

REGULAR TOWN BOARD MEETING

OCTOBER 8, 2015

7PM

Present: Sup Tarbell
Coun Hurst
Coun Vitagliano

Also present: J. Koch, T. McQuillen, M. Hanzly, D. Nourse, R. Uptegrove, M. Hotchkiss, E. Parker, F. Reese

Sup Tarbell called the meeting to order at 7:03PM

The following vouchers were audited:

GENERAL FUND – TOWNWIDE	\$6,820.76
GENERAL FUND – OUTSIDE VILLAGE	241.09
HIGHWAY FUND – TOWNWIDE	7,304.89
HIGHWAY FUND – OUTSIDE VILLAGE	35,029.11
SILVER LAKE SEWER DISTRICT	2,177.11
GARDEAU WATER DISTRICT	13,043.18
SILVER LAKE INSTITUTE WATER DISTRICT	30,729.77
SILVER LAKE LIGHTING DISTRICT	561.87
TOTAL	\$95,907.78

REGULAR TOWN BOARD MEETING, cont'd

OCTOBER 8, 2015

7PM

A motion was made by Coun Hurst, seconded by Coun Vitagliano to approve the vouchers totaling \$95,907.78.

Polled: Ayes: Hurst, Vitagliano, Tarbell
Noes: none Carried

At 7:04PM Sup Tarbell opened the Public Hearing regarding the adoption of the 2016 budget.

A motion was made by Coun Hurst, seconded by Coun Vitagliano to approve the 9/10/15 minutes.

Polled: Ayes: Hurst, Vitagliano, Tarbell
Noes: none Carried

A motion was made by Coun Vitagliano, seconded by Coun Hurst to approve the Supervisors report.

Polled: Ayes: Hurst, Vitagliano, Tarbell

Noes: none

Carried

J. Koch presented his Water/Sewer Report. He stated that he has been making repairs to several of our resident's water shutoffs and pulling meters for the seasonal residents.

Sup Tarbell commended J. Koch on how nice his shop turned out, he stated that J. Koch has made a lot of changes such as painting and repairs and suggested that everyone stop down and see it themselves. He also asked how the MultiSmarts were working out.

J. Koch stated that they are working perfectly.

D. Nourse presented his Highway Report. He stated that he is trying to get as much road work done while there is still good weather and that they have been helping other towns with their blacktopping.

The Zoning Report was reviewed.

T. McQuillen presented her Assessors Report. She stated that for the revaluation project the lake is finished. She explained that she has been staying in the office in the mornings to make herself available to the residents and then going out in the afternoons to view properties for the project.

REGULAR TOWN BOARD MEETING, cont'd

OCTOBER 8, 2015

7PM

A motion was made by Coun Vitagliano, seconded by Coun Hurst to approve the following wage schedule:

2016 WAGE SCHEDULE:

<u>Office</u>	<u>Name</u>	<u>Pay Period</u>	<u>Annual Salary or Hourly Wage</u>
Supervisor		Bi-weekly	\$ 5,000
Dep.Hwy. Sup.	Darryl Nourse	Bi-weekly	\$ per Union Contract (\$22)
Full Time MEO	Dylan Nourse	Bi-weekly	\$ 20.00
MEO Part-Time	Edward James	Bi-Weekly	\$ 11.00
MEO Part-Time	Gerald Fuller	Bi-weekly	\$ 11.00
MEO Part-Time	Gary Loomis	Bi-Weekly	\$ 11.00
Town Clerk	Vickie Draper	Bi-weekly	\$30,000
Deputy Town Clerk	Marie-Elena Deeney	4 weeks (hourly)	\$ 10.23
Deputy Town Clerk	Christa Gardner	Bi-Weekly	\$ 9.46
Deputy Town Clerk	Pam Sahrle	Bi-Weekly	\$ 9.46
Vital Statistics Registrar	Vickie Draper	Annually (May)	\$ 432
Tax Collector	Vickie Draper	Bi-Weekly	\$ 3,468
Zoning Secretary	Vickie Draper	Bi-Weekly	\$ 5,680
Town Justice	Alphonse Milillo	Bi-weekly	\$ 6120
Town Justice	Ronald Carmichael	Bi-weekly	\$ 6120
Justices' Clerk	Vacant	Bi-weekly	\$
Councilman	John Hurst	Quarterly	\$ 2,750
Councilman	Stanley Klein	Quarterly	\$ 2,750
Councilman	Frank Vitagliano	Quarterly	\$ 2,750

