

REGULAR MONTHLY MEETING

July 9, 2020

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

All Board members were present. Also, in attendance were Bill Dailey, Christel and Jason Rodd, Catherine Chambers, Susan Burlingame, T. LeGro Michele Hluchy, Joe and Liz Menichino, Cindy McLaughlin, Fred Sinclair, Jim ? and Becky Graves. Also, in attendance were Codes Enforcement Officer Steve Kilmer, Town Clerk Janice Burdick and Highway Superintendent Bob Halsey.

Representing the Village of Alfred was Jim Ninos. All in attendance were via ZOOM. (Please note, there may have been others participating in this Zoom meeting that I did not catch.)

Guests: Susan Burlingame addressed the Board with concerns about a gravel pit across from her house on State Rt. 21. She stated that there is constant beeping all days and hours. Wants to know if she has any recourse – feels a hostage in her own house. Dan Acton stated that about a year ago they were using it for personal use. Now appears they are using it more and possibly selling material out of there. It is a permitted use but requires a Special Use Permit and certain constraints could be a requirement of the permit. Ms. Burlingame stated she didn't want to cause the owner problems but the it is a constant annoyance. Ms. Burlingame added that she teaches summer classes at her home plus dog training classes and the noise is very distracting. Dan Acton informed her that he would have Steve Kilmer to contact the owner and make sure they apply for a permit.

Catherine Chambers stated she wanted to make sure the Board is aware of a grant received by AU for hiking trails on the Jericho Hill property. Mrs. Chambers stated that she is not opposed to hiking trails but concerned with what it will do to their neighborhood and quality of life. Can't believe they can put parking lots, etc. without a traffic study, water runoff, wildlife and environmental study. Field is so wet that it hasn't been mowed. Also, building that was built was built on Todd Baker's property. Becky Graves stated that when AU files a permit application, DEC should be contacted. Joe Menichino questioned the schedule for issuing a permit, sees they have marked the trails so wondered when they will start the permitting process. Supervisor Acton stated that he will check into this and contact AU.

Fred Sinclair – Concern with Town issuing permit to NYSEG for tower with restriction added that they cannot have any 5G on the tower. Mr. Sinclair stated that he has several issues with it and questioned what was going to be on the tower and questioned why the Planning Board wasn't involved. Mr. Sinclair sent a list of questions and concerns of what they are going to put on the tower and told what they are putting on it based on the documentation NYSEG provided.

- One for LTE – basis for next generation for 4G and 5G. Feels need to find out more information of what they are using this for.
- Currently boxes in the Village with plans to put smart meters throughout the area.
- Suggested Town didn't have enough information (4 different Engineers designed this). When Mr. Sinclair asked NYSEG what their plans were the Attorney for the Engineers said they are probably going to do all the things Mr. Sinclair asked about.
- Feels Zoning Permit should be rescinded and get answers to questions. Very intricate system and feels it is a Trojan Horse. Mr. Sinclair added that he has been sending a lot of information and warnings to the Board and comments he hears back are "can't control due to FCC Regulations". Mr. Sinclair informed the Board that FCC is being sued and feels Town and Counties can do something. His recommendation is to rescind and have them resubmit and investigate to see if a SEQR needs to be done.

