

BOARD MEETING
JUNE 14, 2018

The Gerry Town Board met at 6:30 PM, June 14, 2018, at the Gerry Town Hall for the regular monthly board meeting.

Present were: John R. Crossley, Supervisor
 Gary J. Swan, Councilman
 Richard C. Heath, Councilman
 Linda D. Bartholomew, Councilwoman
 Randy J. Zahm, Councilman
 Recia L. Myers, Town Clerk
 Brian T. Anderson, Highway Superintendent
 William Duncanson, Jr., Town Attorney
 Dave Crossley, Zoning Officer
 Matthew Abbey, Dog Control Officer

CALL TO ORDER:

Supervisor Crossley called the meeting to order and led the pledge of allegiance.

PRIVILEGE OF THE FLOOR:

Johnathon Mayr, Southern Tier West Representative, presented a breakdown of a grant that the town could apply for called the Clean Energy Program in which the town could receive \$5,000.00. He explained the 10 items with four of the items needed for the completion of the grant. The 1st item discussed was called Benchmarking what would be a breakdown of kilowatts, ccfs of energy used by the town for their Highway Garage and Town Hall and tracking this by charts and graphs in which they would help set up and a resolution would have to be passed. The second item is upgrades which were not recommended, the third item is the LED streetlight conversion which he explained how a town did this and ended up saving a ton of money in the long run and also noted that STW will be launching a program for this and if the Town would be interested to let him know as well.

The fourth item was clean fleets which is EV charging stations which at least 2 are required with a cost of approximately \$535.00 per unit by the town which would have to be displayed for public use. The fifth item discussed was a campaign to solarize the town with at least 10 new contracts of residents within the town. The sixth item was a Unified Solar Permit which is a building permit for the solar use and he explained how the state is going to be requiring these within a couple of years, Dave Crossley, Zoning Officer, noted that the town already has one in place. A resolution would be needed of approval from board for placing the permit required by them for their use. Seventh, is an energy code training of your Zoning Officer for an 8 hour class which they would receive credits for. The eight item is a point system in which 28 points are required to receive credit showing how your town is becoming

climate smart. The ninth item was where everyone in town would be defaulted of their energy provider through National Grid and the Town would choose the best provider which Mr. Mayr did not recommend and the final step the town could not participate in as it would only apply to county level.

A few questions were asked by the Board members regarding the placement of the ev charging stations as they were concerned of giving out free electric and also the stations might need an electrician to be hired to do process which would cost more money. The Led conversion was discussed as well as far as the town having to pay for all the conversion which was a concern. Mr. Mayr explained it might be a lot of money up front but in the long run but a huge savings would be beneficial in long run. The Board thanked him for his attendance and they will read over the material he provided to discuss the program at the next month's board meeting.

Paul Cooley, Resident of Church Street, voiced his concern of the traffic on Church Street as people are bypassing Route 60 and using Church Street due to the Windmills being transported on 60. He said the traffic is getting really bad and people are not using stop signs and there is a blind sharp corner which he feels could end up being a result of a bad accident. The Town Board discussed many options such as a dead end, rumble strips, signs for no thru traffic and more enforcement of the area. After discussion the Town Board agreed to start with the placement of No thru traffic signs that Brian Anderson, Highway Superintendent, will order and Supervisor Crossley will contact the local sheriff and state police departments to request more presence of enforcing the area right now.

COMMUNICATIONS:

- 1) A thank you letter was received from the Village of Falconer thanking the town for their donations of landfill credits.
- 2) A letter from the NYS DOT was provided for funding available for transformative transportation improvements but Brian Anderson, Highway Superintendent, noted that the restrictions for the grant are so hard to do that it is almost impossible to receive the funds.
- 3) A case number regarding the Cassadaga Wind project was received with discussions of the opposed that were denied and that the project will be moving forward.

