

TOWN OF AMITY MINUTES

REGULAR BOARD MEETING

January 13, 2014

OFFICIAL

Present: Supervisor Dana Ross, Councilpersons: Jeff Zenoski, Josh Brown, and Miranda VanDyke

Clerk: Richard Winterhalter

Highway Superintendent: Bill Bigelow

Deputy Highway Superintendent: Mark Bliven

Absent: Brian Clendenin

Also Present: Refer to guest list exhibit A.

All Votes taken at this meeting will be by roll call.

The meeting was called to order by Supervisor Ross at 7:00 PM.

The meeting opened with the Pledge of Allegiance led by Miranda VanDyke.

Supervisor Ross welcomed all guests. He reminded all guests this is a business meeting. No public discussion would be allowed during the board meeting. He explained that the meeting would be open for public opinion and concerns at the end of the business meeting. It was also explained that the board would not answer a lot of questions. He also explained that the next meeting will be a general meeting and the public is welcome to attend.

The minutes for the December 16, 2013 meeting were introduced. The board chose not to have the minutes read since they all had previously read them. Supervisor Ross if there were any corrections. No corrections were needed. A motion to accept minutes was made by Councilman Brown. The second was made by Councilwomen VanDyke. Councilpersons Zenoski, Brown, VanDyke and supervisor Ross all voted Aye. There were no Nay votes. Motion carried 4-0-0.

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The minutes for the January 6th, 2014 meeting were introduced. Councilman Zenoski asked about resolution to pay members quarterly. Supervisor Ross explained that resolution was to put this board in compliance with the State Comptroller's office at the January 6th meeting. The clerk asked if the board wanted to waive the reading of the minutes.

Councilman Clendenin arrived at 7:06PM.

Councilman Brown made a motion to accept the minutes without correction. Councilwomen VanDyke made the second. Councilpersons Zenoski, Brown, Clendenin, and VanDyke and supervisor Ross all voted Aye. No Nay votes. Motion carried 5-0-0.

Supervisor Ross introduced Fred Sinclair representing the SPCA board and gave him the floor. Fred introduced himself and Tom Smith a consultant that are representing the SPCA. He explained the site would be on State Route 19 on 3.5 acres of land donated by Kevin Gildner. This land is very suitable for the location of the SPCA. Mr. Sinclair explained that he was speaking on behalf of the SPCA board of which he is a member. He read a letter exhibit B. He would be explaining the proposal and answering questions. The State DEC would review the project as to what the impact of the project would be and to facilitate the availability of State Funding and permits that would be required. The Amity board was told that the SPCA would be asking the Town of Amity for help. The Town of Amity would serve as the lead agency in the performance review for this project. This is known as the State Environmental Quality Review (SEQR review). Also he requested that the Town of Amity review the plan to be sure that it will not be objectionable. Mr. Sinclair indicated he would assist in this effort. The SEQR documents were given to board members to review. This document is not attached to the minutes. Mr. Sinclair explained how the dogs would be cared for, the environment they would be kept in and barking noise controlled.

The SPCA requested that the Town of Amity act as the lead on the project. The letter asks the Town to sponsor the application for the Road Cut (driveway permit) from the NYS DOT which will save the SPCA the \$550.00 fee. A site map was provided exhibit C.

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Some discussion took place between the board, Mr. Sinclair and the consultant Tom Swift. No decision was made.

Supervisor Ross asked if representatives from the SPCA would be available if the Board called for a public hearing. Mr. Sinclair answered that they would.

A board member (Josh Brown) suggested that a site plan review would not be necessary because “they completely voted down the site plan review on everything”. That was voted down by the community. Councilwoman VanDyke indicated that we still have a planning board. Supervisor Ross indicated that the Planning Board could be part of the SEQR review. Mr. Sinclair reassured the board that the SPCA would be happy to do anything required.

Supervisor Ross thanked Fred and Tom. He told them that the board would consider their requests and provide a response at a future date.

UNFINISHED BUSINESS:

Supervisor Ross asked to take resolution 2014 Mutual Aid back off the table. Councilman Clendenin asked why this resolution was tabled. Supervisor Ross indicated that it was tabled because there was a mistake in the wording which has been corrected. A motion to accept the resolution was made by Councilman Brown. A second was made by Councilwoman VanDyke. Councilpersons VanDyke, Zenoski, VanDyke, Clendenin and Supervisor Ross voted Aye. No Nay votes. Motion carried 5-0-0. All councilmen signed the agreement. The Clerk will mail it to the requesting agencies, The Town of Grover and Allegany County Highway.

Supervisor Ross has gone over list of names on the planning board and called all persons interested in becoming members. He would like to have resolutions ready for the February 10th meeting to appoint the new members and a chairperson. Supervisor Ross explained that it is the responsibility of the board to give direction to the planning board. He wants the board to discuss what these directions should be. The planning board is talked about in the Compressive Plan of 2009. Supervisor Ross explained that the Town needs protection from indiscriminate commercial development. At this time this community has no protection. The planning board should focus on Commercial development in

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areas that have already been defined in the Route 19 corridor. The Town should grow but not in the wrong way. Part of commercial development is going to require a site plan review. He referenced the SPCA project indicating that the State is requiring a site Plan Review before they begin construction. He emphasized that the Town needs to have a say in what goes on in the Town. He referenced that if the town does not have a say in what development goes on everything reverts back to the County.

The board was asked for their thoughts on where they would like the planning board to go. Councilman Clendenin said he did not think the Town wanted to put much into having business coming to town. He would like to see the Planning Board to look at how this affects the child that walks down the road every day to his bus stop. He indicated that other agencies would be looking at the financial impact and not the big picture, like what our community does what it does.

