

# TOWN OF AMITY MINUTES

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REGULAR BOARD MEETING

August 11,2014

**APPROVED BY THE BOARD**

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

Clerk: Richard Winterhalter

Highway Superintendent: Bill Bigelow

Absent:

Also Present: Exhibit A.

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

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

The meeting opened with the Pledge of Allegiance.

A motion to wave the reading of the minutes of the last meeting was made by Councilperson Jeff Zenoski. A second to the motion was made by Councilperson Josh Brown .

All councilpersons and the Supervisor voted Aye. There were no Nay Votes. The motion carried 5-0-0.

A motion to accept the minutes of the last meeting was made by Councilperson Maranda VanDyke . A second to the motion was made by Councilperson Jeff Zenoski.

All councilpersons and the Supervisor voted Aye. There were no Nay Votes. The motion carried 5-0-0.

## GUESTS:

Joe Zajicek  
Bobbie Elderkin

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## SUPERVISOR ANNOUNCEMENTS:

Diane Quantenance letter of resignation from the Amity Planning Board was read.

Russ Heslin Amity's assessor has announced his intention to resign as the Town's Assessor due to the loose of an employee. Bobbie Elderkin was recommended as a replacement.

Supervisor Ross gave the floor to Joe Zajicek. Mr. Zajicek spoke about the letter he received from the Town regarding a violation of rule 9 at Forest Hills. He pointed out that he was taking care of his lots and that he was given permission by the previous supervisor to place a bench by his daughters grave site in the position he placed it. He also presented some pictures of the site to the board. Joe added that he had toured the cemetery and found many sites that were not in compliance. Mr Jajicek finished by asking the board to reconsider. He also pointed out that a copy of the rules was not provided at the time he purchased the lots. Some discussion by the board took place. The board decided to take the situation under consideration.

Mr. Flemming of Scio was not present.

Bobbie Elderkin was introduced. She was asked to tell the board about herself. Bobbie made a presentation to the board about her qualifications. She spoke of her certifications and how she goes about doing fair assessments. How she deals with complaints. She also indicated that she has the capacity to take on the Town of Amity. She also explained how she does her reveals to insure they are fair to all. She also spoke about keeping on top of exemptions.

Some discussion with the board took place.

Supervisor Ross will speak to Russ Heslin regarding a letter of resignation.

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## UNFINISHED BUSINESS:

### Water District Update:

A meeting with MRB took place last Thursday the 7<sup>th</sup> of August. The project is going forward. Numbers used tonight are not concrete numbers they are just engineering estimates are. They are very rough numbers. Eight inch mains are recommended. The plan now is to have one district rather than five. A separate district will be created for Cemetery Hill because the lines there are new and will not need upgrading. The 8 inch lines are recommended in order to have good water flow. Fire Hydrants will be placed as needed within the district. No decision has been reached regarding the type of pipe to be used.

A rough estimate of the construction costs is about \$630,000.00. This includes master meters. Discussion regarding negotiations with the village to not use master meters will take place. The costs to residents on the new lines will be about \$300.00 per year extra per household on the line. Financing will be 2.5% for 38 years. The grant process will take place in the near future.

Discussion regarding reducing the cost took place. The removal of the master meters would substantially reduce the amount per year per household. There are 74 households that will be included in this district.

Supervisor Ross that the project can be approved by petition or by referendum. The process will be decided by the board at a later time.

The next step in the project is hydraulic testing. An engineering study will be done in the next two months.

Town and Village need to meet to determine who will maintain. Since it is an extension of the village water then the Village of Belmont should be responsible for maintenance.

Some residents outside the village and within the district jurisdiction will be contracted for water.

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The Town lawyer is backing out of this project since he is also the lawyer for the Village and considers it to be conflict of interest. Bob Smith has been recommended as a replacement lawyer. This representation will add more cost to the legal fees.

Supervisor Ross suggested the Town Board attends a Village Board meeting to see if a few things could be settled.

Supervisor Ross asked for questions.

Guest Mike Healy asked if the water could be extended to his home. He is willing to pay the additional costs. No decision was made.

Bill Bigelow gave a presentation to the board regarding lease, rent or purchase a bulldozer.