OFFICERS REPORT:

Zoning Officer:

Dave Crossley, Zoning Officer, noted that it has been a busy month and Heritage Village has been busy placing the equestrian center up. A permit for Mr. Swan was to be placed at a fee of \$25.00 for a certificate of occupancy permit approved by the Town Board and the following permits were provided for:

June 2018

13 permits issued this month

16 pending permits

Dog Control Officer:

Matthew Abbey, Dog Control Officer, introduced himself and noted how he has been working with the Town of Kiantone for 6 years and he explained how he has been working on two dangerous dog cases currently. The 1st incident occurred on Herrick Road where two dogs attacked a homeowner's dog on their property which the dog was taken to a local vet and it passed away due to the injuries endured by the dogs at large and the dogs also killed ducks and chickens on another neighbor's property. Town Attorney, William Duncanson Jr; noted he worked with Matt on this case and the Judge deemed the dogs to be dangerous and they must be muzzled at all times on their property and off and must be secured at all times and a microchip has to be placed on them as well. Mr. Duncanson has been in touch with the Humane Society as the dogs have been placed there during the case time and the fee of the vet bill of \$600.00 along with the vet fees that the homeowner endured for the death of their dog is required to be paid by the dog's owner. Councilwoman Bartholomew asked if the owner is getting the dogs and the owner claims he will pay all the money and pick up his dogs. Matt Abbey, DCO, noted that the dog owner ended up purchasing a heavy duty chain for the dogs. He noted that if there is another offense the dogs will end up being euthanized, he said he interviewed 12 neighbors and did a lot of work and all the neighbors were very upset as the dogs have been terrorizing that area. Mr. Duncanson said the case was a learning experience for both of them. Matt Abbey, Dog Control Officer, is working on a second dog case on Gerry-Ellington Road where a neighbor's dog bit them and she needed stitches and he will be attending court for this next week and he has received 2 to 3 complaints of dogs not being on leashes in area which he will be following up with. William Duncanson, Jr., Town Attorney, commented that the Town of Ellington did approve an agreement with the backing up of their Dog Control Officer in the absence of ours and Supervisor Crossley asked the Town Clerk to call the Town Clerk of Ellington to look over agreement to see what is needed for the town.

Highway Superintendent:

Brian Anderson, Highway Superintendent, stated that they had truck bid openings and he went over all the bids that the Town Board received in the minutes of the truck bids and he noted that Midtown Motors came in at the best price. Councilman Swan entertained a motion to allow the Highway Superintendent to purchase a 2019 Ford XL Supercab from the lowest bidder, Midtown Motors at a price of \$28,674.00, seconded by Councilman Heath. Approved. Councilman Swan asked if they will keep the current Gray Silverado and Mr. Anderson said yes they will.

Brian Anderson, Highway Superintendent, noted that someone hit the bridge on Lester Street within the Town and Supervisor Crossley explained that it happened on 5-26-2018 by a kid from Fredonia who left the scene and they eventually caught him and his insurance company has contacted the Town and quotes were received at \$5,189.00 for the damaged side and \$4,585.00 for side that needs updated. Brian Anderson, Highway Superintendent, noted that the bridge on other side is not up to code and the

Town Board agreed to fix that side on their end at quoted price above and the other side that was damaged will be paid by the kid's insurance company.

Highway Superintendent, Brian Anderson, commented that the led lights for the town park still have not been received and that they should be here next week and they have been busy oiling, stoning and mowing and tomorrow they should have 90% all done.

Assessor Report:

Kevin Okerlund, Town Assessor submitted the following report:

The Board of Assessment Review met May 23 from 4-8 pm and it was a quiet year with only 3 parcels presented for review and he thanked the Board of Assessment Review for their work and willingness to serve.

The final roll will be filed July 1, 2018 and the appropriate legal notice will be published. The tentative equalization rate has been established at 93%. The equalization rate is the ratio of assessed value to market value across 4 classifications, residential, commercial, farms and vacant, and utilities. This figure determined yearly demonstrates what percentage of market value a municipality is assessing properties at. The ratio of assessed value to market value for land is 71.59% while the residential class is 92.87%. The drop from 96% last year is due to the residential class increasing in value approximately 5%. Land remained stable. Although the state is showing an 88.67% ratio we are allowed to add in 5% which brings rate to 93.

