

**BOARD MEETING
MAY 9, 2013**

The Gerry Town Board met at 7:00 PM, May 9, 2013, 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
Jodie L. Fehlman, Deputy Town Clerk
Mark A. Risley, Highway Superintendent
Larry Barmore, District 9 Legislator
Dave Crossley, Zoning Officer

Absent was: Recia L. Myers, Town Clerk

CALL TO ORDER:

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

PRIVILEGE OF THE FLOOR:

Supervisor Crossley asked for a moment of silence in honor of Lewis Nickerson, Former Town Councilman.

Larry Barmore, of 4376 route 60 Gerry NY , stated he had purchased a 1913 Year book of Granges and found a picture of the Gerry Grange as it was in 1913 . The Grange was believed to be about six months old at the time of the picture. Larry Barmore presented the Gerry Town Board with a framed copy of the picture.

David Hall thanked the Highway Department for their work of disbursing the milling in the driveway at the Rodeo grounds.

COMMUNICATIONS:

1. Received a letter from Cassadaga Valley High School in regards to the water link improvement stating that there is no adverse impact on the environment.
2. Received a list from the Real Property Tax Dept. showing properties up for auction as Towns receive the first notice.
3. Received a letter from the Hazard Mitigation Plan along with Emergency Preparedness Services including Chautauqua County's Plan noting a meeting to be held on May 23 at 9:30 AM. Mark Risley, Highway Superintendent is going to attend this meeting and report back to the Gerry Town Board.

4. The Gerry Hill Cemetery sent a letter thanking the Gerry Highway of their work of removing the snow in the winter and as the snow melted there was no damage to be cleaned up this spring.
5. A Certificate of satisfaction of the Gerry Tax Roll was received from James Caflich, Real property Tax Services.
6. A letter was received from the State of New York Department OF Taxation and Finance Office of Real property Tax Services. The letter stated that the Town of Gerry completed a reappraisal on the 2012 assessment roll. The Town of Gerry is eligible for aid in the amount of \$5.00 per parcel. A state voucher of \$7,015.00 was sent to the office of the State Comptroller of payment and is recorded in an account.
7. A letter was received form Highway Superintendent regarding monies received from scrap steel that was held at the Highway Office. Highway Superintendent, Mark Risley, stated in the letter that he was not aware of the fact that he needed to turn in the monies and has since turned the monies in along with receipts and reports for 2010, 2011, and 2012.

OFFICERS REPORT:

ZONING OFFICER.

Dave Crossley, Zoning Officer, stated that he is in the process of sending out a letter to TRI James Gravel pit requesting that they speak to the Gerry Planning Board about making changes to the special use permit.

Dave Crossley, Zoning Officer, submitted the following report:
He has issued 8 Permits and 9 pending permits

DOG CONTROL OFFICER:

Dog Control Officer, Troy Kennelley, submitted the following report:
Troy Kennelley, Dog Control Officer, picked up a stray dog that was sick and was taken to the Falconer Vet Clinic on a weekend and the dog died in their facility. Recia Myers, Gerry Town Clerk, along with Troy Kennelley, Dog Control Officer, requested to switch to Jamestown Veterinary Hospital in case of emergencies, a resolution will be presented.

HIGHWAY SUPERINTENDENT:

Mark Risley, Highway Superintendent, commented that he is getting ready to get bids for fuel. Mark Risley, Highway Superintendent, stated that the guys have been out with the tar bucket and that the Town Of Gerry had four pot holes that have been patched.

Mark Risley, Highway Superintendent, also stated that he is taking three plows along with wings down to the Sandman in Falconer to have them sandblasted, primed, and painted. Councilman Swan asked if this sandblasting was done in a safe way and Highway Superintendent, Mark Risley, stated that the Sandman has proper facility to work in. Councilman Heath asked if the plows have had new bushings in them and the Highway Superintendent stated they have been.

Mark Risley, Highway Superintendent, stated that at the end of 28 Mile Creek Road they are having problems with some trees falling into the road and they are in the process of addressing this issue.

ASSESSOR REPORT:

He has mailed out the change of assessments. Grievance day will be held on Wednesday May 29, 2013 from 4 PM -8 PM at the Sinclairville Village Hall. Appointments can be made by calling 962-9455 Mondays from 5:30- 7:30 PM.

