

BOARD MEETING
JUNE 14, 2012

The Gerry Town Board met at 6:30 PM, June 14, 2012, 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
Dave Crossley, Zoning Officer
Mark A. Risley, Highway Superintendent
William Duncanson, Jr., Town Attorney
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:

Michelle Henry, County Historian, presented a picture collage of historical homes in the Town of Gerry made by volunteers in her department to Town Historian, Peggy Heath. Ms. Henry noted that you may visit her website as well to see pictures and invited everyone to attend a historical day in Dunkirk, NY at 9 am discussing the war of 1812.

David Hall, Member of the Memorial Day Committee, presented CD's made by Dave Anthony, a former resident of the Gerry Homes of this year's Memorial Day parade to Councilwoman Bartholomew for the Town's website and Peggy Heath, Town Historian for the Town's archives. Supervisor Crossley requested for the Town Clerk to send a Thank you letter to Mr. Anthony.

Cherin Mehs, Memorial Day Committee Member, requested if the Town Board could possibly help with the taking and placing of the flags next year as David Hall has been doing this on his own for years. Supervisor Crossley commented that they could, and if they could just pick a day in advance for everyone and let us know. Cherin also noted that the fundraising for new flags was more than expected and Supervisor Crossley asked her to obtain a quote from Mr. Miller for the plaque and let the board know. David Hall wanted to give Brad Swanson a special thank you for using his truck and Swan's Painting as well.

Daryl Frost, Town Resident, presented pictures to the Town Board of a ditch on the other side of the road of his property that is causing water to run extensively on his property. Mr. Frost is requesting for the Town to place a pipe on that side of the road to divert the water flow problem. Mark Risley, Highway Superintendent, commented that the ditch has been cleaned out about 4 years ago and added a pipe next to the property. Mr. Risley feels that the problem in changing this is the cost to the taxpayers. Councilman Swan asked exactly how much would it cost and Mark Risley, Highway Superintendent, commented that it would be approximately \$3,000.00. Councilman Swan personally feels that the ditch should be fixed.

Councilman Heath has dealt with the County Engineer on this concern and was explained that under worse conditions to expand the ditch and stone it, but then it would be on the neighbor's property as well commented the Highway Superintendent. Town Attorney, William Duncanson Jr., noted that this is a costly project and is of no benefit for the Town to pay for his problem. Mr. Duncanson noted that anybody could request for something to be changed on their property and he feels it is not in the best interest for the taxpayers.

Mark Risley, Highway Superintendent, noted that this has to be a board decision, it is not in his jurisdiction to do this and a policy would have to be created. Mark Risley, Highway Superintendent, asked Mr. Frost if he would be willing to pay for the pipe and Mr. Frost feels he should not have to pay for that pipe as it is not on his property it is across the road. Councilman Swan noted that it's probably, a health hazard with all the water sitting there and Mr. Frost has been trying to improve his home and property he feels the town should replace this. Councilman Heitzenrater is concerned with setting a policy and he would personally like to go look at Mr. Frost's property. It was agreed that all the board members will go look at Mr. Frost's property before making any decision. Supervisor Crossley let Mr. Frost know that they will make a decision at the next board meeting in July.

COMMUNICATIONS:

- 1.) A letter was received from Town Resident, Doug Arters, complimenting the local Sheriff's department and State Police for their consistent patrolling in the area. Supervisor Crossley asked the Town Clerk to provide the letter to the Sheriff's departments.
- 2.) A letter was received from the Town of Ellery advising the Town of a Public Hearing regarding wind energy conversion systems.
- 3.) A letter advising the Town of the Workman's Compensation Changes was received from the Chautauqua County Department of Insurance. A significant increase of \$2,350.00 was given based on a formula of claims throughout the county.
- 4.) A letter was sent to Tri James from the Zoning Officer regarding a special use permit that has to be looked at and presented to the Planning Board. Dave Crossley, Zoning Officer, noted that this gives the neighbors a chance to review the plans as well.
- 5.) A letter from Dave Crossley was received thanking the Town and the Highway Department for the excellent repair work done to his drainage ditch on Hillside Drive.
- 6.) The Chautauqua Department of Health sent back information regarding the Summer Recreation program. After the survey was filled out by Recia Myers, Town Clerk, this letter was received stating that the Town's Recreation program is considered a day camp because there are activities that are considered dangerous, which were Basketball, Kickball and Tennis and will require the town to have a permit to keep the recreation program going, along with pages of requirements for employees. Supervisor Crossley contacted the County and expressed that he feels this is ridiculous as it is a 4 week program and the County responded that numerous municipalities have contacted him with the same views. Larry Barmore, District 9 Legislator, commented that the County was not in favor of this State mandated item as well. Supervisor Crossley contacted Catherine Young's office stating his view and asked the Board how they felt on this issue. The Board agreed it was ridiculous and they decided to still have the program. Mr. Barmore commended the board on going against stupid state regulations.

OFFICERS REPORT:

Zoning Officer.