Councilman	Sam Monteleone	Quarterly	\$ 2,750
Assessor	Tina McQuillen	Bi-weekly	\$22,490
Assessor Clerk	Pam Sahrle	Bi-Weekly	\$ 9.46
Attorney for Town	Michael Kelly	Bi-weekly	\$ 5,000
Historian	Linda Little	Quarterly	\$ 950
Zoning Enforcement Officer	David Swede	Bi-weekly (hourly)	\$ 15.93
Board of Assessment Review		10.00 hr	min. \$ 100
Planning and Zoning Board - Per Regularly Scheduled Monthly Meeting \$40.00 for Chairman, \$30.00 for members			
Mileage rate: 50 cents			
Highway Department- As per Union Contract (\$20.00)			
Sewer Department	Jason Koch	Bi-weekly (hourly)	\$ 20.00
Sewer Department	Dylan Draper	Bi-Weekly (hourly)	\$ 11.00

PROCEDURES FOR PUBLIC PARTICIPATION AT TOWN BOARD MEETINGS

Any person wishing to address the Town Board must request from the Town Clerk at least 48 hours in advance to be placed on the agenda for the regular town meeting, and must advise the Town Clerk of the subject of their presentation. Each presentation and/or presenter will be limited to five (5) minutes unless extended by questioning by the board. If two or more individuals wish to present on the same subject, the time limit is reduced to three (3) minutes each. The Board may, at its discretion, reply to the presentation, table the matter, or take it under consideration for determination at a future meeting. Any person at the meeting, but not on the evening agenda may, at the discretion of the presiding official, be allowed to present after the conclusion of all items on the evening’s agenda. Board members will be allowed to broach subjects not on the agenda, but non-board members will not be allowed to present on these subjects, except under the above rules.

REGULAR TOWN BOARD MEETING, cont’d OCTOBER 8, 2015 7PM

Polled: Ayes: Hurst, Vitagliano, Tarbell
 Noes: none Carried

F. Reese from Reese Environmental Consulting, LLC was present to explain the process and where we are as far as the SEQRA is concerned for the Silver Lake Water District project. She stated that once the SEQRA and the other resolutions are passed this evening it will start the 30 day review period where the other agencies involved can weigh in.

A motion was made by Coun Hurst, seconded by Coun Vitagliano to approve the following SEQRA resolution:

RESOLUTION
SEQRA NOTICE OF INTENT TO SERVE AS LEAD AGENCY
FOR IMPROVEMENTS TO THE SILVER LAKE INSTITUTE WATER DISTRICT (AKA
TOWN OF CASTILE
WATER DISTRICT NO. 1)

WHEREAS, the Town of Castile has determined that water pressure within portions of the existing Silver Lake Institute Water District is insufficient for adequate fire protection for the historic Silver Lake Institute and businesses immediately adjacent thereto; and

WHEREAS, the extension of transmission mains along portions of NY Route 39, Camp Road, and Chapman Avenue to existing water service mains within the Silver Lake Institute Water District would solve the problem of inadequate water pressure within the Silver Lake Institute Water District and its immediate environs; and

WHEREAS, the Town of Castile purchases water for the Silver Lake Institute Water District from the Village of Perry, and the Village of Perry has sufficient allocation from the Silver Lake water source to meet any increased need from the Town of Castile;