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Mr. Acton thanked Mr. Sinclair for all the work he put into this. Felt 5G was the issue so when the permit was issued NYSEG was told no 5G. Now other concerns have been brought up. Feels this falls under FCC and not sure the Town can do anything about it. Mr. Sinclair added that there were environmental concerns but nothing about health concerns. Could require testing and writing guidelines that would require longtime monitoring with NYSEG paying for it. Bill Cleveland asked if the Town could get a copy of what other Towns are doing and Mr. Sinclair stated he could get Oyster Bays They are excluding 5G – need to know impact on local residents. Dan Acton questioned if the Town were to rescind the permit, then the Town would seek to find out the frequencies, etc and how would the Town go about collecting that information. Fred Sinclair – through an Environmental Assessment. Mr. Sinclair feels Town can rescind since they didn't have enough information. It was noted that NYSEG has reduced the tower from 190' to 80'. Mr. Acton added that obviously want to protect the community but will have to check with Attorney to see what the consequences would be. Mr. Sinclair added that in his opinion, there is huge amount of wireless "Fog" in this valley with the colleges. 5G and 4G LTE are dangerous, if approve an unlimited expansion, going to be dangerous. Fion MacCrea commented that these comments need to be qualified by a dependable and reliable source. Mr. Sinclair will send more information and Matthew Snyder stated that he feels it is definitely worth exploring the Town's options on what we can do. Mr. Sinclair asked if the Town asked what they were planning on doing with the tower – feels it was issued sloppily. Dan Acton again stated that before anything else is done need to contact Town Attorney. Catherine Chambers suggested adding to Zoning permit applications asking if they plan to broadcast 4G or 5G.

Approval of Minutes: The minutes of 6/11/2020 were approved with a motion by Bill Cleveland seconded by Fion MacCrea and carried 5-0.

Dog Control Agreement with Town of Almond: This agreement would allow the Town DCO to house dogs in Almond and they would charge us per dog per day (\$25.00) which would be reimbursed from fees collected from dog owners when they come to redeem their dog. Motion to approve by Matthew Snyder, seconded by Bill Cleveland and carried 5-0.

Police Report: Reviewed report that was emailed to all Board members

Code Enforcement Officer: Mr. Kilmer reviewed the written report. Stated that the proposed Solar Farm is now looking for a different site- couldn't come up with an agreement with the land owners.

Monthly Report: All ok

Correspondence: All correspondence has been forwarded electronically when received.

General Abstract #7-2020- Vouchers #71-77 in the amount of \$7039.12 in the General A Fund; Voucher #9 in the amount of \$3328.16 and #7 in the SF Fund in the amount of \$3442.50. A motion to approve the bills was made by Matthew Snyder, seconded by Fion MacCrea and carried 5-0.

Highway Abstract #7-2020 Vouchers #72-78 in the DA Highway Fund in the amount of \$849.20 and Voucher #20-28 in the DB Fund in the amount of \$39,305.58 were approved with a motion by Wendy Dailey, seconded by Dan Acton and carried 5-0. This includes CHIPS projects and road construction.

Highway Report: Mr. Halsey reviewed the written report. Roller not working – George & Swede coming end of July to work on it. It is covered under warranty. Dan Acton asked about CHIPS funding and Mr. Halsey stated that so far it looks like we will get the full amount.

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Supervisor's Report:

- Been contacted by several Town residents regarding lack of people wearing facemasks in local businesses especially Dollar General, therefore people don't want to go there. Mr. Acton contacted the Allegany County Health Department and the County Administrator since the Governor has said it is up to localities to enforce. Mr. Acton was told that there is no enforcement to make people wear masks. Owner of business could have someone removed for not wearing a mask by charging them with trespassing if they refuse to leave but the business owner has to want to enforce and the Police Department and DA have to be willing to follow through. Concern is when the students come back. Fion MacCrea suggested that the College's be contacted and asked to communicate to students that mask requirements need to be obeyed when in a business. Matthew Snyder noted that there are exceptions to wearing a mask due to health – there is not a law that says you have to wear a mask, but if a storeowner requires it then it can be enforced.
- When does the Board feel comfortable meeting in person again? Possibly August meeting with guests via Zoom.

Other Business: Bob Halsey informed the Board that the Town of Canisteo is interested in purchasing the red mower- feels he could get \$5000 for it. Mr. Halsey added that they are not using it. Mr. Acton stated that if Mr. Halsey could make an agreement Board is ok with it.

The meeting was adjourned at 8:20 pm with a motion by Matthew Snyder, seconded by Dan Acton and carried 5-0.

Respectfully submitted,
Janice L. Burdick
Town Clerk