State of New York
County of Lewis
Town of West Turin Board Meeting Minutes – February 12, 2024

Present: Supervisor Edward Hayes; Town Board Members – Susan Smith, and Katrina Sullivan
Highway Superintendent Doug Salmon, Tug Hill Commission Representative Christine Healt,
Boonville Herald Writer Mary Wilton
Community Members: Matt Swiernik
FFA Students & Guests from South Lewis High School: Addison Burker, Chloe Kraeger,
Natalee Billhardt, Jenna Bourgeois, Allie Teal, Darrian Brown, Candi Brown, Ashley Teal,
Amber Stevens, and Rachael Howard
Absent: Councilman Markham and Councilman McGovern

Town Supervisor Edward Hayes, called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. Supervisor Hayes introduced the South Lewis FFA student group and gave the students the floor. The students presented a mock panel about solar power in which they were respresenting a town board, community members, and a solar company. It was a panel of discussion and questions giving both sides of the solar panel issues that are relevant today. Supervisor Hayes thanked the students for their presentation.

Supervisor Hayes then gave the floor to Matt Swiernik. Mr. Swiernik was inquiring on the timeline of the bridge replacement on Crofoot Hill Road. Superintendent Salmon responded that the bridge work would begin this summer and they are just going out to bid now.

Christine Healt from the Tug Hill Commission then presented information about workshops and grants. This information is available on their website and in their newsletter.

The Town Board meeting minutes from January 8, 2024 were read by Clerk Schindler and approved on motion by Councilwoman Sullivan, seconded by Councilwoman Smith; all ayes.

Superintendent Salmon presented Abstract No. 2-2024 (Vouchers 14-27) in the amount of $33,076.96. A motion to pay the abstract was made by Councilwoman Smith, seconded by Councilwoman Sullivan; all ayes.

Supervisor Hayes reported he received a check for January 2024 fines and penalties of $1,685.00. The paid share for fines and penalties for December 2023 was $437.00, but he has not yet received a bill for January 2024 from the County.

Supervisor Hayes informed the town board members the annual audit of the Town Supervisor and the Town Clerk records will take place on February 28, 2024 at 7:00 p.m. at the Town Highway Department.

Superintendent Salmon said an NYS DEC officer visited the Highway Department. The officer indicated that the underground fuel tank and the on-road diesel and gas tank are nearing the end of their life. Life expectancy for these tanks is estimated to be 30 years. Superintendent Salmon will be requesting quotes to replace the tanks.

Supervisor Hayes read an email from Planning Board Chairman Phil Bronson requesting an increase in the subdivision application fee from $150 to $300. Clerk Schindler was directed to contact Attorney Gilbert about the fee schedule.

Supervisor Hayes said the Town Board found Town Justice Deborah Earl's audit to be in satisfactory order. A motion to accept the audit was made by Councilwoman Smith, seconded by Councilwoman Sullivan, and adopted.

RESOLUTION #8-2024
AUDITING THE TOWN OF WEST TURIN TOWN JUSTICE
COURT RECORDS AND DOCKETS FOR THE
FISCAL YEAR ENDING 2023

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to the auditing board of the town, and that such records then be examined, and the fact be entered into the minutes of the town board's proceedings; and

WHEREAS, the Town of West Turin Town Board is the auditing body for the Town of West Turin; and

WHEREAS, the Town of West Turin Town Board met on January 22, 2024 for the purpose of auditing the Town Justice Deborah Earl's court records and dockets for the fiscal year ending 2023; and

WHEREAS, after review of such court records and dockets for the fiscal year ending 2023 using the "Annual Checklist for Review of Justice Court Records" it was found the Town of West Turin Town Justice Deborah Earl's records to be satisfactory.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Town of West Turin Town Board does acknowledge the required examination was conducted per Section 2019-a of the Uniform Justice Court Act and authorizes to accept the Town of West Turin Town Justice Audit for fiscal year ending 2023.

