

BOARD MEETING  
AUGUST 13, 2009

The Gerry Town Board met at 7:00 PM, August 13, 2009, 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  
Jodie L. Fehlman, Deputy Town Clerk  
Dave Crossley, Zoning Officer  
William Duncanson, Jr., Town Attorney  
Larry Barmore, District 9 Legislator

Absent were: Robert B. Heitzenrater, Councilman  
Recia L. Myers, Town Clerk  
Mark A. Risley, Highway Superintendent

CALL TO ORDER:

Supervisor Crossley called the meeting to order and led in the Pledge of Allegiance.

PRIVILEGE OF THE FLOOR:

COMMUNICATIONS:

1) A letter was received from the Department of State for the 2008 - 2009 Local Government Efficiency grant and was turned down for the Town of Gerry and Town of Charlotte. Supervisor Crossley stated that he has been trying to contact Senator Cathy Young on this issue. Town Attorney, William Duncanson Jr., stated that some towns are refileing online, so that they are reconsidered faster on the next application.

2) A letter was received from National Grid stating that effective as of July 1st., 2009 they will be collecting a Temporary NYS Assessment Surcharge and this will stay in effect until March 31, 2014. The monies collected will be transferred to New York State for the State General Fund.

3) A letter was received form the Valley Historical Society informing of there celebration of there 200th year on Saturday, September 12, 2009.

4) A letter was received from Heritage Ministries requesting permission to use the parking at the park for employees of Heritage Village on September 12, 2009 for there Annual Harvest Days. Recia Myers, Town Clerk will send a letter stating that the employees can park there on that day.

5) A letter was received from the New York State Department of Environmental Conservation stating that the Chautauqua County Landfill has applied for a 100 foot vertical expansion that would cover 33 acres. This letter is just a notification for the Town of Gerry due to the fact that our town is a bordering town of the landfill.

OFFICERS REPORT:

Zoning Officer.

Reports for August 2009

6 permits issued for August 2009

27 pending permits

2 Certificate of Occupancies to be issued

3 Certificate of Compliance to be issued

Dave Crossley, Zoning Officer, commented that the board may want to take into consideration changing the zoning for the non-profit organizations, The board would have to vote on whether or not to charge them for building permits. William Duncanson Jr, Town Attorney, stated that Dave Crossley, Zoning Officer, should compare with other towns how they are charging non-profit organizations and report back.

Dog Control Officer.

August 2009

Issued 2 citations for leash law.  
picked up a boxer mix on route 380.

Troy Kennelly, DCO, stated he was bitten in the back of the leg while out on a patrol. It did not break the skin however he decided to get the rabies vaccinations as a precaution. Troy Kennelly, Dog Control Officer, also stated that he feels he is making a few town residents up set. He is only enforcing the laws and ordinances.

Supervisor Crossley spoke with a town resident over this matter of a leash law citation and he explained if the dog leaves your property that you are in violation of the Town of Gerry's leash law.

Highway Superintendent.

Supervisor Crossley stated that Highway Superintendent, Mark Risley bought an International 674 Diesel mowing tractor that was okayed by the Town Board. Supervisor Crossley also stated that the Chips paperwork for August reimbursements was sent in and the Town of Gerry will be getting back \$64,463.15.

Assessor's report.

Kevin Okerlund, Town Assessor stated that the town assessment file was updated and given to the County for the up coming school taxes.

Kevin Okerlund also attended a seminar in Cornell in July and took a class on assessment statistics. This class covered various ratios, standard deviations, ect. that are analysis of assessment data.

COMMITTEES, BOARDS OR AGENCIES:

Park & Recreation Committee.

Councilman Heath stated that they have received the dedication plaque for the pavilion and the plaque in memoriam of Kenny Douglas. They are still looking for a way to attach the plaque to the tree. Councilman Heath stated that the plaque for the Risley Family Reunion is going to be put on the bench that was donated by the family.

Councilman Heath said that Jim Boerst has painted the bathroom doors and is working on staining the benches and the tables in the old pavilion.

SPECIAL ORDERS:

Resolution No. 38- 2009. Appointment to Assessment Review Board. A motion was made by Councilman Swan, seconded by Councilman Heath. Approved.

Resolution No.39 -2009. 2009 Budget Transfers. A motion was made by Councilman Heath, seconded by Councilwoman Bartholomew. Approved.

Resolution 40- 2009. Comprehensive Plan Committee. A motion was made by Councilwoman Bartholomew, seconded by Councilman Swan. Approved.

Minute approval for the July 2009 Board Meeting was approved on a motion by Councilman Heath , seconded by Councilman Swan. Approved.

OLD BUSINESS:

Trailer Park.

Supervisor Crossley asked District 9 Legislator, Larry Barmore, if the trailer park is still up for auction, District 9 Legislator, Larry Barmore, and Supervisor Crossley had a discussion on whether to leave the trailer park off the tax

roll for one more year and to see if anyone else would be willing to buy it and fix it up. William Duncanson Jr., Town Attorney, stated that the Village of Sinclairville has new Zoning laws and it would forbid anyone from building a new trailer court on that site. It would take a lot of money to bring it up to code. Supervisor Crossley stated that he is going to contact the finance department to look into this matter a little further.

PRIVILEGE OF THE FLOOR:

Sam Arcadipane a resident of 28 mile creek road addressed the town board with an up date on the situation of the grant for the fire department. Mr. Arcadipane stated that they made it through the first round of cuts and was not yet rejected. This grant has 13 billion dollars to use but only \$210 million dollars is going to be given out. He is hopeful in that they have made it this far. He stated that the current station will be used as a community building. Mr. Arcadipane said that if this grant goes through they can work quickly along with Dave Crossley, Zoning Officer, in getting the proper building permits and zoning for this project.

NEW BUSINESS:

No New Business.

VOUCHER APPROVAL:

Highway Fund Vouchers #130 - 151 totaling \$13,560.83 was approved on a motion by Councilman Heath; seconded by Councilwoman Bartholomew. Approved.

General Fund Vouchers #223 - 256 totaling \$4,428.60 was approved on a motion by Councilwoman Bartholomew; seconded by Councilman Swan. Approved.

ANNOUNCEMENTS:

The next Board meeting will be held 6:30 PM, September 10, 2009 at the town hall.

ADJOURNMENT:

The meeting adjourned at 7:32PM on a motion by Councilman Swan., seconded by Councilman Heath.

Minutes taken by

Jodie L. Fehlman,  
Deputy Town Clerk