

REGULAR MONTHLY MEETING, WAYLAND TOWN BOARD
MONDAY, SEPTEMBER 12, 2016 -7:00 PM COURT HOUSE 17 N. MAIN ST.

Supervisor George Ott called meeting to order.

Pledge of Allegiance

BOARD MEMBERS PRESENT: George Ott, Carol Mykel, Kevin Mark, Gordon Sick, Bob Reigelsperger

OTHERS PRESENT: Raymond Thielges, Highway Supt.; Natalie Baird, Town Clerk: Liz Dean, Assessor; Helen Sick, Aquatic Weed; Larry Graham, Gerald Miraglia, Sue Neu.

Monthly cash reports from the Town Clerk, Supervisor, Code Office and the two Justices were filed with the Clerk and presented to the Board for review.

6:30 -7:00 pm – Board reviewed reports and bills.

MINUTES: A motion was offered by Councilmember Sick, seconded by Councilmember Mark to accept the minutes of the Regular Meeting and Public Hearing both held August 8, 2016; Special Meetings held August 18th and Sept. 7th.

ROLL CALL VOTE:	Supervisor	George W. Ott	Aye	
	Council Member	Carol Mykel	Aye	
	Council Member	Bob Reigelsperger	Aye	
	Council Member	Kevin Mark	Aye	
	Council Member	Gordon Sick	Aye	-Carried

SUPERVISORS REPORT: Supervisor Ott submitted report, motion made by Council Member Mark, seconded by Council Member Mykel to accept report as submitted.

ROLL CALL VOTE:	Supervisor	George W. Ott	Aye	
	Council Member	Carol Mykel	Aye	
	Council Member	Bob Reigelsperger	Aye	
	Council Member	Kevin Mark	Aye	
	Council Member	Gordon Sick	Aye	-Carried

PUBLIC DISCUSSION:

-Larry Graham thanked Council Member Mykel for getting answers to some question. He spoke with County Legislator John Malter regarding the town taking more sales tax money. Mr. Graham stated he is opposed to this.

DEPARTMENTS:

-Supervisor Ott reported that Council member Sick and Mark are meeting with Highway Union and their representative regarding negotiations for upcoming contract.

-Discussion regarding a meeting in Fremont about the windmill project in the southern tier area.

OLD BUSINESS:

Council Member Mykel brought up the Disaster Plan that was previously presented and if there were no modifications at this time, it should be voted on. Motion made by Council Member Reigelsperger seconded by Council Member Mark to accept Town of Wayland Disaster Plan as updated .

ROLL CALL VOTE:	Supervisor	George W. Ott	Aye	
	Council Member	Carol Mykel	Aye	
	Council Member	Bob Reigelsperger	Aye	
	Council Member	Kevin Mark	Aye	
	Council Member	Gordon Sick	Aye	-Carried

OLD BUSINESS Cont. : Public Hearings held for the following Local Laws-

***Proposed Local Law No. 1 of the year 2016 to repeal and replace Local Law No. 1 of 2013**

Proposed to read as follows:

A local law amending Local Law No. 3 of 2010 for the Licensing and Control of Dogs in the Town of Wayland.

Section 13. Penalties.

“Any person convicted of a violation of this Local Law shall be deemed to have committed a violation and shall be subject to a fine of Fifty Dollars (\$50.00) for the first violation and up to Five Hundred Dollars (\$500.00) or up to 15 days in jail or both for each subsequent violation within a five (5) year period.

-Motion made by Council Member Mykel and seconded by Council Member Mark to file with state.

ROLL CALL VOTE: Supervisor	George W. Ott	Aye	
Council Member	Carol Mykel	Aye	
Council Member	Bob Reigelsperger	Aye	
Council Member	Kevin Mark	Aye	
Council Member	Gordon Sick	Aye	-Carried

***Local Law No. 2 of the year 2016**

A local law providing for penalties for failure to repair or remove unsafe buildings and collapsed structure

Be it enacted by the Town Board of the Town of Wayland as follows:

Section 1. Purposes

The purpose of this Local Law is to provide for an alternative means of enforcement in the event of the failure to repair or remove unsafe buildings and structures in the Town of Wayland.

Section 2. This Local Law shall be in addition to and not in substitution of Local Law No. 2 of the year 1995.

Section 3. Definition

- a. Building means any structure or portion thereof irrespective of its use or former use;
- b. Person means any individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or nature;
- c. Code Enforcement Officer means the Code Enforcement Officer of the Town of Wayland or other such other person appointed by the Town Board to enforce the provisions of this Local Law.