Leasing is a bad option because it would cost more than purchase. The cost of rental a D4 is \$2,960.00 per month plus \$1,000.00 to deliver. He told of a purchase deal. Purchase for \$142,000 cost over 2 years. Trade it in. Get back \$1,500 plus \$10.00 per hour.

Discussion took place.

Purchase a used one for \$35,000.00. Discussion took place.

Bill was asked his preference. He indicated he would prefer a used one.

Discussion took place regarding options.

Bill was asked to get additional information from other dealers.

The amount owed to Doug Serra for an easement was discussed. Supervisor Ross has talked to Andy Cornell, town lawyer. It was recommended that \$2,500.00 be put in escrow and that Mr. Serra makes arrangements with Mr. Cornell to sign the papers that will make the agreement legal.

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Councilperson Zenoski indicated that the County is reluctant to loan equipment to Amity due to the fact that Amity has been reluctant to loan equipment to the County in the past.

Supervisor Ross did not talk to Barb Woolston regarding her concerns at WilMac park. Discussion took place in which the board should begin a study to see what could be done with the Tennis Courts. No decisions were made since the issue is not pressing.

Town has discovered they do not own the lawnmowers that have been in question for the past several months. Clerk was asked to ask the bookkeeper to find receipts for the sale of those lawnmowers to the Youth League sometime between 2003 and 2005.

### ON GOING BUSINESS:

DCO Report, clerks report, bookkeeper's report and YTD budget were all reviewed.

A question regarding some fees collected regarding cemetery lots and burials was asked by Councilperson Clendenin. The questions were answered satisfactorily.

### NEW BUSINESS:

Supervisor Ross introduced resolution 2014-021 appoint Donald Baker to the board of Assessment Review to replace the vacancy left by the resignation of Louise Windus. Councilperson Clendenin made the motion to accept this resolution. The second was made by Councilperson Zenoski.

Roll Call vote was taken. All councilpersons and the supervisor voted Aye. There were no nay votes. Motion Carried 5-0-0.

Resolutions 2014-022 appoint Doug Serra to the planning board to replace the vacancy left by Diane Quantance was introduced by Supervisor Ross. A motion to

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accept this resolution was made by Councilperson Jeff Zenoski. The second was made by Councilperson Josh Brown.

Discussion followed. Supervisor Ross was uncomfortable passing this resolution due to a recent arrest of Doug Serra. It would be best to wait until this legal issue is resolved.

Councilpersons VanDyke, Brown, Clendenin, Zenoski, and Supervisor Ross all voted Nay. There were no Aye votes. Resolution failed 0-5-0.

Resolution 2014-023 accepts a BAN was introduced by Supervisor Ross. Supervisor Ross moved to accept this resolution. Councilperson Clendenin made the second.

All Councilpersons and Supervisor voted Aye. There were no Nay votes. The motion carried 5-0-0.

Clerk Winterhalter will follow up on getting the BAN from Steuben Trust as soon as all documents are properly signed and sealed. This should be done no later than Wednesday August 13, 23014.

Supervisor Ross told the Board that the name of Tami Masho was brought up by Harold Mitchell to serve as an alternate on the Planning Board. Josh Brown spoke in favor of this appointment. The other members and Supervisor indicated they would not support this appointment.

The board will find persons to serve on the board. Clerk Winterhalter will contact Barbra Zlomek regarding moving from an alternate to a full member. A new member and a new alternate may be presented to the board at the next regular meeting.

Demolition of the Kemp house was discussed. Superintendent Bigelow told the board that an asbestos survey must be done at a cost of \$1,200.00. The cost to remove asbestos will be about \$4,000.00. At this time the Town will wait until next budget year. Town will plan a demolition of the house in the winter of 2015. Possibly in mid-February would be an appropriate time. Asbestos survey will take

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about a week to get results after the survey is completed. If less than 1% asbestos the Town can demolish the house. Over 1% a certified contractor must remove the hazardous material.

It may be possible to find prisoners to remove the asbestos as a part of their training. Bill Bigelow will try to find a contact and make the call.

### HIGHWAY SUPERINTENDENT REPORT:

\_Replaced the gear box on the bucket truck

Repaired the Auto Car hydraulic pump for \$300.00

Dry Brook, Cooley Hill, Rogers Rd, and Plumbottom Road were all mowed.