WHEREAS, the Village of Perry and the Town of Castile have entered into an Intermunicipal Agreement to allow the purchase of potable water from the Village of Perry system; and

WHEREAS, the Town of Castile determined that the proposed water system improvements would provide opportunity for increased economic development within the Village of Perry and the Town of Castile; and

WHEREAS, the proposed action is consistent with the adopted Comprehensive Plans of both communities;

REGULAR TOWN BOARD MEETING, cont'd OCTOBER 8, 2015 7PM

WHEREAS, the proposed project has been determined to be a Type I action under 6 NYCRR Part 617.4(b)(9);

WHEREAS, a Long Environmental Assessment Form has been prepared for this project;

WHEREAS, the Castile Town Board intends to serve as Lead Agency for the SEQRA review of this action; and in this capacity, will determine whether the proposed action will have a significant effect on the environment; and

WHEREAS, a coordinated review of this action will be conducted by the Town Board;

Now, therefore be it resolved:

That the Town Board of the Town of Castile hereby designates its intention to serve as Lead Agency for the Coordinated Review of this Type I action under the State Environmental Quality Review Act, and will circulate the Lead Agency Notice and a copy of Part I of the Short Environmental Assessment Form, to all interested and involved agencies. Involved agencies shall be given 30 days from the mailing of the Lead Agency Notice to challenge the Castile Town Board's Lead Agency designation.

Polled: Ayes: Hurst, Vitagliano, Tarbell
Noes: none Carried

A motion was made by Coun Vitagliano, seconded by Coun Hurst to approve the following Agriculture Impact Statement:

AGRICULTURAL IMPACT STATEMENT A. Project Description The Town of Castile proposes to install new water mains along portions of Camp Road, NY Route 39 and Chapman Avenue within the existing service area of the Silver Lake Institute Water District (Town of Castile WD #1) and the Village of Perry. The purpose of the project is to provide better water pressure and improved firefighting capability to the Silver Lake Institute Historic District as well as several businesses located on Chapman Avenue and NY Route 39. The project includes installation of approximately 6,300 linear feet of new water main to serve approximately 4 additional existing residential units, as well as several pressure reducing valves, hydrants, metering equipment, and a booster pump station. The District includes approximately 223 residential equivalent dwelling units (EDUs) and 8 commercial EDUs. The commercial EDUs include the Charcoal Corral restaurant, the Silver Lake Drive Inn and a mini-golf course. Based upon the existing zoning and land use patterns in the Town of Castile, it is estimated that an additional 12 residential dwelling units (0.5 EDU ea) could be developed within the existing Silver Lake Institute Water District service areas, bringing the potential total EDU count to 243 units. The build-out EDU estimate was prepared using an assumption that the open road frontage of the water district service area could be developed at a lot size of approximately 1.5 acres (240 ft. of road frontage/lot). This build out estimate also

REGULAR TOWN BOARD MEETING, cont'd OCTOBER 8, 2015 7PM

assumes that the agricultural acreage behind the road front lots on the north side of Camp Road and the west side of NY Rt. 39 and the south side of Chapman Avenue will remain in agricultural or open space use due to restrictions on lateral extensions to individual residential units. The lot size is consistent with more recently developed residential lots within the service area. The service area includes undeveloped lands on the interior of the rectangle formed by Chapman Avenue on the south, NY Route 39 on the east, and Camp Road on the north and Silver Lake on the west. The Silver Lake Institute Water District (Castile WD #1) also includes approximately 500 feet on the east side of NY Route 39 between Camp Road and Chapman Avenue, and on the south side of Chapman Avenue between NY Route 39 and Silver Lake. The build out analysis did not include the lands on the east side of NY Rt. 39 or the lands on the south side of Chapman Road as developable lands because the lands are in the Agricultural District. The location of the proposed water mains are shown in Appendix A. The purpose of the proposed Water Service Improvement project is to provide better water pressure and firefighting capability for historic homes and buildings located in the Silver Lake Historic District. The project also loops the water service and improves water pressure for businesses, primarily the Charcoal Corral and the Silver Lake Drive In located on Chapman Avenue. The Charcoal Corral is a very popular restaurant in the area. Looped water service has been recommended by the County Health Department and the Department of Environmental Conservation for many years. The Charcoal Corral