Section 2. The Town of West Turin Town Board authorizes Clerk Schindler to file the necessary audit paperwork with the Unified Court System's Internal Audit Office.

Moved by Councilwoman Smith, seconded by Councilwoman Sullivan, and adopted on February 12, 2024.

Supervisor Hayes reported Mr. Bob Williams contacted him about the SNIRT run. Mr. Williams is asking the Town Board if they have a preference on the date the SNIRT run will be held. The dates being March 30th or April 20th. The board did not have a preference. Mr. Williams indicated he would provide a copy of the contract and certificate of insurance.

Supervisor Hayes then read Local Law No. 1-2024 "A Local Law Providing for Written Notification of Defects and Obstructions on Town Highways, Bridges, Streets, Sidewalks, Crosswalks, and Culverts in the Town of West Turin." A public hearing for Local Law No. 1-2024 will be scheduled for March 11, 2024 at 7:00 p.m. to be held at the Town of West Turin Municipal Building, 5968 James Street, Constableville.

A Local Law Providing for Written Notification of Defects and Obstructions on Town Highways, Bridges, Streets, Sidewalks, Crosswalks, and Culverts in the Town of West Turin.

Local Law No. 1 of the Year 2024.

A local law entitled: "A local law providing for written notification of defects and obstructions on town highways, bridges, streets, sidewalks, crosswalks, and culverts in the Town of West Turin".

Be it enacted by the town board of the Town of West Turin that LL No 2. of 1975 is hereby repealed, and pursuant to Town Law Section 65-a, the following provisions are hereby enacted:

Section 1. No civil actions shall be maintained against the town or town superintendent of highways for damages or injuries to person or property sustained by reason of any highway, bridge, street, sidewalk, crosswalk, or culvert being defective, out of repair, unsafe, dangerous, or obstructed unless written notice of such defective, unsafe, dangerous, or obstructed condition of such highway, bridge, street, sidewalk, crosswalk, or culvert was actually given to the town clerk or town superintendent of highways, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger, or obstruction complained of.

No such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge, street, sidewalk, crosswalk, or culvert, unless written notice thereof, specifying the particular place, was actually given to the town clerk or town superintendent of highways and there was failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

Section 2. The town superintendent of highways shall transmit in writing to the town clerk within five days after the receipt thereof all written notices received pursuant to this local law and subdivision 2 of section 65-a of the Town Law. The town clerk shall cause all written notices received pursuant to this local law and subdivision 2 of section 65-a of the Town Law, to be presented to the town board within five days of the receipt thereof or at the next succeeding town board meeting, whichever shall be sooner.

Section 3. This local law shall supersede in its application to the Town of West Turin subdivisions 1 and 3 of section 65-a of the Town Law.

Section 4. This local law shall take effect immediately upon its filing in the office of the Secretary of State.

Supervisor Hayes read an email from Attorney Gilbert in response to the Mazur Road and a question about property owners installing gates on the abandoned road. The proper response from the Town is not to grant or deny permission to put up a gate, since it is not ours to give or deny. The Town has no duty to maintain the road or public access, so it has no legal standing to prevent the placement of a gate.

Supervisor Hayes read an email from Mr. John Souva regarding installing a wildlife viewing platform on a piece of land Tug Hill Trust owns on Mohawk Hill along NYS Route 26 and Croneizer Road. Clerk Schindler responded that she directed Mr. Souva to speak with the Lewis County Building Codes office to begin his process.

Warrant No. 2-2024 (Claim Nos. 21-41) in the amount of $5,958.97 was presented for payment. A motion to pay the warrant was made by Councilwoman Sullivan, seconded by Councilwoman Smith; all ayes.

Supervisor Hayes presented revised Supervisor's Reports for November 2023 and December 2023. He presented the Supervisor's Report for January 2024.

There being no further business to come before the board, the meeting adjourned at 8:46 p.m. on motion by Councilwoman Smith, seconded by Councilwoman Sullivan.

Respectfully submitted,

Bethany L. Schindler, Clerk
Town of West Turin