

**TOWN OF NORTH HARMONY  
TOWN BOARD MEETING AGENDA  
TUESDAY, OCTOBER 10, 2017, 7:00 PM**

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<b>SALLY P. CARLSON, SUPERVISOR</b>	<b>PRESENT</b>
<b>FRANK STOW, COUNCILMAN</b>	<b>PRESENT</b>
<b>RICHARD SENA, COUNCILMAN</b>	<b>ABSENT</b>
<b>DUNCAN MCNEILL, COUNCILMAN</b>	<b>PRESENT</b>
<b>LOUISE ORTMAN, COUNCILWOMAN</b>	<b>PRESENT</b>

**OTHERS PRESENT:** Dave Stapleton, Attorney; Louis Rieg, Planning; Helen & Clayt Emick; Robin Miller, Bookkeeper; Nancy Thomas, Town Clerk; Dan Strickland, Highway Sup't.; Howard Peacock, Justice; Brad Lawson, Zoning CEO; Pierre Chagnon, Legislator; John Brown; Patrick & Connie Duffey; Karen Rine, Susan Weaver, CLP; Raymond & Patty Zdunski

- **PLEDGE**

- **MINUTES 09/11/2017:**

- **MOTION # 111 OF 2017**

MR. STOW MOTIONED TO ADOPT THE MINUTES OF THE 9/11/2017, TOWN BOARD MEETING AS PRESENTED BY THE CLERK. MR. MCNEILL SECONDED. YES (4). STOW, MCNEILL, ORTMAN, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **ANNOUNCEMENTS:**

- **Mrs. Carlson said Mr. Sena** would be late to the meeting as he was attending his daughter's Sr. Night Game
- **Budget Workshop 10/17/17 at 7:00 PM**
- **Centennial Meeting 10/24/17 at 7:00 PM**
- **Sewer Public Hearing at County Legislative Chamber 10/25/17 at 6:30**

- **PUBLIC COMMENT:**

- **PATRICK DUFFEY – PRESIDENT HOMEOWNERS ASSOC. SUNRISE COVE on Behalf of Chautauqua Lake Partnership (CLP)**

**Mr. Duffey** provided handouts to the board and said the CLP is interested in extending the demonstration that occurred in Bemus Bay this summer and 7 new areas are being considered for invasive weed survey and hopefully implementation of herbicide application next summer. He asked the town to meet with the CLP Executives to consider supporting this effort as both a cosponsor of the activity and to support the cleanup of the lake financially.

**Ms. Rine** said she is also a member of the CLP and they are not just the herbicide people; they are looking at all aspects of managing the lake. She said they would like to get all the towns/villages involved in this effort and are asking for a financial commitment during the budget process. She said the DEC requires the CLP complete a \$200,000 Supplemental Environmental Impact Study (SEIS) which would involve Towns/Villages agreement to be Co-Lead Agency.

**Mrs. Carlson and the Board agreed to meet with the CLP on Monday, 10/30/17, at 10:30 AM.**

- **CORRESPONDENCE:**

The following correspondence has been received by the Town of North Harmony and is available for review at the offices:

1. **CHARTER COMMUNICATION – Franchise fee check \$3,669.05 (3/31 – 6/30/17) Plans to build out in 2018**
2. **KAREN RINE – Chautauqua Lake Partnership – Weed Survey (addressed previously under Public Comment)**
3. **TONY SILIANO – Letter of thanks for Veterans Memorial and for Highway road work**
4. **Other Correspondence:**
  - **Rural Futures**
  - **Hospice**
  - **Zoning Board Minutes 9/27/17**
  - **STW Fall Planning and Zoning Conference**
  - **Annual AOT Conference 2/18-21/18**
  - **Dave Groth – letter in support of CLP**
  - **Notice of Public Hearing – Ellery Zoning for Mobile Homes**

- **OLD BUSINESS**

- **TRANSFER STATION – ADVERTISE FOR BIDS \$5,000.00 concrete pad; \$1,950 electric fence**

Mrs. Carlson said it is getting late in the year to advertise for the compactor, but we do need to advertise for the operation of the transfer station. She said it is usually a two year contract with options for additional years if agreeable.