Section 4. No person shall own or maintain a building in the Town of Wayland if

- a. It is or may become dangerous or unsafe to the public;
- b. Has open doorways and windows making it accessible to and an object of attraction to minors, vagrants, other trespassers, and animals;
- c. It is or may become rodent infested;
- d. It presents any nuisance or other danger to the health, safety, morals and general welfare of the public;
- e. Is unfit for the purposes for which it may lawfully be used;
- f. It violates any provisions of New York State law concerning unsafe buildings.

Section 5. Penalties

Any person who violates any provisions of this Local Law or any provisions of the New York State Uniform Fire Prevention and Building Code shall be guilty of a violation and subject to a fine of not less than \$50.00 nor more than \$500.00 for a first violation and subject to a fine of not less of \$500.00 nor more than \$1,000.00 or up to 15 days in jail or both for any subsequent violation committed within a five (5) year period.

MONDAY, SEPTEMBER 12, 2016 -7:00 PM COURT HOUSE 17 N. MAIN ST. Continued—

Motion made by Council Member Mykel and seconded by Council Member Reigelsperger to file with state. ROLL CALL VOTE:

Supervisor	George W. Ott	Aye	
Council Member	Carol Mykel	Aye	
Council Member	Bob Reigelsperger	Aye	
Council Member	Kevin Mark	Aye	
Council Member	Gordon Sick	Aye	-Carried

***Proposed Local Law 3 of the year 2016**

A local law amending Local Law No. 2 of 2007 providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code to provide penalties

Section 15. Violations is amended to include a new subsection (m) as follows:

(m) Penalties:

Any person who violates any provisions of this Local Law or any provisions of the New York State Uniform Fire Prevention and Building Code shall be guilty of a violation and subject to a fine of not less than \$50.00 nor more than \$500.00 for a first violation and subject to a fine of not less of \$500.00 nor more than \$1,000.00 or up to 15 days in jail or both for any subsequent violation committed within a five (5) year period.

Motion made by Council Member Mykel and seconded by Council Member Mark to file with state.

ROLL CALL VOTE: Supervisor	George W. Ott	Aye	
Council Member	Carol Mykel	Aye	
Council Member	Bob Reigelsperger	Aye	
Council Member	Kevin Mark	Aye	
Council Member	Gordon Sick	Aye	-Carried

-Council Member Mykel gave special thanks to Bev Robinson and the planning board with helping with the Updated Town Disaster Plan. She then handed out copies to the board for them to review and then any changes or revisions can be done before accepted as the towns plan. We are working with the county on this.

NEW BUSINESS:

-Supervisor Ott reported that a special meeting was held regarding hydrant use for Cold Springs Construction for the 390 project. It was approved by the board and a contract signed to allow Cold Springs Construction use our hydrant on State Route 21 S for approx.. 3 weeks a year for 2 years at a cost of \$1000 per year. (water will be purchased through the village).

-Supervisor Ott also held a special meeting in regards to the renewal of the bond for the 2015 Truck.

-Sue Neu then addressed the board on behalf of Linda Neva regarding the petition she gave to the board and wanted to know if there will be a formal response to petition. Supervisor Ott stated that he had faxed over petition to Senator O'Mara's office, he will be meeting with Soil & Water regarding this matter.

Vouchers:

A motion was offered by Councilmember Reigelsperger seconded by Councilmember Mykel to approve the following vouchers for payment: #346– #378 Totaling \$93,470.

ROLL CALL VOTE: Supervisor	George W. Ott	Aye	
Council Member	Carol Mykel	Aye	
Council Member	Bob Reigelsperger	Aye	
Council Member	Kevin Mark	Aye	
Council Member	Gordon Sick	Aye	-Carried

MONDAY, SEPTEMBER 12, 2016 -7:00 PM COURT HOUSE 17 N. MAIN ST. Continued—

Motion made to go into Executive Session by Councilmember Sick second by Councilmember Mark

ROLL CALL VOTE:	Supervisor	George W. Ott	Aye	
	Council Member	Carol Mykel	Aye	
	Council Member	Bob Reigelsperger	Aye	
	Council Member	Kevin Mark	Aye	
	Council Member	Gordon Sick	Aye	-Carried

Motion made to go out of Executive Session by Councilmember Mark second by Councilmember Reigelsperger

ROLL CALL VOTE:	Supervisor	George W. Ott	Aye	
	Council Member	Carol Mykel	Aye	
	Council Member	Bob Reigelsperger	Aye	
	Council Member	Kevin Mark	Aye	
	Council Member	Gordon Sick	Aye	-Carried

No further business, a motion to adjourn by Councilmember Mark, seconded by Councilmember Reigelsperger

ROLL CALL VOTE:	Supervisor	George W. Ott	Aye	
	Council Member	Carol Mykel	Aye	
	Council Member	Bob Reigelsperger	Aye	
	Council Member	Kevin Mark	Aye	
	Council Member	Gordon Sick	Aye	-Carried

Respectfully submitted,

Natalie J. Baird, Town Clerk