has been cited by the Wyoming County Health Department for having insufficient water pressure for its operations. B. Description of Agricultural Setting Appendix B shows the parcels located within the Wyoming County Agricultural District No. 3 that would be affected by the new water mains. Zoning within the proposed water district service area consists of Residential + Agricultural, Lake District and Commercial (C-2). A copy of the Zoning Map is included in Appendix C. Development within the Town of Castile is subject to Site Plan Approval from the Planning Board, and review by the Town's Code Enforcement Officer. Road frontage areas not occupied by residential dwellings generally consist of agricultural fields. The fields located within Agricultural District No. 3 that will be affected by the proposed water district are currently in agricultural use. However, all new water mains will be constructed within the existing highway right-of-way to avoid impacts to existing farmlands.

Polled: Ayes: Hurst, Vitagliano, Tarbell
Noes: none Carried

A motion was made by Coun Hurst, seconded by Coun Vitagliano to adopt the following Lateral Restrictions resolution:

Town of Castile

Water District No. 1 (Silver Lake Institute Water District)

LATERAL RESTRICTIONS RESOLUTION

REGULAR TOWN BOARD MEETING, cont'd OCTOBER 8, 2015 7PM

WHEREAS, the Town Board of the Town of Castile has created the Town of Castile Water District No. 1 pursuant to Town Law for the express purpose of providing public water supply to portions of Route 39, Camp Road and Chapman Avenue; and

WHEREAS, part of the land area within Water District No. 1 is also within the Wyoming County Agricultural District No. 3; and

WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action Within an Agricultural District to evaluate the impact of providing a source of public water supply within this area on lands within Agricultural District No. 3; and

WHEREAS, the New York State Department of Agriculture and Markets ("the Department") has requested the adoption of its Lateral Restrictions Policy to avoid potential adverse impacts to the Agricultural District;

NOW, THEREFORE BE IT RESOLVED, that the Town Board , in recognition of the concerns that have been raised, hereby resolves to adopt the "Lateral Restriction –

Conditions of Future Service” specified by the New York State Department of Agriculture and Markets as follows:

Lateral Restriction – Conditions on Future Service

The Town of Castile imposes the following conditions, as warranted or recommended on the management of sewer/water lines located within portions of Route 39, Camp Road and Chapman Avenue within Wyoming County Agricultural District No. 3:

1. The only land and/or structures which will be allowed to connect to the proposed water main or sewer within an agricultural district will be existing structures at the time of construction, further agricultural structures and land and structures that have already been approved for development by the local governing body prior to the filing of the Final Notice of Intent by the municipality.

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan and special permit) is needed to move forward to project plans and the governing body has approved the action. If no local approval is required for the subdivision or land and/or the construction of structures, the municipality accepts the limitation under Public Health Law § 1115 that defines a “subdivision”, in part as “any tract of land which is divided into

REGULAR TOWN BOARD MEETING, cont'd

OCTOBER 8, 2015

7PM

five or more parcels.” Water and/or sewer service will not be extended to the fifth and subsequent parcels where no local approval is required and the land is located within a county adopted, State certified agricultural district.

2. If a significant hardship can be shown by an existing resident, the lateral restriction to the resident’s property may be removed by the municipality upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply and clearly demonstrate the need for public water service. The municipality shall develop a hardship application to be filed with the municipality, approved by the County Department of Health, and agreed to by the Department of Agriculture and Markets.
3. If it can be demonstrated to the Department’s satisfaction that the landowner requested the county to remove his or her land from an Agricultural District at the time of district review, and the County legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.

