1, 2011, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed extended district, the proposed

method of financing, the fact that the map, plan and report describing the same were on file in the Town Clerk's Office for public inspection and stating all other matters required by law to be stated and specifying September 6, 2011 as the date at 7:15 p.m. on said day as the time and the Town of Champion Offices, 10 North Broad Street, West Carthage, New York, 13619, as the place where this Town Board would meet and consider said map, plan and report 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; and

WHEREAS, such Order was duly published and posted as required by law; and

WHEREAS, the estimated annual cost of the typical property owner within the district is \$500.00; and

WHEREAS, said hookup fee shall be \$450 to a typical property owner; and

WHEREAS, said hearing on said matter was duly held by said Town Board on September 6, 2011 at 7:15 p.m. on said day in the Town of Champion, Town Offices, 10 North Broad Street, West Carthage, New York, 13619

RESOLVED AND DETERMINED:

- (a) That the notice of hearing was published and posted as required by law and is otherwise sufficient;
- (b) That all property and property owners within the proposed extended district are benefited thereby;
- (c) That all property and property owners benefited are included within the limits of the proposed extended district;
- (d) That it is in the public interest to extend said district; and be it further

RESOLVED AND DETERMINED:

That the extension of the proposed district as set forth in said map, plan and report be approved; that the improvements therein mentioned be constructed by the Town; and such district shall be known and designated as "Town of Champion", Water District No. 4 Extended and shall be bounded and described as set forth in Exhibit "A" attached hereto and made a part hereof; and be it further

RESOLVED AND DETERMINED:

The improvements proposed for said Water facilities shall consist of the construction of water lines, pumps, tanks and land acquisition and/or easements, all as more fully described in the map, plan and report hereinbefore described at a maximum estimated cost of not more than \$0; and be it further

RESOLVED AND DETERMINED:

That the owners of the property in the Extended District shall be solely responsible for the costs of the improvements; and it be further

RESOLVED AND DETERMINED:

That the Town Clerk be and hereby is authorized and directed to file a certified copy of this Order in the Jefferson County Clerk's Office and in the Office of the New York State Comptroller pursuant to the provisions of Section 195 of the Town Law and shall publish this Order pursuant to Article 12-A of the Town Law subject to a permissive referendum. Ayes-5, Nays-0. Resolution adopted.

- Motion by Mr. Peck, seconded by Mr. Stewart to authorize the Supervisor to execute the Water Supply Permit for WD#4 Extension. Ayes-5, Nays-0. Motion carried.
- Motion by Mr. Stewart, seconded by Mr. Peck to authorize limited use of the public highway for the Ryan LaBarge Memorial ATV event. Ayes-5, Nays-0. Motion carried.
- Motion by Mr. Stewart, seconded by Mr. Buzzell that the Town Supervisor of the Town of Champion is hereby authorized to execute the agreement between the Town of Champion and the Development Authority of the North Country for the operation and maintenance of sewer facilities known as "Town of Champion Sewer District No. 2". Ayes-5, Nays-0. Motion carried.
- Supervisor Buckley and Justice Quinn discussed a proposal to remodel the area of the municipal offices adjacent to the board room to accommodate a court complex. Board members reviewed the preliminary design. Justice Quinn reported that the Office of Court Administration (OCA) grant programs allows for a maximum grant of \$30,000. Supervisor Buckley reported that USDA-RD also has a grant/loan program for building improvements. Motion by Mr. Peck, seconded by Mr. Stewart resolved, that the Town Supervisor of the Town of Champion is hereby authorized to execute and submit a grant application to the Justice Court Assistance Program in the amount of \$30,000 for the purpose of acquiring funding to engineer and remodel a portion of the municipal building to provide a dedicated and secure space for the Town Justice Court offices, a

private attorney/client meeting room, a secure holding room, and improvements to the court entrance to enhance security and public access. Ayes-5, Nays-0. Motion carried. Motion by Mr. Buzzell, seconded by Mr. Peck to authorize the Supervisor to execute an application through USDA-RD for building improvements. Ayes-5, Nays-0. Motion carried.

- Board members reviewed and discussed the latest draft of the Town/County Shared Services Agreement. Members questioned the section pertaining to insurance and record keeping between towns. A meeting is scheduled for September 14<sup>th</sup>. The meeting will include Highway/DPW Superintendents, Supervisors/Mayors, Municipal Attorneys and Insurance Providers. Motion by Mr. Stewart, seconded by Mr. Peck to table the discussion pending information from the meeting.
- Supervisor Buckley discussed the new State law regarding the 2% tax cap. The law caps tax levy increases for both the town budget and that of any special districts, including fire protection districts, at 2%. The tax cap may be overridden by a 60% majority vote of the board by local law and/or resolution. A public hearing is necessary for the adoption of a local law. Motion by Mr. Buzzell, seconded by Mr. Stewart to schedule a public hearing on Local Law #3 for 2011 - A Local Law to Override the 2% Tax Levy Cap for Monday, October 3, 2011 at 7:15pm. Ayes-5, Nays-0. Motion carried.
- Supervisor Buckley read a letter received from David Heywood to Patrick McKenna, Chairman of the Champion Volunteer Fire Company, regarding his resignation from the fire company due to a decision by the company to conduct "beer pong" at the upcoming 20 Week Club event. The Board agreed, by consensus, that the Supervisor should contact Mr. McKenna regarding the allegation.
- Councilman Watkins questioned the status of the PILOT between the Town and Adirondack, Mohawk, and Northern Railroad. Supervisor Buckley responded that he has directed the Assessor to move the affected parcels from Roll Section 8 (Wholly Exempt) to Roll Section 1. Attorney Farley shall contact JCIDA for a quit claim deed.
- Attorney Farley recommended that the Board hire James Burrows to represent the Town in the assessment challenge filed by DC West Carthage Associates. Motion by Mr. Peck, seconded by Mr. Stewart that the Town Board agrees to retain James Burrows as Town Counsel in the matter of John L. DiMarco & DC West Carthage Associates vs. Town of Champion Board of Assessment Review, the Assessor of the Town of Champion, and the Town of Champion, Jefferson County, New York for review of a tax assessment under Article 7 of the Real Property Tax Law. Ayes-5, Nays-0. Motion carried.
- Motion by Mr. Peck, seconded by Mr. Stewart to adjourn. The meeting adjourned at 9:28pm.

-  
Christina Vargulick  
Christina Vargulick  
Town Clerk