The Town of Gerry met the requirements for the State reimbursement and it is my understanding the money has been sent from the State. I would like to request approximately \$600.00 from each Town to update the assessment computer system. The last time we updated the computer was approximately 5-7 years ago and there is a need to update.

COMMITTIES, BOARDS AND AGENCIES:**Town Picnic:**

No report given.

Town Park:

Councilman Heath stated that the wood carpet for the playground has been put in place and he stated that the Village of Sinclairville put in money on the load and received their share of the wood chips. Councilman Heath stated he wanted to thank the Highway Department for their help of the placement of the wood chips.

Councilman Heath stated that Daniel Heitzenrater, Part time Mower, is doing a good job.

Councilman Heath stated that he is looking into getting a quote for putting a tack coat on the walking track.

SPECIAL ORDERS:

Resolution No. 22- 2013. Agreement with Jamestown Veterinary Hospital. A motion was made by Councilman Heitzenrater, seconded by Councilman Swan. Approved.

Resolution No. 23- 2013. Authorizing Highway Superintendent to attend Highway School. A motion was made by Councilman Heath, seconded by Councilwoman Bartholomew. Approved.

Minute approval for April Board Meeting. A motion was made by Councilman Swan, seconded by Councilman Heitzenrater. Approved.

OLD BUSINESS:

Garbage Collection. Supervisor Crossley stated that he was looking into changing from Casella to Beichner for garbage collection for the town park. Supervisor Crossley said that he had taken the two bids and found that Beichner would cost less than staying with Casella. The Gerry Town board agreed. Beichner Disposal also does not have a five year agreement.

NEW BUSINESS:

1) Councilman Heath stated that he would have the Gerry Town Clerk, Recia Myers, advertise for the summer recreation program.

2) Highway Superintendent, Mark Risley, stated that he was going to advertise for fuel bids and will set up a time to have bid openings.

3) Grievance day will be held on May 29, 2013 at the Village of Sinclairville.

4) The Gerry Town Board will address the issue for payments paid to Town employees that opt out town insurance half way through the year. The Town Board will bring up this issue at the budget session at the end of the 2013 year.

5) Bruce Gustafson, a member of the Gerry Fire Department, addressed the Gerry Town Board in regards to the Fire Chief Position. Dennis Barmore is currently the acting chief and he has the power

of reinstating Carl Fransen to the Chief Position. Carl was to present a work release to be able to return to work however; he is not willing to provide this paperwork form his doctor's to be able to get back to work according to Bruce Gustafson. The fire company by-laws state that they only have to turn in one letter from one doctor and that will allow that person to go back to that position he or she was holding at the time of illness.

Supervisor Crossley stated that if they reinstate Carl Fransen back as chief and he has not turned in the proper paper work and he gets hurt on site or if he hurts someone on the way to the rescue site The Town of Gerry would be put in a difficult spot as this would fall back on the Town of Gerry's workman's compensation insurance. Supervisor Crossley asked if there was any way they could hold off on reinstating Carl as Fire Chief until he had a chance to find out what legal options Town of Gerry has in this situation. Bruce Gustafson stated that they were waiting for him to get back from the Town board meeting to see what the Gerry Town Board said on this issue and they were planning on reinstating him as soon as possible. Supervisor Crossley stated that he would call Dennis Barmore, Acting Chief, and request that he wait on reinstating Carl until he has the option to find out the legal matters that will follow this decision. William Duncanson Jr., Town Attorney, stated that this is a complicated case and would need some time to sort it out.

PRIVILEGE OF THE FLOOR:

VOUCHER APPROVAL:

Highway Fund Vouchers #72 – 87 totaling \$19,499.17 was approved on a motion by Councilman Heitzenrater, seconded by Councilman Heath. Approved.

General Fund Vouchers #140 -170 totaling \$7,084.05 was approved on a motion by Councilman Swan, seconded by Councilwoman Bartholomew. Approved.

ANNOUNCEMENTS:

The next board meeting will be held at 6:30 PM, June 13, 2013 at the town hall.

ADJOURNMENT:

The meeting adjourned at 8:00 PM on a motion by Councilman Heitzenrater, seconded by Councilman Swan.

Minutes taken by

Jodie L. Fehlman,
Deputy Town Clerk