

BOARD MEETING  
NOVEMBER 8, 2018

The Gerry Town Board met at 6:30 PM, November 8, 2018, at the Gerry Town Hall for the regular monthly board meeting.

Present were:           John R. Crossley, Supervisor  
                              Richard C. Heath, Councilman  
                              Linda D. Bartholomew, Councilwoman  
                              Randy J. Zahm, Councilman  
                              Recia L. Myers, Town Clerk  
                              William Duncanson Jr., Town Attorney  
                              Brian Anderson, Highway Superintendent  
                              Dave Hall, Court Officer

Absent was:             Gary J. Swan, Councilman

**CALL TO ORDER:**

Supervisor Crossley called the meeting to order and led the pledge of allegiance along with a moment of reverend silence held in honor of Stan Anderson, one of the original Board of Assessment Review members for the Town.

**PRIVILEGE OF THE FLOOR:**

A member of the Chautauqua County Health Network was set to attend meeting but will be attending next month's board meeting instead.

**COMMUNICATIONS:**

1. Paperwork from the Association of Towns was received regarding training for newly elected officials.
2. NYS Dept. of Transportation sent a letter showing the determination of the request of the speed limit to be reduced on Gerry-Levant Road and due to factors the state turned down the reduction. Supervisor Crossley asked the Town Clerk to advise Mr. Stimson of the determination.
3. A letter was received from Dave Hall, Court Officer, and Supervisor Crossley was contacted regarding an incident that occurred on Oct. 29<sup>th</sup> at a court night, a public defender fell on the handicap ramp and she was not injured but it was reported.

**OFFICERS REPORT:**

**ZONING OFFICER:**

No Report was received.

**DOG CONTROL OFFICER:**

Matthew Abbey, Dog Control Officer, reported the following:

Assisted with the Rabies Clinic on 10-13, received a call regarding Ms. McKoon's dog that they felt the dog has been tied up outside all the time with no shelter or food and has been barking nonstop. He went to residence and discussed the problems and advised the Town Attorney and he will follow up with the dog owner to see if they followed his requests of putting up a shelter.

**HIGHWAY SUPERINTENDENT:**

Highway Superintendent, Brian Anderson, said they received an offer of \$3,050.00 on Auctions International for the 1997 Chevy and the Town Board agreed for him to accept the bid. Brian Anderson, Highway Superintendent, noted that they put a sander on but decided to just keep it.

The DEC extended the brine permit so they have the permit until the spring and they have about a half a tank left of brine right now. The park is winterized and they will put up the flag pole soon at the town hall. They discussed a new light on the pole and Brian will check into it. A hole was found in the well and the Town Board discussed just capping or wrapping the top for the winter season right now and fixing it in the spring.

Councilman Zahm asked the Highway Superintendent how the new truck is and he said it is actually a rough riding truck.

**ASSESSOR:**

No report given.

**COMMITTEES, BOARDS & AGENCIES:**

Councilman Heath thanked the Highway Department for all their work done at the park for the season and Councilwoman Bartholomew noted to check out the Town's Website as it had been updated and Supervisor Crossley said he has and it looks nice.

**SPECIAL ORDERS:**

Resolution No. 43 – 2018. Adoption of 2019 Town Budget. A motion was made by Councilman Heath, seconded by Councilwoman Bartholomew. Approved.

Resolution No. 44 - 2018. Authorizing One- Year Agreement with Gerry Volunteer Fire Department for 2019. A motion was made by Councilwoman Bartholomew, seconded by Councilman Zahm. Approved.

Resolution No. 45 – 2018. Authorizing One-Year Agreement with Sinclairville Volunteer Fire Department for 2019. A motion was made by Councilman Zahm, seconded by Councilman Heath. Approved.

Resolution No. 46 - 2018. 2018 Budget Transfers. A motion was made by Councilman Heath, seconded by Councilwoman Bartholomew. Approved.

Minute approval for the October Board Meeting, Public Hearings for 2019 Fire and Emergency Contract and Local Law No. 1 of 2018 with the Supervisor's Monthly Report. A motion was made by Councilwoman Bartholomew, seconded by Councilman Zahm. Approved.

