

SPECIAL TOWN BOARD MEETING September 6, 2016 10AM

Present: Sup Granger
 Coun Vitagliano
 Coun Hurst
 Coun Klein
 Coun Barber

Also present: ZEO Swede, K. Bohn, G. Baxter, B. Barton, R. Klein, D. Bausch

Meeting called to order at 10AM

SPECIAL TOWN BOARD MEETING September 6, 2016 10AM

The Town Board of the Town of Castile met with members of the ZBA and Zoning Officer Dave Swede to discuss property owned by Tom Swyers at 3745 Shearman Road. There is an ongoing issue with other residents on Shearman Road regarding a front setback variance that was granted by the ZBA on April 12, 2016.

Sup Granger stated that he understood that there had been a stop work order on the project in question (new construction for house and garage).

ZEO Swede stated that there had never been a stop work order done on this project and that he verbally asked T. Swyers to stop construction until a few issues were cleared up in which T. Swyers did comply.

ZEO Swede stated that Shearman Road is considered a 49.5' road but the actual measurement is only about 18'. He stated that normally he takes measurements for setbacks at the edge of the road but in this case he took the measurement from the center of the right of way in accordance with the paperwork that was submitted by T. Swyers' architect. At this time a variance of 33.3' was granted by the ZBA. On July 12, 2016 T. Swyers submitted to the ZBA Board another variance for a setback of 14' from the edge of the road, this variance was tabled until the ZBA could visit the site and another meeting was scheduled for August 9, 2016 and was ultimately denied. On August 22, 2016 a letter was received from T. Swyers' Attorney, Ray Sciarrino, stating that T. Swyers will continue building in accordance with the 1st variance that was granted. ZEO Swede at this time requested to T. Swyers to have a second survey done showing the center of the right of way in which T. Swyers complied. At this time ZEO Swede gave the go ahead to finish construction utilizing the first variance that was granted on April 12, 2016.

Coun Vitagliano feels that there was a breakdown in communication between ZEO Swede and the rest of the ZBA and questioned the ZBA as to where they are all at at this point with the project.

R. Klein stated that he feels that as long as T. Swyers is in compliance with the first variance that was granted then he is fine with it.

ZEO Swede stated that he has done the measurements and that from the center of the right of way to the start of the construction is 33'3". He also stated that he has driven around the lake and stopped counting when he got to 100 the number of houses that are closer than 14' from the edge of the road.

D. Bausch stated that the right of ways are all different for town roads, county roads, state roads etc and that he feels that the measurement should be taken from where the survey stakes are placed. He also stated that he would like to set up some workshop sessions for the ZBA to go over definitions and possibly change some of the setbacks at the lake.

Coun Klein stated that he feels the Town Board would be behind the ZBA to proceed with any workshops that they feel they would need.

SPECIAL TOWN BOARD MEETING September 6, 2016 10AM

It was decided that the Town Board stands behind the decision made by the ZBA and that the construction on the property at 3745 Shearman Road is in compliance with the original variance granted at the April 12, 2016 meeting.

At 11:12AM a motion was made by Coun Vitagliano, seconded by Coun Klein to go into Executive Session regarding a personnel issue.

Polled: Ayes: Vitagliano, Klein, Barber, Hurst, Granger
Noes: None Carried

At 11:35AM a motion was made by Coun Vitagliano, seconded by Coun Klein to come out of Executive Session.

Polled: Ayes: Vitagliano, Klein, Barber, Hurst, Granger
Noes: None Carried

No action taken

At 11:35AM a motion was made by Sup Granger, seconded by Coun Hurst to adjourn the meeting.

Polled: Ayes: Vitagliano, Klein, Barber, Hurst, Granger
Noes: None Carried

REGULAR TOWN BOARD MEETING

SEPTEMBER 8, 2016

7PM

Present: Sup Granger
Coun Hurst
Coun Klein
Coun Barber
Coun Vitagliano

Also present: J. Koch, M. Emmerson, M. Emmerson, B. Barton, K. Bohn, D. Swede, M. Hotchkiss, R. Uptegrove, J. Leathersich, D. Nourse, B. Bark

Sup Granger called the meeting to order at 7PM

The following vouchers were audited:

GENERAL FUND – TOWNWIDE	\$9,060.83
GENERAL FUND – OUTSIDE VILLAGE	126.65
HIGHWAY FUND – TOWNWIDE	2,755.69
HIGHWAY FUND- OUTSIDE VILLAGE	136,833.63
SILVER LAKE SEWER DISTRICT	25,404.53
GARDEAU WATER DISTRICT	1,290.10
SILVER LAKE WATER DISTRICT	619.02
SILVER LAKE LIGHTING DISTRICT	556.68
TOTAL	\$176,647.13

REGULAR TOWN BOARD MEETING, cont'd

SEPTEMBER 8, 2016

7PM

A motion was made by Coun Klein, seconded by Coun Barber to approve the vouchers totaling \$176,647.13.