4. If land is removed from a county adopted, State certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commission for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.
5. Hydrants and valve boxes must not be placed directly in agricultural fields.

A motion was made by Coun Vitagliano, seconded by Coun Hurst to adopt the ZBA by laws.

Polled: Ayes: Hurst, Vitagliano, Tarbell
Noes: none Carried

A motion was made by Coun Hurst, seconded by Coun Vitagliano to adopt the Lockout/Tagout Policy.

Polled: Ayes: Hurst, Vitagliano, Tarbell
Noes: none Carried

A motion was made by Coun Vitagliano, seconded by Coun Hurst to approve the 2016-2017 Snow Contract with the County.

Polled: Ayes: Hurst, Vitagliano, Tarbell
Noes: none Carried

REGULAR TOWN BOARD MEETING, cont'd OCTOBER 8, 2015 7PM

A motion was made by Coun Hurst, seconded by Coun Vitagliano to increase the petty cash in Town Clerk Drapers office to \$100, currently it is \$35.

Polled: Ayes: Hurst, Vitagliano, Tarbell
Noes: none Carried

After a short discussion it was decided that the following people will serve on the Committee for the possible Genesee Falls Merger:

Mark Emmerson
Ron Ballinger
Betsy Kent
Colleen Bean

These names will be given to the Genesee Falls Supervisor for him to contact as they will be lead agent.

The Town and Village of Castile employees will be completing Violence in the Workplace training on October 27 to comply with PESH requirements.

Sup Tarbell stated that he is very pleased with this years' budget. He stated that again we are under the 2% tax cap (which is actually .73% this year). He stated that the Town incurred no debt from the \$1.7 million building. There will be a new dump truck and backhoe purchased for the Highway next year along with a new pickup truck for the Water/Sewer Department, he explained that over the last couple of years extensive repairs and upgrades have been made to the sewer department. It has been at least 7 years that the Councilman have received raises so they will be given an additional \$250 annually. He stated that overall the tax increase will be about 10 cents per thousand. The following comparisons were given to show where the increase came from:

	2015	2016
Basic outside rate:	\$3.3712	3.3777
Basic inside Village	1.6837	1.6901
Fire District	.3438	.3731
Light District	.2721	.3140

At 7:40PM Sup Tarbell closed the Public Hearing

A motion was made by Coun Vitagliano, seconded by Coun Hurst to adopt the 2016 budget.

Polled: Ayes: Hurst, Vitagliano, Tarbell

Noes: none Carried

REGULAR TOWN BOARD MEETING, cont'd OCTOBER 8, 2015 7PM

At 7:41 a motion was made by Coun Vitagliano, seconded by Coun Hurst to go into Executive Session regarding employee Tina McQuillen.

Polled: Ayes: Hurst, Vitagliano, Tarbell

Noes: none Carried

At 8:19PM a motion was made by Coun Hurst, seconded by Coun Vitagliano to come out of Executive Session.

A motion was made by Coun Hurst, seconded by Coun Vitagliano allowing Assessor McQuillen to change her hours, contingent upon approval from the Town of Perry, to the following:

Thursdays: 1PM-4:30PM

Saturdays: 9AM-Noon

Polled: Ayes: Hurst, Vitagliano, Tarbell

Noes: none Carried

A motion was made by Coun Vitagliano, seconded by Coun Hurst to allow D. Nourse to pre-order a 2014 New Holland Backhoe at the cost of \$81,800 with a \$15,700 trade in for the old one, giving a total of \$66,100 to be paid for after January 1, 2016.

Polled: Ayes: Hurst, Vitagliano, Tarbell
Noes: none Carried

At 8:22PM a motion was made by Coun Vitagliano, seconded by Coun Hurst to adjourn the meeting.

Polled: Ayes: Hurst, Vitagliano, Tarbell
Noes: none Carried