**OLD BUSINESS:**

The Town Board reviewed the mandated NYS Sexual Harassment policy and Councilman Heath made a motion to adopt the Sexual Harassment policy for the town and have the Town Clerk disperse the information to all employees, seconded by Councilwoman Bartholomew. Approved.

Supervisor Crossley met with the Insurance Company to discuss the baseball clinics requested to have at the Town Park and a policy was discussed for the purchase of \$300.00 for two days and Supervisor Crossley asked what the difference was for the clinics and the recreation program and there is nothing different except that you assume everyone has health coverage as if they do not they can go after the town if they were to be hurt in which case the two day coverage would be covered for everyone for the clinic. Councilwoman Bartholomew asked if it would affect the pavilion rentals and Supervisor Crossley said no as they want to schedule during the week. The Town Board said it is ridiculous to pay for two days for \$300.00 and decided to not have that coverage and let them have the clinics regardless. Town Attorney, William Duncanson, Jr., noted that it is all within the scope of the park and what it is used for and in some cases the Town would not be liable as well. Councilman Heath noted that maybe would should look into a different insurance company too. The Town Board agreed to have the clinics as long as the dates don't coincide with other conflicts.

Supervisor Crossley has been in contact with the Unemployment Insurance again as there were discrepancies on the Part Time Mower's hours.

The accident on Damon Hill Road was discussed and there were errors on the police report and Brian Anderson, Highway Superintendent, spoke with the Deputy Sherriff and they amended it and Supervisor Crossley picked up the report and there were still some major errors so he discussed it with the Sheriff's office and hopefully will hear back soon with them so he can turn over to the insurance company right away.

**NEW BUSINESS:**

The Town Hall sign was discussed and how it is in bad condition and they decided to contact the High School to see if the shop class would be interested in making a new one. Councilwoman Bartholomew will contact the teacher and give ideas and what they would be willing to do. Supervisor Crossley asked the Highway Superintendent if he could remove it soon and thanked him for his help.

The Dog Control Officer's pay was off as Supervisor Crossley received a phone call from the accountants and a miscommunication occurred. The rate should have been at \$2,500.00 but prorated as the new DCO started in May his pay should have been \$208.33 a month and he

was making approximately \$357.00 a month. Currently he is over the budgeted amount of \$120.00 and Supervisor Crossley asked the Town Board what they would like to do. After discussion the Town Board agreed to leave the amount left over alone and he would receive no pay then for November and December of this year.

Supervisor Crossley commented that due to the letter he received from Dave Hall regarding the ramp and someone falling they blocked off the ramp right away and the Town Clerk noticed the eave was falling and it could be a major problem so being both an emergency problem Supervisor Crossley contacted local resident Rod Best who is in a construction company to have the ramp removed and the eave fixed and he came in and fixed within the week. Mr. Best noticed while he was fixing the eaves that the roof needs fixed as well due to ice buildup and asked about the rail of the ramp. Supervisor Crossley said they will check the attic again for the roof problems and they decided to leave the rail alone for now. Councilman Zahm suggested checking the insulation too before fixing. Supervisor Crossley noted that he has been checking on grant money for building as he has not heard back regarding the Army Reserve Center at all lately and the we cannot wait for three years to fix the town hall so he will look into options and William Duncanson, Jr., Town Attorney, explained that the eave fixing and roof problems could be possibly covered under insurance as it resulted from ice damage and Supervisor Crossley will look into this as well.

**PRIVILEGE OF THE FLOOR:**

Dave Hall asked about a calendar for the court and William Duncanson Jr., Town Attorney, commented that they may be able to get one from the OCA.

**VOUCHER APPROVAL:**

Highway Fund Vouchers #174 - 200 totaling \$17,465.98 was approved on a motion by Councilwoman Bartholomew, seconded by Councilman Zahm. Approved.

General Fund Voucher's #350 –387 totaling \$5,870.30 was approved on a motion by Councilman Zahm, seconded by Councilman Heath. Approved.

**ANNOUNCEMENTS:**

The next board meeting will be held 6:30 PM, December 13, 2018 at the town hall

**ADJOURNMENT:**

The meeting adjourned at 7:45 PM on a motion by Councilman Heath, seconded by Councilwoman Bartholomew. Approved.

Minutes Taken by,

Recia L. Myers,  
Town Clerk