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BOARD MEETING
AUGUST 11, 2011

The Gerry Town Board met at 6:30 PM, August 11, 2011, at the Gerry Town Hall for the regular monthly board meeting.

Present were: John R. Crossley, Supervisor
Robert B. Heitzenrater, Councilman
Gary J. Swan, Councilman
Richard C. Heath, Councilman
Linda D. Bartholomew, Councilwoman
Recia L. Myers, Town Clerk
William Duncanson, Jr., Town Attorney
Mark A. Risley, Highway Superintendent
Dave Crossley, Zoning Officer
Troy Kennelley, Dog Control Officer
Larry Barmore, District 9 Legislator

CALL TO ORDER:

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

PRIVILEGE OF THE FLOOR:

Mark Risley, Highway Superintendent, commented that the paving job on Route 60 was not done well at all, he feels it will not hold up. Councilwoman Bartholomew commented that they have drainage problems in there parking lot and so do there neighbors. There neighbors contacted the state dot and they told them that it was the Town of Gerry's problem. Supervisor Crossley is going to contact the state regarding the drainage problems.

COMMUNICATIONS:

- 1) A letter commending the Gerry Recreation with a donation of \$30.00 was received from Beryl Emley towards the Gerry Recreation Program.
- 2) A flyer for the Sinclairville History Fair was presented with the date of September 10th for the festivities and asking for volunteers for the parade and notifying of the activities being held.
- 3) A notice from the Town of Ellery regarding a proposed Zoning Moratorium for the creation of new business in the Agricultural District was received.
- 4) The Chautauqua County Bi-Centennial Committee sent paperwork notifying the Town that they have a map of the town. The paperwork was given to the Town Historian to review.
- 5) A liquor renewal application was sent from the Witch Kitch Inn.
- 6) The Chautauqua County Planning Department sent an agreement to review for all Zoning and Planning Members to notify the County Planning Department of any changes occurring in the town. Town Attorney, William Duncanson, Jr., took the paperwork for review.

OFFICERS REPORT:

Zoning Officer.

Zoning Officer, Dave Crossley, submitted the following report:
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7 permits issued for August
17 pending permits
2 Certificate of Compliance for 2011 permits

Dave Crossley, Zoning Officer, commented that he has received several

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questions regarding advertising and signs within the Town. Currently residents are not allowed to advertise agricultural sales off their premises. Dave suggests maybe having a temporary allowance of advertising signs during the summer months for 6 months or so, and or extending the district outlay for business. William Duncanson Jr., Town Attorney, noted that the Comprehensive Plan promotes agriculture and business on Route 60 as well. Councilwoman Bartholomew was concerned of the size and if property owners would be affected. William Duncanson Jr., Town Attorney, commented that they would have to limit to the existing size and there would be rules and regulations to follow. William Duncanson, Jr., Town Attorney will put together something in writing for the Town Board to review and Dave Crossley, Zoning Officer, will research and help assist the Town Attorney.

Dog Control Officer.

Troy Kennelley, Dog Control Officer, reported that it has been a busy month. He picked up two dogs this month and found six unlicensed dogs at a residence and issued them appearance tickets and gave them information on the noise ordinance for barking dogs. He had an incident of a huge rottweiler running loose on Damon Hill Road where the dog came at him. He could not put dog in his truck so he attempted to contact the owner numerous times and will be stopping in the residence again to let him know about the leash law in the town.

Councilman Heitzenrater found out information on having a rabies clinic for the town. He noted that volunteers are needed and the Dog Control Officer is recommended to be there for assistance. He is looking into maybe October and will discuss it more with Dog Control Officer, Troy Kennelley.

Highway Superintendent.

Mark Risley, Highway Superintendent, reported that the mowing of the sides of roads have been done. He noted that he would like to check into the electric at the new highway storage building as it is being overloaded right now and will talk more with Brad Swanson. Mark Risley, Highway Superintendent, asked Supervisor Crossley if he got a chance to check on the purchasing of walk in doors at the shop and Supervisor Crossley said he did and the accountants seemed to think it would not be a problem. Highway Superintendent, Mark Risley, will get a few quotes and go forward with the purchasing.

Assessor's report.

Kevin Okerlund, submitted the following report:

The School Tax roll was filed with the County. Tax bill processing is under way with tax bills being mailed out the end of August. He is currently working on developing land valuation tables, taking pictures, and cleaning up the inventory for the revaluation. He commented that he may be closed Aug. 29th for surgery.

Councilwoman Bartholomew noted that the Assessor contacted her to post on the website the tax assessment as it is required by law and she did.

COMMITTEES, BOARDS OR AGENCIES:

Parks & Recreation

Councilman Heath commented it has been quiet. The Part Time Mower is working on the highway building. There was a complaint about Pavilion 2 that was rented out as the breaker was off and they could not use it for their food and they requested their money back. After discussion the Town Board agreed to reimburse Larry & Loretta Overturf their payment of \$25.00 for the park rental.

Town Picnic:

Councilwoman Bartholomew noted that tents, food, and beverages have been donated for the picnic by local companies and they are looking for volunteers and ideas for next year's picnic as they will be celebrating 200 years. The Town Picnic will be this Saturday, August 13th at Noon at the Town Park.

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SPECIAL ORDERS:

Resolution No. 36 - 2011. 2011 Budget Transfer. A motion was made by Councilman Heitzenrater, seconded by Councilman Swan. Approved.

Resolution No. 37 - 2011. Agreement with Falconer Veterinary Clinic. A motion was made by Councilman Heath, seconded by Councilwoman Bartholomew. Approved.

Minute approval for the July 2011 Board Meeting. A motion was made by Councilman Heitzenrater; seconded by Councilman Swan. Approved.

OLD BUSINESS:

Lawsuit. The Town received a letter from Attorneys, Lipman and O'Connor notifying the Town that they were dropped from the lawsuit against them regarding a falling incident on the sidewalks.

Army Reserve. Supervisor Crossley noted that he has a meeting discussing the use of the facilities tomorrow at 1:00 PM after numerous calls made to officials.

NEW BUSINESS:

BAR. Supervisor Crossley asked Councilman Swan to check with Chairman Stan Anderson to see if he would like to continue to serve 5 more years on the board and Todd Anderson was asked to serve for a 5 year term. Resolutions will be presented next month.

2012 Budget. Supervisor Crossley commented that he has been working with the accountants and has two copies of budgets with 3% increases and one with eliminating items that are not specifically needed and he will get into this more at the upcoming budget sessions with the Town Board.

EXECUTIVE SESSION:

Councilman Heitzenrater made a motion to enter into Executive Session at 7:57 PM regarding the employment of a particular person, seconded by Councilman Swan. Councilman Heitzenrater made a motion to enter out of Executive Session at 8:15 PM, seconded by Councilman Heath. Supervisor Crossley reported no action was taken at the Executive Session.

PRIVILEGE OF THE FLOOR:

VOUCHER APPROVAL:

Highway Fund Vouchers #119 - 128 totaling \$3,244.31 was approved on a motion by Councilman Heath; seconded by Councilman Swan. Approved.

General Fund Vouchers #209 - 234 totaling \$ 3,182.42 was approved on a motion by Councilman Heitzenrater; seconded by Councilman Swan. Approved.

ANNOUNCEMENTS:

The next Board meeting will be held 6:30 PM, September 8, 2011 at the town hall.

ADJOURNMENT:

The meeting adjourned at 8:17 PM on a motion by Councilman Heath , seconded by Councilwoman Bartholomew.

Minutes taken by

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Recia L. Myers,
Town Clerk