

REGULAR TOWN BOARD MEETING

JULY 13, 2017

7PM

Present: Klein, Hurst, Vitagliano, Barber

Also present: J. Koch, D. Kelly, M. Hotchkiss, B. Bark, B. Slattery, S. Noel, J. Conaway, R. Conaway, R. Zasowski, N. Eddy, S. Slattery, W. Baker, M. Zasowski, M. Emmerson, M. Jensen, M. Emmerson, J. Koronas

Dep Sup Klein called the meeting to order at 7PM

The following vouchers were audited:

GENERAL FUND – TOWNWIDE	\$53,132.18
GENERAL FUND – OUTSIDE VILLAGE	1,156.61
HIGHWAY FUND – TOWNWIDE	2,959.48
HIGHWAY FUND – OUTSIDE VILLAGE	10,491.96
SILVER LAKE SEWER DISTRICT	9,609.21
GARDEAU WATER DISTRICT	12,997.72
SILVER LAKE INSTITUTE WATER DISTRICT	34,969.00
SILVER LAKE LIGHTING DISTRICT	512.01
TOTAL	\$125,828.17

A motion was made by Coun Barber, seconded by Coun Hurst to approve the vouchers totaling \$125,828.17.

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

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R. Zasowski was present. He stated that whenever there is even a light rain his property gets flooded. He stated that the ditch isn't big enough to handle the amount of rain that we got today and that there is a lot of standing water in his yard and he is worried about damage to his home. He stated that stones are plugging the ditch and that there is tall grass that makes it so the ditch doesn't flow properly. He understands that there is no way to make the ditch bigger but suggested the Town look into installing additional piping to divert the water to the lake. He also stated that he understands that Shearman road is slated to be re-done and expressed that the end of his driveway (where it meets the road) cannot have any lip on it, not even an inch, as he can't get over it with his wheelchair to check the mail and go for walks. He asked D. Nourse to make sure that he tapers the road in front of his driveway.

Dep Sup Klein stated that if it is tapered there it will cause more of an issue with runoff with the water.

R. Zasowski stated that he would rather contend with the water/rain than not be able to get out and do what he needs to do.

D. Nourse will look into where the Town's right of ways are to see if he can remedy the situation. D. Nourse stated that part of the problem in this area is that the pipe reduces from 12" down to 8" right in front of his property.

Atty Kelly stated that he does not see a problem with this as long as the Town stays in our ROW.

Many other residents from Shearman Road were also present. They are concerned with the run off (flooding) from the farmer's field that is above their properties. It was stated that the farmer did dig a ditch behind 2 of the homes on Shearman and that it helped in that area but several of the other homes are flooding badly. It was asked that if the residents approach the farmer to see about digging a longer ditch and get nowhere with it would the Board be willing to step in.

Atty Kelly stated that it would be a Board decision but they have no more rights to make him do anything than the residents in attendance as it is private property.

M. Emmerson stated that he has spoken with the farmer and he stated that he isn't going to spend any money on this. He also questioned if maybe they should contact Water and Soil.

Dep Sup Klein stated that he felt that would be a good idea. He also stated that a Drainage District could be formed.

Atty Kelly explained that if the residents would like to look into forming a Drainage District they would first need to petition the Town. They would need to have a plan in place which would include engineer's reports, total costs, etc that would be totally funded by the residents. It would also need approval by the Comptroller's Office in

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Albany. He stated that it is a complicated process and suggested they meet with an Attorney.

Dep Sup Klein stated that he promises we will do what we can.

D. Nourse stated that he doesn't want to do anything down there and spend additional funds if the residents decide on a Drainage District.

Dep Sup Klein stated that we will wait until we hear from the residents on whether they want to proceed with a Drainage District before D. Nourse does any additional piping.

A motion was made by Coun Vitagliano, seconded by Coun Barber to approve the minutes from the 6/8/17 meeting.

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

A motion was made by Coun Vitagliano, seconded by Coun Hurst to approve the Sup Report.

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

J. Koch presented his Water/Sewer Report. He stated that the new garage door has been installed and he would like to have the old door declared as surplus and put out to bid.

A motion was made by Coun Hurst, seconded by Coun Vitagliano declaring an 8'X10' garage door as surplus and putting it out to bid.

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

J. Koch requested an additional 250 hours for his summer help. He stated that they have been getting a lot of things done and the original 500 hours that had been approved is almost gone. He stated that there have been multiple call outs that have used up a lot of time.