- **MOTION # 112 OF 2017**

**MRS. ORTMAN MOTIONED TO ADVERTISE FOR BIDS FOR 2 YEAR OPERATION OF THE TOWN TRANSFER STATION. MR. MCNEILL SECONDED.**

**Discussion:**

Mr. McNeill said he feels we need to be more specific in detailing what is expected from the contractor. He said in the last few weeks our service has been nonexistent with Beichner and having 3 employees take breaks at the same time while cars lineup is not acceptable.

Mrs. Carlson said perhaps we can add to the specifications that breaks are to be taken on a rotating basis.

Mrs. Thomas said she would provide the current bid specs and contract and the board could make any changes necessary.

The board members agreed.

**YES (4). STOW, MCNEILL, ORTMAN, CARLSON. NO (0). THE MOTION WAS CARRIED.**

- **TRANSFER STATION COMPACTOR**

Mr. Stow said the compactor he has been looking at cost approximately \$17,000.00 new. He said he has the specifications if anyone would like to review them.

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**Mrs. Carlson** said that Mr. Sena indicated that someone suggested that the town could use some plastic chain to close off the recycling area to designate to people that they should not be there.

**Mr. Strickland** asked if it would go across the parking lot or in front of the dumpster.

**Mrs. Carlson** said in front of the parking lot.

**Mr. Strickland** said it couldn't keep people out for sure, but it might help to deter them. The use of no trespassing signs was also suggested.

**Mr. Stow** said upgrading the light on the corner of the cold building to a brighter light, might curtail after dark activity.

**Mr. Strickland** agreed and said he would look for one.

- **JIM WRODA'S DOCK**

**Mr. Lawson** said he had heard nothing about the dock, but he has sent a letter to the other property owner regarding their commercial rental adds. He said that he had reiterated the fact that they would not be able to drive snowmobiles across the lake from the ROW. There was discussion of the address of record for the Weatherup's.

**Mrs. Thomas** said she had contacted Mr. Wroda to see if NYS-OGS had been in touch with him. She said he indicated that they had been back to court on the matter, but the Weatherup's had again failed to appear with an attorney and the hearing was postponed again.

- **LIGHTHOUSE RECONSTRUCTION – Cost Estimate**

**Mr. Strickland** said he had not heard from Chris at BOCES. He said he would check on it. It was noted that the ladder at the lighthouse should not be used as it is dangerous.

- **PARK USE RULES**

**Mrs. Thomas** said she has requested information from other town clerk's about their parks. She said at this point she has not received any responses and the board agreed to wait for information as all the parks are pretty much closed now.

- **MOTION # 113 OF 2017**

MR. MCNEILL MOTIONED TO TABLE FURTHER ACTION ON TOWN PARK RULES FOR FURTHER INFORMATION. MRS. ORTMAN SECONDED. YES (4). STOW, MCNEILL, ORTMAN, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **BUTTS PARK – Advertise for bids for pavilion repair**

**Mrs. Carlson** said Mr. Sena has provided specifications for bids for the restoration of the Butts Park Pavilion. She said this calls for replacement of eight (8) 6"x6" 12' pressure treated posts; replacement of twelve (12) 2"x10" pressure treated top beams that have carpenter bee damage. The specs include cleanup and removal of debris; optional cost for post pads & footers which were not in place; proof of insurance required.

**Mr. Stow** asked if there were only 8 posts.

It was discussed that all the posts should be replaced.

- **MOTION # 114 OF 2017**

MR. STOW MOTIONED TO ADVERTISE FOR BIDS FOR THE RESTORATION OF THE BUTTS PARK PAVILION WITH BID SPECS AS NOTED:

- Replacement of all 6"x6" 12' pressure treated posts
- Replacement of twelve (12) 2"x10" pressure treated top beams

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- Cleanup and removal of debris
- Optional cost for post pads & footers which were not in place
- Proof of insurance required

Mr. Stow asked Mr. Lawson if he would monitor the project.