The ditching on Cemetery Hill road was finished.

The crossover pipes on Tuckers Corners were changed.

A little over 200 ton of stone for chip sealing was hauled. Don Skinner and Deb Bliven helped with Traffic control. Friendship sent two trucks and Belfast sent one.

Chip Sealed Cemetery Hill Rd, Whitcomb Rd and Tuckers Corners Rd. A spot on Tuckers corners had to be skipped due to a load of bad black top.

Replaced dump cylinder on the Mack that was leaking.

A burial for Robert Dickens was done at Forest Hills.

Dug and pored several footers at Forest Hills.

Stryker Rd, Irons Road and Back River Rd were patched. The big holes have been filled in. Additional work will be required.

Two tucks were sent to the Town of Granger to help with flood damage.

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Three crossover pipes on Ackerman Hill Road were changed.

A reimbursement request was submitted to CHIPS for \$81,251.53.

A meeting with FEMA will be attended on Wednesday which will be the kickoff meeting. Bill will try to get FEMA to pay for some work that is required.

Additional stone needs to be purchased. This will be done in September.

Meet with Soil Conversation regarding design work. Town will be invoiced.

Supervisor Ross told Bill the Town has permission to put the 45MPH signs on Dry Creek Road.

Some discussion regarding the problems with putting up signs took place. The decision was to put up the signs. Bill suggested that a Bus stop ahead sign could be put up on Windfall Road.

## APPROVAL OF ABSTRACTS:

A motion to accept the General Abstract 8 in the Amount of \$18,039.97 and Highway abstract 9 in the Amount of \$57,234.45 made by Councilperson VanDyke. A second was made by Councilperson Clendenin. All Councilpersons and the supervisor Voted Aye. There were no Nay votes. The motion carried 5-0-0

## ROUND TABLE:

Councilperson Zenoski talked about the Borden Plan having been condemned and nothing has been done. Councilperson VanDyke explained that since the roof has been repaired it is no longer condemned because the owner is making

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improvements. Additional discussion took place regarding the condition of the building. Supervisor Ross will ask the building inspector to reexamine the building.

Discussion regarding the Joe Zajiek request took place. The issue regarding Mr. Zajiek mowing at the cemetery was discussed. The problem of injury could lead to liability to the town.

Clerk Winterhalter told the board that the letter to the Hadsell's has not yet been delivered to the correct Hadsell. Clerk is still trying to find the correct Hadsell.

Supervisor Ross suggested that if any members had a solution they should present it. The overall thought was that a chair could be carried to the site.

A file Hall update was given by Councilperson VanDyke. The village as selected a piece of land outside the village on Highway 19S of 12.4 acres. It is all in the Town and is all agricultural land. It would be the intention of the Village to annex the land. Discussion regarding how this might affect the town taxes took place. No decisions were made.

### OPEN TO THE PUBLIC:

Mike Bassett asked about the rural number signs. It was explained that it has been recommended that the project be placed on hold until certain GPS problems have been fixed. The maps need to be correct before the signs can be placed.

Mike Healy complemented the board for working together.

### ADJOURN MEETING:

The next regular board meeting will be held the 15<sup>th</sup> of September at 7:00PM at Town Hall. Since this is not a normal meeting date the Clerk will publish the change in the Olean paper and post a notice on the bulletin board 10 days prior to the meeting and run it for 3 days.

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Supervisor Ross moved to go to Executive Session to discuss contract negotiations. A second was made by Councilperson Zenoski. All councilpersons and the Supervisor voted Aye. There were no Nay votes. Motion carried 5-0-0. Executive session was entered at 9:31pm.

Executive Session ended at 10:14 at which time the regular session started.

A motion to adjourn the meeting was made by Councilperson VanDyke. A second was made by Councilperson Brown.

All councilpersons and the Supervisor voted Aye. There were no Nay votes.

Motion Carried 5-0-0.

Meeting was adjourned at 10:14PM.

Ss

State of New

County of Allegany

IN TESTIMONY HEREOF, I Richard Winterhalter have hereunto set my hand and affixed the seal of said Town of Amity.

Sincerely, Richard Winterhalter Town of Amity Clerk

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