

The Town of Champion Town Board met in regular monthly session on Monday, June 4, 2018 at the Town Municipal Building, 10 North Broad Street, West Carthage. Present were Supervisor Ferguson, Councilmen Stewart, Watkins, Buzzell and Waite, Attorney Farley, and Highway Superintendent Strife.

Supervisor Ferguson called the meeting to order at 7:00pm, followed by the Pledge of Allegiance.

Proof of notice having been furnished, the public hearing on the contracts for Fire Protection Districts #1 and #2 was called to order at 7:01pm by Supervisor Ferguson. The following persons spoke in opposition to the contracts: Jonathan Schell, Jennifer Waite, and Frank Koster. All persons desiring to be heard, having been heard, the public hearing was closed at 7:15pm.

Supervisor Ferguson opened the meeting for public comment. J. Waite requested the addition of the Champion Fire Department on the RACOG community resources map. She also asserted that the boundaries and taxable value of the fire protection districts is incorrect. J. Schell suggested that since the Champion Fire Department has no contract that the building be used as a community development center.

Monthly Reports

- Engineer – Mike Altieri, BC&A, reported on the status of the Highway fuel facility project. The underground fuel tank has been removed and no contamination was found. A four thousand gallon above ground tank has been installed and will be electronically monitored. The oil/water separator in the highway garage has been removed and replaced. The new unit was relocated to optimize its operation and maintenance.
- Highway – Mr. Strife reported that the park and cemeteries have been mowed and maintained; anticipate grinding Cutler Road this week and paving it on June 11; and progress on the Boni Road Spur as per the agreement with Copenhagen Wind Farm.
- Assessor – Mr. Vargulick reported that grievance day was held. A very small number of grievances were received. In response to assertions made by J. Waite, Mr. Vargulick stated that tax map parcels are occasionally divided between two districts. He also added that the taxable value is computer calculated.
- Town Attorney – Mr. Farley agreed with the statements made by the Assessor.
- Planning Board/Zoning Officer – Mr. LaBarge reported that the Planning Board completed a site plan review for RML. He issued twelve (12) zoning permits in May.
- Parks/Historian – Mrs. Thornton reported that planning is under way for Old Home Day with the addition of a service at the historic St. John's Episcopal Church officiated by Rev. Samuel Lundy. She also reported that on June 16th there will be an open house at the Hiram Hubbard House with a guided tour by Linda Rogers through her photographic exhibit. Linda Rogers and her brother, Peter, donated the Hiram Hubbard House to the 4 River Valleys Historical Society in 2005. The residence was owned and occupied by seven generations of Linda Rogers family.
- Circuit Rider – M. Dietrich reported that Ron Trottier will present his plans for development of the local railroad lines as a tourist destination. M. Dietrich also updated the Board in regards to Black River navigation, the activities of the RACOG intern, NYAlerts, and the current exclusion of not-for-profits on the RACOG community resource map.

Motion by Mr. Buzzell, seconded by Mr. Stewart to approve the minutes for May 7, 2018 as presented. Mr. Waite objected to the lack of action on his motion, at the May 7, 2018 meeting, to reinstate the Champion Fire Department and wanted the "illegal" action added to the minutes. Supervisor Ferguson stated that he had talked to counsel

regarding his earlier decision and would entertain the referenced motion during new business. Attorney Farley advised Mr. Waite that a reference to “illegal” may not be added to the May 7, 2018 minutes. Regarding the motion to approve the May 7, 2018 minutes as presented; Ayes-4, Nays-1 (L.Waite). Motion carried.

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

General #134-166.....	\$25,976.68
Highway #72-92.....	\$23,205.61
RACOG #12.....	\$253.10
Con WD#1 O&M #10-13.....	\$4,952.31
WD#2,4&5 O&M #31-34.....	\$14,886.16
SD#1 O&M #3.....	\$5,752.75
SD#2 O&M #23-28.....	\$6,259.67
SD#2 Capital #4-5.....	\$23,677.06

Ayes-5, Nays-0. Motion carried.

Supervisor Ferguson read and reviewed the Supervisor’s monthly report with the Board. Motion by Mr. Watkins, seconded by Mr. Stewart to accept the report as presented. Ayes-5, Nays-0. Motion carried.

