

REGULAR MONTHLY MEETING AND PUBLIC HEARING

July 11, 2013

The regular monthly meeting of the Town Board of the Town of Alfred was opened at 7:00 pm Thursday July 11, 2013. All Board members were present. Also present were Dan Acton, Chairman, Planning Board, Chief of Police Tim O'Grady, Chuck Jessup, County Legislator Doug Burdick, Mark Klingensmith, Clerk Janice Burdick and Highway Superintendent Jamie Mansfield. Representing the press was David Snyder of the *Alfred Sun*.

The meeting was opened at 7:05 pm with the Pledge of Allegiance by Supervisor Tom Mansfield.

PUBLIC HEARING – Local Law #3-2013 Amendment to Local Law #2-2010, was opened at 7:05 pm.

The hearing was closed at 7:30 pm and there was no public comment.

Approval of Minutes – The minutes of June 13, 2013 were approved with a motion by Jerry Snyder, seconded by Fion MacCrea and carried 5-0 with the following addition; Board of Elections agreement good through 12/31/17.

Police Report – Written report was reviewed. Jerry Snyder asked Chief O'Grady how many men are on in the summer and was told that the same year round – no one gets laid off. Chief O'Grady stated that in the summer they are more in response mod instead of a control mod. Jerry Snyder asked if they could save money by laying off some in the summer. Chief O'Grady answered no, by the time you pay unemployment not saving anything. Plus summer is when the men use up their vacation. Chief O'Grady stated that in the future may share with Wellsville since their busy time is our slow time and vice a versa. Chuck Jessup asked about the upcoming Tough Mudders event. Chief O'Grady stated that he received a copy of the traffic pattern established by the State Police. All parking will be on site. Alfred Police Departments only role is to keep traffic moving through the Village. Concern was expressed that the State Police were making a Town Road one way – Jamie Mansfield stated that the State Police don't have the authority to change a road. It has to be done by the Town either by a Local Law or Ordinance. Further discussion on this included the fact that the Sheriff can change the road and notifying the people on the roads involved.

Monthly Report - Still nothing from FEMA.

Correspondence:

1. Cornell Local Roads Program - Cornell University is going to eliminate the Highway School effective 9/30/14. Asking for support to continue the program.
2. Allegany Co. Office of Development and Planning – completed draft of County Comprehensive Plan.
3. Time Warner – changing programming and internet speeds.
4. NYS Planning School – Bath, NY
5. Allegany County Legislators Clam Bake July 26th.

County News – Legislator Doug Burdick reported that the Workmen's Comp budget is done and believes the Town's cost is down about \$400.00. Free rabies clinic Saturday from 9-12 in Belmont. 911 Radio problems – County has come to the conclusion that changing broadcasting back to the tower on Baker's is the way to get the reception needed. ½ million tower on Pingrey not doing the job. Jamie Mansfield state that he is still concerned that the Town radios are not working. Doug Burdick stated that if there is anything anyone wants brought up at the County, let him know and he will bring it up at the Public Safety committee meeting.

General Abstract #7-2013 – Vouchers #80-89 in the amount of \$8656.41 were approved with a motion by Fion MacCrea seconded by Jerry Snyder and carried 5-0.

Highway Abstract #7-2013 – Vouchers #81-91 in the amount of \$5861.67 were approved with a motion by Mary Stearns seconded Jerry Snyder and carried 5-0.

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Highway Report – Reviewed written report. Busy grading, rolling and brining. Mowing road sides after fixing mower. Graded Cook, Lynch, Teribury. Shoulder work on Cook and Lynch. Jamie Mansfield reported that the cylinder went bad on the '96 Mack. It isn't recommended that it be rebuilt – Almond did and it only lasted one year. Mr. Mansfield acquired four quotes with the lowest being \$1940 from Cyncon plus \$200-\$300 for shipping. A motion was made by Jerry Snyder to purchase from Cyncon, seconded by Donn Lang and carried 6-0. CHIPS Project –if submitted in August will get paid in September. A motion was made by Donn Lang to do 4 miles of East Valley from around Cook Road to the Andover Town line. The motion was seconded by Jerry Snyder and carried 5-0.

Tough Mudder – Would like to have 2 loads of sand available in case needed and will have water truck ready. Fion MacCrea suggested going on those roads a few days before the event and take pictures.

Supervisor – Assessor reappointment – Supervisor Mansfield contacted Assessor Sue Putt and she would like to continue as the Town's Assessor. A motion was made by Donn Lang seconded by Fion MacCrea and carried 5-0 to reappoint Sue Putt as Town Assessor.

Committees – In regards to an email received from David Slottje, discussion was in reference to continuing in the direction for the Zoning of not allowing any drilling – conventional and Hydrofracking. If allow conventional it would appear that the Town is regulating and can't do that. Donn Lang stated that Mr. Slottje stated in the email that if write law to allow conventional drilling, Mr. Slottje will not support or defend it. Mr. Lang stated that he feels the Town should consult with another lawyer that has more than one view on drilling. Mr. Slottje stated that he would not write a law that would not uphold in court; Fion MacCrea stated that if Mr. Slottje does it the way the Town wants, then he won't do it for free. Another attorney may feel it will uphold in court. Tim O'Grady added that if you don't think NYS is going to allow Hydrofracking, why enact a law that could put the Town in a position to defend a law that may never happen – could have it ready if NYS does approve it. Donn Lang added that it is like the Town having a Moratorium when the state already has one – a lot of work for nothing – there has been a lot of time and energy put into this. Jerry Snyder stated that he was thinking the same – why go through the process if NYS never allows it. Dan Acton stated that he doesn't want to put it in the hands of Albany politics; you don't know what will happen with the current Governor. Fion MacCrea stated that it is taking advantage of Home Rule and Donn Lang stated can control it but haven't accomplished anything – haven't protected anyone living close to other Towns that don't have a ban. Mark Klingensmith responded that he doesn't feel it is fruitless to pass a Ban or Moratorium. By having a moratorium, if State allows leases can be applied for but not in Town. If Town bans it will protect surface water. Donn Lang stated that if a spill were to happen in West Almond and it comes into the Town of Alfred, that Ban does no good. Donn Lang added that conventional wells have been around for years. Fion MacCrea suggested extending the Moratorium due to still working on the Zoning Law. Dan Acton stated that the concern with that is if Albany says allow fracking – would the Town have time to enact the Zoning Law. What is going to be the time when you decide to pass a Zoning Law? Or could put up for a referendum. Mary Stearns stated that she has sat through so many meetings where people have asked the Town to do this. After further discussion it was decided to have Mr. Slottje continue in the direction he is going and then when finished have the Town Attorney review it prior to enactment.

Town Clerk - Reviewed May and June monthly reports.

Financial Committee –June 2013 bank statements were reviewed. A motion to approve the bank statements were made by Mary Stearns seconded by Tom Mansfield and carried 5-0.

Other Business - A motion to adopt Local Law #3-2013 was made by Donn Lang, seconded by Jerry Snyder and carried 5-0.

A motion to adjourn 8:50 pm was made by Donn Lang seconded by Fion MacCrea and carried 5-0

Respectfully Submitted,

July 11, 2013
Janice L. Burdick, Town Clerk