Mr. Lawson agreed.

MRS. ORTMAN SECONDED. YES (4). STOW, MCNEILL, ORTMAN, CARLSON. NO (0).

**THE MOTION WAS CARRIED.**

- **NEW BUSINESS:**

- **SCHEDULE PUBLIC HEARING ON BUDGET 2018**

- **MOTION # 115 OF 2017**

MRS. ORTMAN MOTIONED TO HOLD A PUBLIC HEARING ON THE 2018 BUDGET ON WEDNESDAY, 9/8/17, AT 7:00 PM. MR. MCNEILL SECONDED. YES (4). STOW, MCNEILL, ORTMAN, CARLSON. NO (0). **THE MOTION WAS CARRIED.**

- **POLE LIGHT REMOVAL – 2656 & 2860 CHAUTAUQUA AVE. Pole # NG463 ½**

**Mrs. Carlson** said the homeowners at the above addresses in Cheney's Point had sent a letter requesting that the light on the pole be turned off because of insects. She said it was originally put in because of children getting on and off school buses. She said because it is part of our highway lighting district the request must come from the town.

- **MOTION # 116 OF 2017 (WITHDRAWN)**

MR. STOW MOTIONED TO REQUEST THAT NATIONAL GRID POLE # NG463 ½ BE REMOVED FROM 2656 & 2860 CHAUTAUQUA AVE. AT CHENEY'S POINT. MRS. ORTMAN SECONDED.

**Discussion:**

After discussion, the board determined that they would check to see if pole removal was required or if the light could just be turned off.

MR. STOW WITHDREW THE MOTION AND MRS. ORTMAN WITHDREW HER SECOND.

- **GESAMAN ROAD TURNAROUND REQUEST**

**Mrs. Carlson** said she has not yet reviewed the deed in question.

- **MOTION # 116 OF 2017**

MR. STOW MOTIONED TO TABLE ACTION ON THE GESAMAN ROAD TURNAROUND REQUEST. MRS. ORTMAN SECONDED. YES (4). STOW, MCNEILL, ORTMAN, CARLSON. NO (0). **THE MOTION WAS CARRIED.**

- **RESOLUTION – STANDARD WORKDAY AND REPORTING NYS-ERS**

**Mrs. Thomas** reviewed the Resolution and said it was to establish the number of days per month that elected and appointed officials work for retirement system calculations. She said this is for the Highway Superintendent; Town Clerk and Zoning C.E.O. She said the resolution must be posted for 30 days and then filed with the NYS-ERS.

- **MOTION # 117 OF 2017 (Copy of Resolution attached)**

MR. MCNEILL MOTIONED TO ADOPT THE STANDARD WORK DAY AND REPORTING RESOLUTION RS 2417-A FOR THE POSITIONS OF TOWN CLERK; HIGHWAY SUPERINTENDENT AND CODE ENFORCEMENT OFFICER EFFECTIVE 10/10/17. MRS. ORTMAN SECONDED. YES (4). STOW, MCNEILL, ORTMAN, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **EKE ROAD DEED**

**Mrs. Carlson** said Mr. Siliano was in today regarding Eke Rd. She said she did find the deed and has given a copy to Mr. Strickland. She said an April, 1920 letter states that the town is responsible for 649' of that road.

**Mr. Strickland** said they had just blacktopped the driveway.

- **VETERANS PARK**

**Mrs. Carlson** said she is very disturbed that some people seem to feel that the Veteran's Park is a good place to take their dogs to do their business. She asked how others feel and said it really irritates her. She asked what the board would like to do.

