

## REGULAR MONTHLY MEETING

January 10, 2019

The regular monthly meeting was opened at 7:00 pm with the Pledge of Allegiance by Supervisor Dan Acton.

Board members present were Dan Acton, Fion MacCrea, Bill Cleveland and Matthew Snyder. Arriving later was Jerry Snyder. Also in attendance were Highway Superintendent Bob Halsey, Codes Enforcement Officer Steve Kilmer and Town Clerk Janice Burdick. Guests included James Beiler and Cara Dobson. Representing the Village of Alfred was Jim Ninos.

**Guests:** Mr. Beiler was present to discuss his plans to operate a poultry processing center on his property on County Road 12. He stated that he is working with the State and they need a letter saying complies with Town Zoning. The processing center will allow him to sell processed poultry to stores. Hopes to have building and proper drains up by fall. Room will be 22 x 30 plus an outside awning to keep disposals and live chickens. The building will have a total of three rooms: 1 for killing, 1 for eviscerating and the third for cutting. If he stays under the 1000 bird limit there are no regulations from the state. Mr. Bailer also stated that he would like to do custom proceeding where someone could bring in their chickens and could custom process them. When CEO Steve Kilmer arrived he explained to Mr. Beiler that the first step would be to apply for a Zoning Permit. A Building Permit is not required due to it being an Ag. Building. Mr. Kilmer added that he can't issue any letter until he has something is writing describing the project per the Zoning Permit.

Unfinished Business: Still working on the wording for Special Use Permits in the Ag. District and the SEQR form.

**Approval of Minutes:** The minutes of 12/13/18 and 1/3/19 were approved with a motion by Bill Cleveland seconded by Fion MacCrea and carried 4-0.

**Police Report:** No report. Reviewed 2019 Contract. Only changes were the amount of the contract per 2019 Budget and added a request for the Chief of Police or a representative come quarterly to the Town Board meeting. The contract was approved with a motion by Bill Cleveland, seconded by Matthew Snyder and carried 4-0.

**Code Enforcement Report:** Reviewed written report and addressed Mr. Beiler's questions.

**Monthly Report:** No report

Unfinished Business: Still working on the wording for Special Use Permits in the Ag. District and the SEQR form.

*Special Use Permit:* Supervisor Acton explained that the definition of Home Occupation and types of activities that would be allowed with a Special Use Permit is being updated. Permitted uses in the Business and Light Industrial Districts would be included in the Ag. District. Mr. Acton sent the changes to the Town Attorney and he felt the changes were acceptable. Next step is to file the SEQR review. Kier Dirlam from the County Planning Board attended a meeting and reviewed the SEQR and explained the process. The next step is a final law with the changes that then goes to the County Planning Board for approval. Also would like to clean up the sequence of events and procedure for the Zoning Board of Appeals. Would like to include this in the Local Law Amendment. Jim Ninos stated that it would be nice if the Comp. Plan was completed before any changes in the Zoning.

*Petition for Snow Shoveling:* Supervisor Acton asked the Board what they want to do about this. Jim Ninos stated that the Village would be willing to lend the equipment when they aren't using it which would be when the Town would also need it. Bob Halsey felt it should be the homeowner's responsibility and Matthew Snyder added that the Town could make it the homeowner's responsibility. The Town can make it the owner's responsibility under the NYS

Property Maintenance Code. Dan Acton cited a law that says it could be the Highway Superintendent's responsibility if the Board directs him to do it. Bill Cleveland suggested sending a letter to the property owner's notifying them it is their responsibility. Fion MacCrea stated that he feels it is their responsibility per the NYS Building and Maintenance Code. Feels letter should come from Steve Kilmer and cite the portion of the code that spells that out. Matthew Snyder stated that he had talked to some of the residents and their concern is where to put the snow – will it be in their driveways or up against their house.

Jim Ninos stated that in the Village it is the responsibility of the property owners. The Village does do it but if the equipment breaks down the owner has to do it. Dan Acton asked what if they can't do it or can't afford to hire someone to do it. Matthew Snyder stated that the average area is 18 linear feet of sidewalk. Fion MacCrea suggested sending a letter to all that are in this district from Steve referring to the Property Maintenance Code. If that doesn't resolve it than look at other options.