As discussed as long as the equalization rate is accurate there is now cause for concern. I do believe that once we hit 90% we should look at completing a Town revaluation.

COMMITTIES, BOARDS AND AGENCIES:

Town Park Commission:

Councilman Heath reported that he and Councilwoman Bartholomew met for interviews for the Recreation program on June 7th and a resolution for the recommendation of the leader and assistants will be presented tonight.

SPECIAL ORDERS:

Resolution No. 29 – 2018. Appointment of 2018 Summer Recreation Leader and Assistants. A motion was made by Councilman Swan, seconded by Councilman Heath. Approved.

Minute approval for May Board Meeting, Supervisor's Monthly report and Truck Bids. A motion was made by Councilman Heath, seconded by Councilman Zahm. Approved.

OLD BUSINESS.

A print off of monies made by the accountants received from the previous court clerk whom stole money from the town was shown for the amount of \$9,309.00. Councilman Heath entertained a motion for the amount of \$9,309.00 received to be transferred to the Town Insurance Company for the employee theft that occurred, seconded by Councilman Zahm. Approved.

Supervisor Crossley contacted Mr. Ruhlman, owner of the Spartan Tool Company, to discuss the concerns that were discussed at the last board meeting to see if the zoning of a business will remain the same. After Supervisor Crossley spoke with Mr. Ruhlman he was told by him that he has a number of health issues and legal issues of the company with his family members and Mr. Ruhlman wanted to see if the property could be reduced in assessment as it is not in use now, which Supervisor Crossley advised him to speak with the Town Assessor. Mr. Ruhlman said there is still five machines in building so after talking with the Town Attorney the property would still be zoned at a business right now and Mr. Ruhlman noted that he would keep the town informed on the status of the company.

The flag pole was ordered and Supervisor Crossley requested for the Highway Department to place it at the Town Hall when they get a chance.

NEW BUSINESS.

A mailing from the Dept. of Labor was received regarding unemployment insurance for the Part- Time Mower and he was working during the dates that he contacted the unemployment office. Supervisor Crossley spoke with a representative from the Dept. of Labor who was very informative and she explained that he is entitled to it by a certain formula they use and time he has put in. Supervisor Crossley will contact the Part-Time Mower and the Dept. to discuss the dates and times he has been receiving credits for. William Duncanson, Jr, Town Attorney, commented that the Town of Ellington will be contacting the Town to discuss the seasonal rates as well.

Supervisor Crossley received health insurance quotes for 2018 and 2019 from the health care representative and there is supposed to be a big increase of 16.2% and he is very concerned, a meeting was set up with the Health Insurance Representative and the Town Board and Highway Department to discuss options on July 19th at 5 pm and also a meeting with the Fire Dept. was discussed to go over the Army Reserve Center with them on the same evening at 6 pm.

Supervisor Crossley asked if the Highway Department could drop off some top dirt at the Hanson Road Cemetery so that they can work on the right side up there which the Highway Superintendent said he will.

PRIVILEGE OF THE FLOOR:

Dave Crossley, Zoning Officer, noted that the Town should look at the bridge on Damon Hill Road now that the equestrian center is placed there for the vehicles coming in and out of there. Brian Anderson, Highway Superintendent, said that the county has been on a five year plan with that bridge and it seems it has been getting putting aside. Councilman Heath will contact the County Bridge Engineer and see what the status is with that area.

VOUCHER APPROVAL:

Highway Fund Vouchers #85 – 101 totaling \$13,456.45 was approved on a motion by Councilman Zahm, seconded by Councilman Swan. Approved.

General Fund Vouchers #154 - 204 totaling \$6,121.34 was approved on a motion by Councilman Swan, seconded by Councilman Heath. Approved.

ANNOUNCEMENTS:

The next board meeting will be held at 6:30 PM, July 12, 2018 at the town hall.

ADJOURNMENT:

The meeting adjourned at 8:33 PM on a motion by Councilman Swan, seconded by Councilman Zahm. Approved.

Minutes taken by

Recia L. Myers,
Town Clerk