Supervisor Ferguson reported that he had attended the NYMIR (New York Municipal Insurance Reciprocal) training. The training included information regarding risk management and equipment replacement – lease or buy. Supervisor Ferguson shared an invitation from Long Falls Baptist Church to attend their June 10th open house. Supervisor Ferguson reminded the Board that the 2017 town audit will be conducted the week of June 18th.

New Business

- Motion by Mr. Waite, seconded by Mr. Buzzell to reinstate the Champion Fire Department contract effective January 1, 2019. A discussion followed. Mr. Waite and Mr. Buzzell spoke in favor of the motion citing survey responses, failure of the board to create a fire district; emergency response time in the winter, and the underutilized equipment owned by the department. Mr. Stewart and Mr. Watkins questioned the department’s ability to provide adequate fire protection due to the number of volunteers and their availability. Mr. Buzzell answered that the “number of volunteers is not important, that volunteers are free”. Supervisor Ferguson stated the department’s contract was terminated due to training and physical fitness issues and the associated liability risk to the Town and its taxpayers. Roll call vote: Mr. Buzzell-aye, Mr. Watkins-nay, Mr. Waite-aye, Mr. Stewart-nay, and Supervisor Ferguson-nay. Motion failed.
- Supervisor Ferguson outlined the oversight, regarding the training and fitness of the volunteer firefighters, exercised by both the Villages of West Carthage and Copenhagen fire departments. Both departments, in meetings, have agreed to maintain the rate at \$.85/ \$1,000 of taxable assessment with a floor. Contracting with the two villages reflects the State’s emphasis on shared services. The ISO rating maintained by the two department’s results in fire insurance savings for some residents particularly those with properties located within a town water district.
- Motion by Mr. Stewart, seconded by Mr. Watkins to approve the fire protection contract with the Village of West Carthage. Mr. Waite suggested that the word “fire”, on the last line of page 2 of the contract, be changed to “call” and questioned the five year term of the contract. Attorney Farley advised that the contracts are for fire protection not calls. Supervisor Ferguson stated that the five year term is allowed by law and maintained a stable tax rate. Mr. Buzzell questioned acting on the contract prior to the June 7, 2018 hearing in Appellate Court in the Matter of Waite vs. Town of Champion. Supervisor Ferguson stated that the Town must move forward with its operations and that the Court ruling

may not be made for many months. Mr. Watkins discussed tabling the motion. Motion by Mr. Waite, seconded by Mr. Watkins to table the action on the fire protection contract with the Village of West Carthage until the July meeting. Vote: Mr. Buzzell-aye, Mr. Watkins-nay, Mr. Waite-aye, Mr. Stewart-nay, and Supervisor Ferguson-nay. Motion failed. Vote on the motion by Mr. Stewart, seconded by Mr. Watkins to approve the fire protection contract with the Village of West Carthage: Mr. Buzzell-nay, Mr. Watkins-aye, Mr. Waite-nay, Mr. Stewart-aye, and Supervisor Ferguson-aye. Motion carried.

- Motion by Mr. Stewart, seconded by Mr. Watkins to approve the fire protection contract with the Village of Copenhagen. Motion by Mr. Waite, seconded by Mr. Buzzell to table the action on the fire protection contract with the Village of Copenhagen. Vote: Mr. Buzzell-aye, Mr. Watkins-nay, Mr. Waite-aye, Mr. Stewart-nay, and Supervisor Ferguson-nay. Motion failed. Vote on the motion by Mr. Stewart, seconded by Mr. Watkins to approve the fire protection contract with the Village of Copenhagen: Mr. Buzzell-nay, Mr. Watkins-aye, Mr. Waite-nay, Mr. Stewart-aye, and Supervisor Ferguson-aye. Motion carried.
- Motion by Mr. Stewart, seconded by Mr. Watkins to engage Jonathan Fellows, Bond, Schoeneck, & King, to represent the Town in the Matter of Waite vs. Town of Champion limited to an appearance in Appellate Court on June 7, 2018. Mr. Buzzell suggested postponing the case to wait until the attorney was “up to speed”. Supervisor Ferguson responded that Attorney Fellows was familiar with the case through discussions with Attorney Slye, legal counsel for the Town in this matter. Vote: Mr. Buzzell-nay, Mr. Watkins-aye, Mr. Waite-nay, Mr. Stewart-aye, and Supervisor Ferguson-aye. Motion carried.
- Motion by Mr. Stewart, seconded by Supervisor Ferguson to adjourn. The meeting adjourned at 8:35pm.

Christina Vargulick

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Town Clerk