- **MOTION # 118 OF 2017**

MR. STOW MOTIONED TO AUTHORIZE THE SUPERVISOR TO ORDER "NO DOGS ALLOWED" SIGNS TO BE PLACED AT VETERANS PARK. MR. MCNEILL SECONDED. YES (4). STOW, MCNEILL, ORTMAN, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **REPORTS:**

**PIERRE CHAGNON, LEGISLATOR**

**Mr. Chagnon said the following occurred at the September, 2017 Legislature meeting:**

- We received a recommendation from the Chautauqua County Sewer Agency to extend the South & Center Chautauqua Lake Sewer Districts up through the hamlet of Stow, based upon the map and plan dated September 2017, entitled "Sewer Extension through the Hamlet of Stow for the West Side of Chautauqua Lake". We scheduled a public hearing to be held by the Chautauqua County Legislature at the Legislative Chambers on October 25, 2017, at 6:45 PM, on the proposal to extend the sewer districts.
- We authorized the sale and leaseback of the South County Office Building in Jamestown. We also authorized the sale of the Frank Bratt Agricultural Center in the Town of Ellicott, and the sale of the Sherman Shop Maintenance Facility in the Town of Sherman, which has been replaced with the construction of a new facility.
- We authorized a public hearing on increasing the income limits for partial real property tax exemption for seniors. We will consider increasing the income limit from \$20,000, which was set in 2017 to \$22,000 effective March 1, 2018.
- We received a presentation by County Executive Horrigan presenting his Tentative 2018 Chautauqua County Budget. The Budget includes a 2.7% increase in appropriations, resulting in a 10-cent increase in the tax rate from \$8.48 to \$8.58 per thousand. The Legislature has worked hard, with the assistance of department heads, to identify \$816K appropriation reductions and \$171K revenue increases to deliver a fourth consecutive tax rate decrease. If approved by the Legislature this month

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the tax rate will decrease \$.04 from the current rate to \$8.44. The 2018 Budget is being impacted in numerous respects by the opioid drug crisis. Costs are increasing for the Sheriff, the Jail, District Attorney, Public Defender, Mental Hygiene Department, Family Assistance, Child Care, Juvenile Custody and Detention, Public Health Department, and the Coroners.

**KEVIN OKERLUND, ASSESSOR**

**Mrs. Thomas** said Mr. Okerlund's report indicated that they will be attending class on distressed properties. He also advised that STAR credit checks have begun to be mailed out.

**DAN STRICKLAND, HIGHWAY SUPERINTENDENT**

**Mr. Strickland** said last month the highway had completed their blacktopping at Veterans Park; Steinhoff Rd. 1.2 miles; Hewes Rd. .5 miles; Eke Rd. .2 miles. He said they still have one outstanding bill for blacktop.

**Mr. Stow** asked about the new truck and was told it is in the shop.

**HOWARD PEACOCK, JUSTICE**

**Mr. Peacock** read his report for those present. He indicated that the number of tickets seem to be down. He said he leaves for the Magistrates Conference on Sunday and will return on Wednesday.

**COURT REPORT FOR MONTH OF SEPTEMBER 2017**

\$43,983.00 in fines, fees, and surcharges was collected by the Court and given to the Town of North Harmony CFO for the court cases reported to the NYS Comptroller for September, 2017. We opened 134 new cases and closed 262 cases.

Of the \$55,808.00 collected by the Court in August, 2017, the Town retained \$18,269.00

**BRAD LAWSON, ZONING C.E.O. (Copy of Report in Minute Book)**

**Mr. Lawson** reviewed his report for those present.

**BRAD LAWSON, AFD COMMISSIONER – Reminder of Open House at AFD on 10/14/17**

**Mrs. Thomas** said she had posted the invitation on the town website.

**Mr. Lawson** noted that the county has Fly Car's based at AFD in Stow and Ashville.

**Mr. Stow** explained that there are 4 Fly Car's with paramedics (one for each battalion) that have been sponsored by the County.

**DAVE LLOYD, RAIN GARDEN**

**Mrs. Carlson** said Mr. Lloyd had stopped by and said he has closed up things at the Rain Garden in Ashville for the season.

