

July 11, 2011

The regular meeting of the Town Board of Vernon was held at the Town Office Building on the above date with the following persons present: Myron J. Thurston, Supervisor; Gene Bennati, Mick McDonough, Sandy Williams and Randy Watson, Council members. Also present: Norman E. Laube, ZBA Chairman; Art Freemire, Superintendent of Highways; PAC 99, Garold Vanderwerken, Tom Phelan, Catherine Phelan, Titia Finch Baker, Bonnie Reynolds, Sarah Rosenstein, Amy Buckholz, Jack and Lorraine Maine, Chad Davis, County Legislator; Michael Hennessy, County Legislator; Kenneth Fort, Cynthia Banas, Peter Bianco, Nancy Grove and Rev. Kevin Bunger. Attorney Rossi was absent.

Following the Pledge of Allegiance, there was a moment of silence. The meeting was called to order by Supervisor Thurston at 7:00 p.m.

Supervisor Thurston stated that he knew the minutes from the June 6, 2011 meeting had been received by council members and asked if there were any additions or corrections. There being none, a motion to approve the minutes as written was made by McDonough, seconded by Watson. No discussion. Ayes 4. Nays 0. Motion carried.

#### PUBLIC CONCERNS:

A number of citizens voiced their opinions on the affects of hydrofracking (a method of extracting natural gas) on our water supply and how this process would impact our state. Hydrofracking could threaten residential mortgage lending, title insurance, the safety of our roads and most of all, our clean water. A request was made to the Town Board to consider a resolution for a moratorium of up to one year to allow time for study and public discussion of the many issues involved with this. Supervisor Thurston mentioned that there is a number of changes that have been mandated by the NYSDEC over the way that the drilling is being done. Bennati stated that he saw a segment on the pros and cons of hydrofracking on 60 minutes. They had two farmers that became instant millionaires, and then they had a group of people that the gas company has to provide bottled water to them on a continual basis because their water is contaminated. Supervisor Thurston stated that he has already discussed this with our Town Attorney and the 12 month moratorium is feasible, but if the DEC approves the drilling it is going to be an uphill battle because the State is broke. The Board will vote on having a public hearing regarding this in the business section.

#### REPORTS:

The following reports were presented: Town Clerk, Codes Enforcement, Supervisor's (Supervisor Thurston mentioned that we did receive \$150,000 VLT money from the State to use for next year's budget) and Economic Development: Watson reported that there was a meeting on June 29, 2011 with the area businesses. They formed a seven member committee and developed a marketing plan designed by Bob Moher. The next meeting is scheduled for July 27, 2011.

There were no reports from Planning Board, Zoning Board of Appeals, Assessors, Education and Libraries, Intergovernmental Relations, Operations, SWOCO and Historian (Supervisor Thurston mentioned that the new display case will be done by early next week).

County Legislator's Report: Mr. Hennessy reported:

- 1) that he went to the Pat Benatar concert at Vernon Downs and it was very well attended, but there were no signs to advertise the area restaurants for after the concert. Supervisor Thurston mentioned that he is trying to get Vernon Downs and Utica-Rome Speedway together to communicate more about marketing. Also, Vernon Downs is taking reservations for their new outdoor open deck.
- 2) they are trying to decrease the amount of County Legislators from 29 to 10.
- 3) they will start to work on the 2012 budget.

A motion to accept above reports was made by Bennati, seconded by Williams. No discussion. Ayes 4. Nays 0. Motion carried.

A motion to pay bills was made by Watson, seconded by Williams. No discussion. Ayes 4. Nays 0. Motion carried.

#### BUSINESS:

There is a correction on the May Supervisor's Report to the balance of the Prospect St. water district. The bank teller wrote in the total balance in the account in the deposit book instead the deposit amount for that day.

A motion to approve library contracts for \$8000 each to Sherrill-Kenwood and Vernon Public libraries was made by Bennati, seconded by McDonough. No discussion. Ayes 4. Nays 0. Motion carried.

Supervisor Thurston suggested organizing the building of a racing museum in the Town, but it will not be funded by the Town. It would be a tribute to the history of stock car racing and horse racing in our Town. He called Utica-Rome Speedway, who is celebrating their 50<sup>th</sup> anniversary and they are very excited. This was Richie Evans' home track and he is being inducted into the Nascar Hall of Fame this January. So, he will organize this project with both of them and this will go along with our marketing plan. This would be a great tourist attraction.