Dan Acton asked that Board "What is the purpose of Municipal Government?" Bill Cleveland stated "we are here to serve". Matthew Snyder added that the best service is to find a way to provide services at no cost. Fion MacCrea suggested mentioning in the letter that there are other options that could be explored. Mr. Beiler commented why you would want more laws if there is already a law that addresses this. Jerry Snyder suggested that the Board respond to the property owners and let them know the Board has looked into this and it is their responsibility. Highway Superintendent Bob Halsey stated that he doesn't see any way his department can do this. Doesn't have the equipment or the manpower. Jerry Snyder added that we have a small crew and he feels the best solution is for the homeowners to do it. Not in the Town's best interest to take on more. Mr. MacCrea again stated a letter needs to be sent to the property owners that it is their responsibility and Matthew Snyder stated that other options will incur costs, more manpower and more equipment. Dan Acton asked what happens if the letter doesn't work? Matthew Snyder stated that Steve Kilmer would be contacted and see what the enforcement options are. Fion MacCrea added that at that time may have to look at establishing a Snow District. (District would be created within the area that has sidewalks. Town would contract it and it would be an added charge on those property owners tax bill). Dan Acton stated that we are a community and isn't that something we should consider? Megan Snyder asked if any of the people that signed the petition have offered to help the neighbors that haven't shoveled? Dan Acton responded that he didn't think they had. Fion MacCrea added that due to absentee landlords not shoveling is why the letter is a good idea.

**Correspondence:**

- Information from Allegany County showing all salaries of officials and staff in all the Towns. Summary of Budget and amount of levy to be collected.
- Court Audit – Dan Acton and Matthew Snyder will contact Theresa Jaycox to arrange this.

**General Abstract #1-** Vouchers #1-12 in the General A Fund in the amount of \$34819.68, #1 in the General B Fund in the amount of \$4434.35 and #1 in the SF Fund for \$3375.00 for a total amount of \$42629.03 were approved with a motion by Fion MacCrea seconded by Dan Acton and carried 5-0.

**Highway Abstract #1-** Vouchers #1-23 in the DA Highway Fund in the amount of \$31994.92 and Voucher #1 in the DB fund in the amount of \$7584.00 were approved with a motion by Matthew Snyder seconded by Bill Cleveland and carried 5-0.

**Highway Report:** Bob Halsey reported that they looked at a 2014 Mack and a 2012 Volvo. The 2012 Volvo has 71,000 miles on it with all new tires and brakes and recently repainted. Concern is it will fit in the garage but only about 1" between the end of the truck and the door. Bill Cleveland stated that he met with Mr. Halsey to look at options. He felt that Mr. Halsey was really trying to save money by taking parts from one to put on another. Dan Acton asked why the Town of Vestal is selling it and Bob Halsey answered that they try to keep their trucks on a rotation. Fion MacCrea added that that is a good reason to keep track of what we spend on maintenance so that when we are ready to sell have that information. Dan Acton stated that the 2010 Mack has had over \$35,000 into for repairs. Stated it might be better to get a good used piece of equipment than a new one – the Mack was bought new. Bob Halsey stated he would like to advertise for bids for a 2012 10 wheeler and would sell the 2010 Mack. This was budgeted for in the 2019 budget. A motion was made by Fion MacCrea to bid a used 10 wheeler, seconded by Bill Cleveland and carried 5-0.

Dan Acton asked if CHIPS money could be used to reseal a road after 5 years? Bob Halsey responded it would be ok if the shoulders aren't broken up. If shoulders are broken up then have to grind. Fion MacCrea wondered if resealing would be cheaper than grinding.

**Supervisor's Report:** Representatives for Village Board meeting will be as follows:

- February – Matthew Snyder
- March – Bill Cleveland
- April – Fion MacCrea
- May – Dan Acton

Dan Acton asked if anything has been done about the brine and if not what does the Town plan on doing. Bob Halsey stated they will have to use salt.

Mr. Acton reported that he received a call from NYSEG asking if the Town wanted to replace the street light on Baker' Bridge and sent Mr. Acton a form. Steve Kilmer suggested calling the DOT which Mr. Acton did and they are looking into it.

Notification from Fred Sinclair with concerns about boxes being put on electric poles.

Wondered what they are for and if they are for 5G. If it is for 5G much more microwaves being transmitted. Fion MacCrea stated that he doesn't believe any 5G is being installed around here – mostly in urban areas. Pretty sure it is for fiber optics. (It has come to the Town's attention that this is for fiber optics being installed by Armstrong.)

*2019 Mutual Aid Agreement:* A motion was made by Dan Acton, seconded by Fion MacCrea and carried 5-0 to approve the 2019 Mutual Aid Agreement.

Mr. Acton reported that Wendy Dailey will be happy to serve on the ZBA.

**Town Clerk** – Been busy collecting taxes.

**Other Business** - Fion MacCrea stated that Bob Halsey had mentioned the length of a new truck. Was wondering if there might be a grant to expand the highway building. Dan Acton suggested may also want to look at expanding it large enough to store all the equipment. Association of Town Annual Conference in NYC.

**Bank Statements** - A motion by Fion MacCrea to approve the Bank statements was seconded by Dan Acton and carried 5-0.

A motion to adjourn at 9:00 pm was made by Matthew Snyder seconded by Fion MacCrea and carried 5-0.

Respectfully submitted,  
Janice L. Burdick  
Town Clerk