**NANCY THOMAS, TOWN CLERK (Copy of report in minute book)**

**Mrs. Thomas** said she had nothing further to add to her written report.

• **MOTION # 119 OF 2017**

**MR. STOW MOTIONED TO ACCEPT THE TOWN CLERKS REPORT AS PRESENTED. MRS. ORTMAN SECONDED. YES (4): STOW, MCNEILL, ORTMAN, CARLSON. NO (0). THE MOTION WAS CARRIED.**

**SALLY P. CARLSON, SUPERVISOR (Copy of report in Minute Book)**

- **MOTION # 120 OF 2017**

MR. STOW MOTIONED TO ACCEPT THE SUPERVISORS REPORT AS SUBMITTED. MRS. ORTMAN SECONDED. YES (4): STOW, MCNEILL, ORTMAN, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **MOTION # 121 OF 2017**

MR. MCNEILL MOTIONED TO APPROVE THE GENERAL FUND VOUCHERS AS AUDITED AND REVIEWED EARLIER IN THE AMOUNT OF \$29,224.00. MRS. ORTMAN SECONDED. YES (4): STOW, MCNEILL, ORTMAN, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **MOTION # 122 OF 2017**

MR. MCNEILL MOTIONED TO APPROVE THE HIGHWAY FUND VOUCHERS AS AUDITED AND REVIEWED EARLIER IN THE AMOUNT OF \$345,857.10. MR. STOW SECONDED. YES (4): STOW, MCNEILL, ORTMAN, CARLSON. NO (0). THE MOTION WAS CARRIED.

- **PATRICK DUFFEY – SUNRISE COVE HYDRANT TESTING BY AFD**

**Mr. Lawson** said the issue has been addressed with the Fire Department and it will not happen again.  
**Mr. Duffey** said it would be helpful if the residents received some type of notice in advance of this type of action in the future.

- **MOTION # 123 OF 2017**

ON A MOTION MADE BY MR. STOW, SECONDED BY MR. MCNEILL, AND NONE BEING OPPOSED, THE MEETING WAS ADJOURNED AT 8:15 PM.

*Nancy Thomas*  
*Town Clerk*



Office of the New York State Comptroller  
 New York State and Local Retirement System  
 Employees' Retirement System  
 Police and Fire Retirement System  
 110 State Street, Albany, New York 12244-0001

# Standard Work Day and Reporting Resolution for Elected and Appointed Officials

**RS 2417-A**

(Rev. 8/15)

BE IT RESOLVED, that the TOWN OF NORTH HARMONY / 30547 (Name of Employer) / (Location Code) hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>								
Town Clerk	6	Nancy M. Thomas			<input type="checkbox"/>	1/1/16 - 12/31/17	24.36	<input type="checkbox"/>
Highway Sup't.	8	Dan H. Strickland			<input type="checkbox"/>	1/1/16 - 12/31/17	24.45	<input type="checkbox"/>
<b>Appointed Officials</b>								
Code Enforcement	6	Bradley N. Lawson			<input type="checkbox"/>	1/1/17 - 12/31/17	6.83	<input type="checkbox"/>

**SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE**

I, Nancy M. Thomas (Name of secretary or clerk), secretary/clerk of the governing board of the TOWN OF NORTH HARMONY (Name of Employer), of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 10th day of October, 20 17 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the TOWN OF NORTH HARMONY (Name of Employer) on this 11th day of October, 20 17, Nancy M. Thomas (Signature of the Secretary or Clerk)

Affidavit of Posting: I, Nancy M. Thomas (Name of secretary or clerk), being duly sworn, deposes and says that the posting of the Resolution began on October 13th (Date) and continued for at least 30 days. That the Resolution was available to the public on the

- Employer's website at www.townofnorthharmony.com
- Official sign board at Town of North Harmony, 3445 Old Bridge Rd., Stow, NY 14785
- Main entrance secretary or clerk's office at \_\_\_\_\_

(seal)