Zoning Officer, Dave Crossley, noted that it has started to be busy and he has had a few issues to deal with regarding advertising signs and swimming pools. Councilman Swan commented that he has received a complaint of temporary signs being left up all year. Dave Crossley, Zoning Officer, will look into this and contact the owners of the signs. The following report was submitted:

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15 permits issued.

9 permits pending.

Dog Control Officer.

Troy Kennelley, Dog Control Officer, was absent but let the Town Clerk know that is has been rather quiet.

Highway Superintendent.

Mark Risley, Highway Superintendent, stated that he just returned from Highway School and the classes were very informative. Mr. Risley noted that he received a phone call from the Lyon's club wanting to donate a bench to the park and he suggests maybe having a trailer anchor in it so the bench could not be stolen and can be moved as well. Councilman Heath and Highway Superintendent, Mark Risley, will be getting together to figure out where to put it and how to.

Mark Risley, Highway Superintendent, commented that a farmer damaged an area on Damon Hill Road and he has waited to hear from the insurance company regarding the damages and they will fix the road soon. Highway Superintendent, Mark Risley, noted that roadside mowing has been done and also that the Highway Superintendent for Charlotte resigned so they have been doing shared services with the Town if anyone is concerned why our Highway Employees are in this location.

Assessor's report.

The Board of Assessment Review met May 23 for a revaluation year and it was rather quiet with approximately 14 hearings and a few mail in grievances. Many thanks to the Board of Assessment Review for their work.

I am very pleased with how smoothly the whole year went. I would like to thank GAR for their work and also the Town Board for their support of the project.

The final roll will be filed July 1, 2012 and the appropriate legal notice will be published.

COMMITTEES, BOARDS OR AGENCIES:

Park & Recreation.

Councilman Heath reported that the Park Committee met for interviews for Recreation employees. They received seven applications and it was a hard decision as they were all great applicants. The committee recommends Lori Johnson, Recreation Leader, Martha Butcher,

Co-Recreation Leader/Assistant, Andrew Berg, Mikayla Gibbons, Taylor Storer as assistants and Sherry Bower-Kaczar as a substitute assistant and will be presented in a resolution.

Councilman Heath reported that there have been a few repairs at the park and Daniel Heitzenrater is doing a wonderful job. Councilman Heath noted that they would like to purchase wood chips for the playground and Supervisor Crossley explained that the Town of Ellington was thinking about going in with us on purchasing and will contact them. Councilman Swan had a request from a Town Resident that they would like to have a sink in the concession stand and they would be willing to donate it. Councilman Heath feels it works fine now and the Board agreed plumbing would be more of a concern than the sink.

Town Picnic Committee.

Councilwoman Bartholomew noted that the parade will start at 2:00 PM, August 11, 2012 and the Grand Marshall will be Nellie Wissman as she is the oldest town resident. At 5:00 PM will be food and fireworks will be at dusk. A banner was made and is hung up at the park announcing the bi-centennial festivities and updates will be on the town's website gerry.ny.us.

Larry Barmore, District 9 Legislator, commented that he and Dennis Bartholomew, and Tom Atwell discussed the fireworks and decided to have them at the rodeo grounds. The concern is being able to see them from the park so Councilwoman Bartholomew suggested moving the festivities down to the rodeo grounds where the band will play at 6:00 PM and there will be better parking as well. Mr. Barmore is going to portray Elbridge Gerry and some residents are also representing their ancestors in the town as well.

SPECIAL ORDERS:

Resolution No. 34 - 2012. Appointment of 2012 Summer Recreation Leader and Assistants. A motion was made by Councilman Heitzenrater, seconded by Councilman Swan. Approved.

Resolution No. 35 – 2012. 2012 Budget Transfers. A motion was made by Councilman Swan, seconded by Councilman Heath. Approved.

Minute approval for the May Board Meeting. A motion was made by Councilman Heath; seconded by Councilman Swan. Approved.

OLD BUSINESS:

No Old Business.

NEW BUSINESS:

No New Business.

PRIVILEGE OF THE FLOOR:

Cherin Mehs, Memorial Day Committee member, commented that they will be having a meeting for the Memorial Day Committee at the Town Hall on June 23rd at 10 am to listen to any ideas, complaints, etc. And it would be wonderful if any Town Board members could attend.

VOUCHER APPROVAL:

Highway Fund Vouchers #79 – 98 totaling \$17,000.09 was approved on a motion by Councilman Heitzenrater; seconded by Councilman Heath. Approved.

General Fund Voucher's #156 –195 totaling \$ 7,896.04 was approved on a motion by Councilwoman Bartholomew; seconded by Councilman Swan. Approved.

ANNOUNCEMENTS:

The next Board meeting will be held 6:30 PM, July 12, 2012 at the town hall.

ADJOURNMENT:

The meeting adjourned at 7:56 PM on a motion by Councilman Heitzenrater, seconded by Councilman Swan.

Minutes taken by

Recia L. Myers,
Town Clerk