

BOARD MEETING  
SEPTEMBER 13, 2018

The Gerry Town Board met at 6:30 PM, September 13, 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  
                              Randy J. Zahm, Councilman  
                              Recia L. Myers, Town Clerk  
                              Brian Anderson, Highway Superintendent  
                              William Duncanson Jr., Town Attorney  
                              Matthew Abbey, Dog Control Officer

Absent was:             Linda D. Bartholomew, Councilwoman

**CALL TO ORDER:**

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

**PRIVILEGE OF THE FLOOR:**

Herbert Best spoke with Highway Superintendent, Brian Anderson, a couple of months ago regarding the flags in town noting that he felt a lot of the flags looked like they were in rough shape. He gave a flag to the Town that he purchased and donated it. Supervisor Crossley explained the Town does put money towards flags every year but it seems they need to be replaced quite a bit and they have done a donation drive in the past and that thought was brought up again so they figured next year they would do another drive. Mr. Best gave a generous check to the Town as his donation for the purchasing of the flags for the next season and the Town Board thanked him.

Mr. Best also asked if the town has space upstairs at the Town Hall and if they would be willing to rent it out. Supervisor Crossley explained that currently it would need to be upgraded before renting any space out. Supervisor Crossley talked about how the Town many years ago approached the Army Reserve to use their facility and they shut the Town down, then the Town worked on a consolidation between the Town of Charlotte, Village of Sinclairville and the Town of Gerry and that was process was cast out and currently the Army Reserve center is now a possibility and he has been in touch with them and Tom Reed's office to get everything moving, but the Army Reserve center has not discussed the amount of money they would ask for purchasing the facility and in his eyes the Town should not pay anything as that building was purchased as a school by the taxpayers years ago. He is waiting for responses and if they do not hear something soon the next step would be to upgrade the current town hall as there is no room for storage anymore and it is in need of windows, new roofing and a lift would have to be put in place to utilize the upstairs to be handicap compliant. When they estimated the cost a few years ago it was about \$150,000.00 to renovate. Mr. Best commented that he can

remember when it used to be the grange and there was 150 people on each floor square dancing.

Dave Hall, spoke on behalf of the Fire Department and said they have decided to withdrawal there name from purchasing the Army Reserve Center and would like to work with the town. Supervisor Crossley commented that there would be plenty of room for administrative office space for the fire dept. at the facility but they do not want any fire trucks to be stored there if the Town does end up getting the building. Supervisor Crossley said that the goal would be to make it a community center and have the post-office combined as well and all work together and the Town Board agreed.

### **COMMUNICATIONS:**

A letter was received from Municipal Solutions which William Duncanson Jr., Town Attorney, explained that they are a company that acts as an agent regarding co-location equipment for cellular companies for the Town. They are a great program that is free to the town and the Town of Ellicott used them as they had many applications for cell towers. Supervisor Crossley asked if they can just contact them if when the time comes that the town has been giving more and more applications and the Town Attorney said yes and we can take a look at it then.

An announcement letter regarding the Cassadaga Wind Farms was received just outlining an order approving compliance filing.

A Thank you letter was received from the Sinclairville 76ers thanking the town for their annual donation to help supply meals to seniors throughout the local area and to request the board to keep them in mind for the 2019 budget process as the county has limited reimbursements now. Supervisor Crossley noted that it has been place in the tentative budget for 2019 right now for a donation of \$1,200.00.

### **OFFICERS REPORT:**

#### **ZONING OFFICER:**

Dave Crossley, Zoning Officer, was absent and no report was submitted.

#### **DOG CONTROL OFFICER:**

Matthew Abbey, Dog Control Officer, noted that he turned in his report and said that the month of August was quiet but already this month he has received 6 phone calls. Supervisor Crossley asked about a dog that was picked up by Kristina Wiles, Charlotte DCO, and would like to know the exact location it was seized as it could possibly be in the Town of Ellicott. Mr. Abbey stated he was tied up at time and she ended up bringing the dog to the humane society for him and he will ask her the exact location and get back to the board. The Town Board thanked him and told him to keep up the good work.

**HIGHWAY SUPERINTENDENT:**

Brian Anderson, Highway Superintendent, reported that things are winding down for the summer and they finished blacktopping shoulders and put in cross pipes. Councilman Swan told him that it looks great up there and the Board thanked him as well.