Councilwomen VanDyke indicated that they could give the planning board complete control or that the planning board would answer to the Council to have a say. She feels that checks and balances are required. Councilman Clendenin indicated that at every meeting people have been to meetings reminding that they did not want a planning board. However, if something happened that members of the community did not like there would be uproar of protest.

Councilman Brown thinks that laws should not be written. He thinks that some control is necessary for commercial development.

Supervisor Ross told the board that he would be speaking individually with board members so that they will be able to tell the Planning Board what will be expected of them.

He went on to say the Comprehensive Plan that was completed in 2009 was in need of modification. This might be the first responsibility of the Planning Board would be to review this plan and bring it more into line with what is going on today. The process needs to be open and above board.

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Supervisor Ross asked if the process was understood. Public hearings must be held so that people that want to express an opinion have the right to do so. The plan is brought to the board. The board can modify the plan if needed. Send it to our lawyer to get it in legal form. A second Public hearing is called. As long as the process is followed it would be expected that the Planning Board would be generally accepted.

The water district for the Town was brought up. The project has been on hold for several months. The Town lawyer and engineer have been contacted. This project will require a Public Hearing at some time.

We are basically looking at 5 separate districts. Councilman Clendenin was not certain that 5 districts was an agreed upon number. He commented that there might be just one general district. This still has yet to be determined. Some discussion along with examples of what might happen in cases of emergencies took place.

The County Dept. of Health is asking the Village to shut down the private water lines that are coming off the Village lines. This possibility is what is making the conclusion of this project important. Supervisor Ross thinks that if this gets back in action it could be completed as early as August. Supervisor Ross has asked Don Skinner to continue serving as a community member. A volunteer from the board was asked to serve on the committee. This member would be providing monthly updates. Councilman Clendenin volunteered to serve if would not result in a conflict of interest due to the fact he is one of the persons that would be in one of the Water Districts. Supervisor Ross will ask the lawyer this weekend.

The DCO Report was reviewed. No comments or Questions.

The Town Clerk Report was reviewed. No comments or questions were asked.

Grievance Day Change: The board reviewed the letter from the assessor Russ Heslin. Supervisor Ross said he would call to get more clarification.

Supervisor Ross has asked several people if they would like to be Deputy Supervisor. At this time no one has accepted. Supervisor Ross has one more person to ask. If that person does not accept he will turn to a new avenue.

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Highway Superintendent Bigelow report.

The Town has been doing a lot of plowing and Sanding. Trucks in need of repair have been repaired some of the work due to the salt doing the damaging. Highway inventory has been completed and filed with state which resulted in Chips money being received. 400 ton of salt and sand has been reserved with the state. They might have to buy 70 or 75% of that. Working on forms for fence at Forest Hill Cemetery. Going to take Maple tree down at Belvedere Cemetery. Normal maintenance on vehicles. Permits for bridge at Philips Creek. Soil conversation will take care of permits with DOT. Borrowed a chipper from Angelica and chipped trees on Back River Road. Took the box apart on the truck purchased from Angelica which had a rotted corner and replaced with new box corner. Councilwoman VanDyke asked if a chipper should be purchased so one did not need to be borrowed. Bill indicated they were in conversation with Wellsville about going in together to purchase one. Supervisor Ross asked what the utilization would be for a year on a chipper. A definite answer was not given. He suggested that renting one may be more cost effective than purchasing. Discussion regarding the pros and cons took place. No decision was reached. Summer work plan was discussed. Bill told the board of equipment he would like to look into that would be of benefit to the Town. Supervisor Ross suggested that State Auctions be looked at to purchase some of or all of this equipment. The road inventory was completed which will get the Town a little more CHIPS money. Discussion about applying for CHIPS money took place. It was determined that CHIPS would be quarterly.

Approval of Abstracts was called for. Supervisor Clendenin noted that voucher 6 and 10 on the Highway were duplicated. Voucher 10 will be removed. Some questions were asked regarding some Highway purchases. Superintendent Bigelow answered questions.

Councilman Clendenin moved to accept the abstract 01 Highway (\$21,146.78) and General (23,565.64) after removing voucher number 10 from the Highway abstract. Clerk Winterhalter looked at the vouchers and determined that one voucher was entered by the previous bookkeeper based on a receipt and the second voucher was entered based on an invoice. Superintendent Bigelow

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verified that only one voucher should be paid. The motion was seconded by Councilman Zenoski.

Councilpersons VanDyke, Zenoski, Brown, Clendenin and Supervisor Ross all voted Aye. No Nay votes. Motion carried 5-0-0.

Supervisor Ross opened the meeting to a round table discussion by the board.

Councilwomen VanDyke brought up at one of the board meetings that we have two prices. One price for Town taxpayers and a different price for non taxpayers.. She wanted to know if this was something that could be talked about at a later meeting.

Councilman Clendenin asked if grant money might be available for repairs at the cemeteries.

A comment was made about eliminating the fencing all together. The sexton John Francisco will be approached regarding this idea.

Clerk Winterhalter let the board know that the money that was in the budget to pay for the County mandated software for tax collection had been taken out of the 2014 budget. It was in the tentative budget and removed sometime between the tentative and approved budget. This money would need to come from someplace.

Supervisor Ross set next meeting to be February 10th, 2014.

Supervisor Ross then opened the meeting for public opinion.

Mike Dody, Harold Mitchel, Ruben Stocking and Dave Gominiak all spoke to the Council. The Council will take their comments and concerns under consideration.

A motion to adjourn the meeting was made by Councilman Clendenin. The second was made by Councilwomen VanDyke. All councilman and Supervisor Ross voted aye. No nay votes. Motion carried 5-0-0.

Meeting adjourned at 8:30PM