Polled: Ayes: Vitagliano, Klein, Barber, Hurst, Granger
Noes: None Carried

There were no public comments

Mark Emmerson stated that he lives diagonally across the street from the house the Tom Sywers is building on Shearman Road. He stated that he had previously sent a letter to the Board Members pertaining to a telephone conversation that he had with ZEO Swede that he felt got out of control and afterwards contacted the Sheriff Department. He also feels that there are inconsistencies with what the residents on Shearman Road are being told in relation to the house being built and he is here to find out what is going on.

A motion was made by Coun Klein, seconded by Coun Barber to approve the Supervisor's Report.

Polled: Ayes: Vitagliano, Klein, Barber, Hurst, Granger
Noes: None Carried

D. Nourse presented his Highway Report. He stated that they have paved Sowerby between Abbott and Chamberlain Roads. He also stated that Diegel Road has been named a Private Road and that we do not need to go through the abandonment process. He wanted to clarify that contrary to what people have been hearing Shearman Road is not being paved this year.

D. Nourse went over the 3 different quotes from Accue Steel Cover Buildings Inc. for the salt storage shed. After a short discussion it was determined that the Board agreed to go with the mono cover with the high profile roof at the cost of \$121,597. D. Nourse will contact Accue Steel to see if we can tie into this quote but not start construction until the Spring as he would like to blacktop the floor.

Sup Granger questioned if blacktop would support the weight of the loader.

D. Nourse stated that if the apron is big enough it will be fine but he will look into getting a quote for concrete.

J. Koch presented his Water/Sewer Report. He stated that all transmitters that he had in stock have been installed for the drive by system and that he is waiting to hear back from the regarding the software for billing. J. Koch also stated that he had an emergency dig on Perry Ave. and low pressure on Janes Ave. There was also an emergency repair on a grinder wet well on 9/3/16 that took 9 hours to repair. He stated that Dylan Draper is back to school but will fill in when J. Koch is on vacation. He stated that he is getting ready for the 2 new multi smarts to be installed.

ZEO Swede presented his Zoning Report. He stated that he has written 2 permits and is working on 5 land separations for the October meeting. 3 for Tom Swyers and 2 for Jamie VanArsdale.

The Assessor's Report was reviewed.

Sup Granger stated that he has a meeting in Portageville on 9/15/16 at 7PM regarding the merger and also a meeting on 9/16/16 with Steve Perkins and the Village of Castile regarding a low pressure issue that they are having for Southview Farms. Sup Granger
REGULAR TOWN BOARD MEETING, cont'd SEPTEMBER 8, 2016 7PM

stated that he will be at a meeting for NYSAC from 9/18/16-9/21/16 and also has a meeting scheduled with Clark Patterson Lee coming up for the Comp Plan.

A motion was made by Coun Klein, seconded by Coun Hurst to accept Pam Sahrle's resignation with regret.

Polled: Ayes: Vitagliano, Klein, Barber, Hurst, Granger
Noes: None Carried

Clerk Draper reminded the Board that the October meeting has been changed to October 11 at 7PM.

A motion was made by Coun Klein, seconded by Coun Vitagliano to appoint JoJo Gozelski as sub registrar of vital statistics for the Town of Castile.

Polled: Ayes: Vitagliano, Klein, Barber, Hurst, Granger
Noes: None Carried

At 7:33PM a motion was made by Sup Granger, seconded by Coun Hurst to go into Executive Session regarding a contract with the Village of Perry.

Polled: Ayes: Vitagliano, Klein, Barber, Hurst, Granger
Noes: None Carried

At 8:02PM a motion was made by Sup Granger, seconded by Coun Vitagliano to come out of Executive Session.

Polled: Ayes: Vitagliano, Klein, Barber, Hurst, Granger
Noes: None Carried

No action taken

At 8:02PM a motion was made by Sup Granger, seconded by Coun Vitagliano to adjourn the meeting.

Polled: Ayes: Vitagliano, Klein, Barber, Hurst, Granger
Noes: None Carried