**ASSESSOR'S REPORT:**

Kevin Okerlund, Town Assessor, sent in his report noting he will be at the Assessors conference from Oct. 1<sup>st</sup> through the 4<sup>th</sup> and that school tax bills were mailed out and if they did not receive them they need to contact the school tax collector. He attached a brochure showing the outline of changes in the STAR program. After this year all income verification will be handled by the State of NY. Everyone on the Enhanced STAR program has to fill out the IVP form or they will not be eligible to receive the exemption.

**COMMITTEES, BOARDS & AGENCIES:**

**Town Park:** Councilman Heath thanked the Highway Dept. for taking care of the eyes on the led lights at the pavilions. Brian Anderson, Highway Superintendent, commented that the lights on the pavilions were both on the other day and wondered if someone was messing with them, they discussed possibly getting a key for the lights but they will keep an eye on it first and Councilman Heath asked the Town Clerk to have the dumpster moved out at the end of Oct which she will call.

**SPECIAL ORDERS:**

Resolution No. 37 -2018. Request to Lower Speed Limit. A motion was made by Councilman Swan, seconded by Councilman Heath. Approved.

Resolution No. 38 -2018. 2018 Budget Transfers. A motion was made by Councilman Heath, seconded by Councilman Zahm. Discussion. Approved.

Minute Approval for the August Board Meeting, Special Board Meeting and Supervisor's Monthly Report. A motion was made by Councilman Zahm, seconded by Councilman Swan. Approved.

**OLD BUSINESS:**

No old business.

**NEW BUSINESS:**

A Budget Session will be scheduled for October 2<sup>nd</sup> beginning at 5 pm with the Fire Departments and the Highway Department.

**PRIVILEGE OF THE FLOOR:**

William Duncanson Jr., Town Attorney, asked the board to review proposals to the Zoning Law regarding dumpsters and travel trailers that the Town Clerk gave copies of. Mr.

Duncanson explained that Mr. Woltz has been having an issue with a park model on a property near his home that it seems someone is actually living in it and currently the Zoning Law has loopholes regarding travel trailers and he and Dave Crossley, Zoning Officer, are working on the law and would like the boards input as well. Dave Crossley, Zoning Officer, has contacted the Health Department regarding the property as there is no septic for the model.

Mr. Arthur Woltz said he has looked up a ton of information regarding these park models and it seems under NYS there are no regulations on them. He said right now they are being considered seasonal with a 90 day option through the town and he wondered then how are they enforcing it and what penalties are? William Duncanson, Jr., Town Attorney, noted that they will be given a ticket by the Code Enforcement Officer and handled with. Mr. Woltz also noted that for the record he is not against the travel trailers just would like it to be addressed. The Board discussed different scenarios as some people have vacant land and they come up from May-September and leave after which would be over the 90 days right now. William Duncanson, Jr., Town Attorney, noted that is why this law needs to be looked at ASAP and he will work on it to have at the budget session in October to be introduced. Paul Cooley said the immediate solution is contact the health department regarding the property near Mr. Woltz's and which they have been contacted.

Paul Cooley, Zoning Board Chairman, wanted to make the board aware that he along with Arthur Woltz have been members on the Zoning Board for over 36 years and they have Denny Bartholomew, Phillip Bens, Bruce Gustafson and Robert Rein as alternate which are wonderful members and that they have not had any lawsuits within these years and he commended the Town Attorney, William Duncanson, Jr., for all his work and responding to him right away. The Town Board thanked them for all their service and to keep up the good work.

**VOUCHER APPROVAL:**

Highway Fund Vouchers #136 - 155 totaling \$106,620.77 was approved on a motion by Councilman Swan, seconded by Councilman Heath. Approved.

General Fund Voucher's #281 - 311 totaling \$4,118.10 was approved on a motion by Councilman Heath, seconded by Councilman Zahm. Approved.

**ANNOUNCEMENTS:**

The next board meeting will be held at 6:30 PM, October 11, 2018 and a Budget Session on September 20th at 5 pm at the town hall.

**ADJOURNMENT:**

The meeting adjourned at 7:42 PM on a motion by Councilman Zahm, seconded by Councilman Heath.

Minutes taken by

Recia L. Myers, Town Clerk