A motion to approve payment of \$25,000 to the CAC in Sherrill was made by Bennati, seconded by Watson. Williams suggested that the Town of Vernon be recognized for this contribution. McDonough mentioned that he thinks that this is a lot of money considering the budget problems that we have. No further discussion. Ayes 3. Nays 1.(McDonough) Motion carried.

A motion to purchase a retractable curtain for the west and south side of the Town's pavilion to block the wind for \$871.83 was made by Williams, seconded by Watson. No discussion. Ayes 4. Nays 0. Motion carried.

A motion to approve Service Master to clean carpets and wax floors at the Town office building for \$1087 was made by Williams, seconded by Bennati. No discussion. Ayes 4. Nays 0. Motion carried.

Supervisor Thurston explained the Town's National Grid bill that shows the net metering adjustment that we receive now is almost 8 cents per kilowatt hour. In the beginning we only received credit once a year and it was only 5 or 6 cents per kilowatt hour. Also, demand was \$10.20 per kilowatt before and is now \$9.28. This will pay us back for many years to come.

Notice was received from Vernon Downs for expansion change on NYS liquor license.

Supervisor Thurston announced that the Town and Village of Vernon Boards will hold a meeting with Bob Moher and the Tourism Marketing Plan committee on July 13, 2011 at 7:00 p.m. to discuss the next step they will take. McDonough asked if we got anyone else's proposal on this and Supervisor Thurston said that there are other companies out there, but we would like to get it started and we can back out at anytime if we are not satisfied. Bennati mentioned that he is not sure if we have a high enough volume of people to make this successful.

A motion to transfer \$30,000 for A1420.4 Attorney to A5132.4 Garage to pay Nelson Associates was made by McDonough, seconded by Williams. No discussion. Ayes 4. Nays 0. Motion carried.

A motion to pay \$29,076 to Nelson Associates on August 4, 2011 when the bid opening for the salt dome elevator will take place was made by Bennati, seconded by McDonough. No discussion. Ayes 4. Nays 0. Motion carried.

Supervisor Thurston asked if we have a date for the ice cream social and Williams replied that she hasn't looked into it yet.

Supervisor Thurston stated that we will have a Public Hearing to consider a Local Law that would allow the Planning Board members and the ZBA members to substitute for each other when there is not enough members to make a quorum because problems have arisen. A motion

to hold a Public Hearing to discuss this on August 8, 2011 at 6:45 p.m. was made by McDonough, seconded by Bennati. No discussion. Ayes 4. Nays 0. Motion carried.

A motion to hold a Public Hearing on August 15, 2011 at 7:00 p.m. to discuss hydrofracking and vote on a 12 month moratorium was made by Bennati, seconded by Williams. No discussion. Ayes 4. Nays 0. Motion carried.

GOOD OF THE ORDER:

Bennati recommended that we set some absolute perimeters for speakers at the Public Hearing on hydrofracking because it is a very emotional and controversial issue. McDonough suggested that we do not vote on the moratorium that night because we should have time to think about it. Bennati said that he would like to see the executives from the gas companies drink the water and take showers in the water that is selected by the people that live around those wells for a year or two, then he'll think it's got to be safe. Bennati suggested that we invite these executives to the meeting and see how they react.

Bennati also suggested that we send Wendy Coston, our bookkeeper, to school to become a notary public.

Williams mentioned that she reserved the Town pavilion for a party and the bathrooms had bugs and spider webs. Supervisor Thurston said that he would let the cleaning lady know.

Williams also suggested that the Supervisor and Highway Superintendent should be four year terms, instead of two years. Bennati agreed that two years is not long enough to learn the job if you know nothing about the position. Supervisor Thurston and Highway Superintendent Freemire disagreed because these are two critical positions and if you are not doing your job, then you will be out of office two years sooner.

EXECUTIVE SESSION:

None

There being no further business, a motion to adjourn at 9:07 p.m. was made by Bennati, seconded by McDonough. No discussion. Ayes 4. Nays 0. Motion carried.

Respectfully submitted,

Additions to minutes on file  
in Town Clerk's Office.

Julie A. McElroy  
Town Clerk

It should be noted that this meeting was tape recorded and is on file in the Town Clerk's office.

COMMUNICATIONS:

None