Dep Sup Klein asked if he wanted to utilize him through the end of the summer?

J. Koch stated that if he could at least get 250 more hours at this time if need be he could request additional hours at a later date.

A motion was made by Coun Vitagliano, seconded by Coun Hurst allowing for the Water/Sewer Department summer help to work an additional 250 hours.

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

J. Koch stated that the service truck (ambulance) is fully equipped and ready to go. He also stated that they have started to install the scaled back version of the multi-smarts and that all 4 should be complete within the next couple of weeks.

D. Nourse presented his Highway Report. He stated that they paved Swyers Road and that they will be grinding down Twin Bridges Road and that Camp Road is set to be

paved August 1. He stated that he spoke with Charlie from AccueSteele and that the blocks should be here in the next couple of weeks. He will contact him again to get a schedule from him.

Dep Sup Klein stated that we need to keep this on the front burner as we don't want to get any further behind on it.

A motion was made by Coun Barber, seconded by Coun Hurst to allow Dep Sup Klein to sign into the Intermunicipal Agreement as follows:

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

SILVER LAKE OUTLET SEDIMENT INTERMUNICIPAL AGREEMENT GRANT APPLICATION FEE THIS AGREEMENT, made this _____ day of _____, 2017, by and between the Village of Perry, a municipal corporation with its principal place of business at 46 North Main Street, Perry, New York 14530 ("hereinafter "Village"), and the Town of Perry, a municipal corporation with its principal place of business at, 22 South Main Street, Perry, NY 14530 (municipal) ; and the Town of Castile, a municipal corporation with its principal place of business at 53 North Main Street, Castile, NY 14427 (municipal) ; and the Silver Lake Watershed Commission, c/o 46 North Main Street, Perry, NY 14530 (municipal). Witnessed: WHEREAS, the municipals entered into agreement regarding the completion of a grant application from the 2017 Consolidated Funding Application Water Quality Improvement Program for the purpose of applying for funds for sediment removal in the Silver Lake Outlet. NOW, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows: 1. The Village will be the lead agent for this particular project. 2. The Village has signed an agreement with LaBella Associates to prepare a grant application for sediment removal in the Silver Lake Outlet through the 2017 Water Quality Improvement Program. 3. The Village and each Municipal has discussed the sharing of costs equally for this particular project as the proposed costs of \$3,500 as follows: 2 Village of Perry 25% \$ 875.00 Town of Perry 25% \$ 875.00 Town of Castile 25% \$ 875.00 Silver Lake Watershed 25% \$ 875.00 Commission 4. This Intermunicipal Agreement is for the fee to prepare the grant application for the removal of sediment in the Silver Lake Outlet only. 5. Any fees in excess of those set forth herein, are not authorized and may not be incurred without a written agreement from all parties included in this agreement. 6. This Agreement shall become effective upon each parties signature.

Atty Kelly reviewed the above document and found there to be no issues.

A motion was made by Coun Vitagliano, seconded by Coun Barber approving the following 2 resolutions:

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

Town Resolution for Abandonment of Paper Road Known as "South Road"; Created Under Map of Silver Grove Subdivision filed in Wyoming County Clerk's Office at Liber 3 of Maps page 27 and Traber Subdivision Map filed as Map 61-9 in the Castile Map Book at Page 89

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RESOLUTION # _____

Abandonment of paper road known as "South Road"; Created Under Map of Silver Grove Subdivision filed in Wyoming County Clerk's Office at Liber 3 of Maps page 27 and Traber Subdivision Map filed as Map 61-9 in the Castile Map Book at Page 89

Motion by: _____

Seconded by: _____

WHEREAS the Town of Castile has by the filing of a subdivision map, with proposed roads, been offered the right to create a Town Roads known as South Road pursuant to the Map of Silver Grove filed in the Wyoming County Clerk's office at Liber 3 of Maps page 27 and the Traber Subdivision Map filed as Map 61-9 in the Castile Map Book at Page 89,

WHEREAS the Town of Castile has never created, maintained, opened or operated roads known as South Road in the Silver Grove Subdivision east of the intersection of South, Luther and Grove Roads,

WHEREAS the Highway Superintendent for the Town has searched the inventory of highways and has found no notations for South Road east of the intersection of South, Luther and Grove Roads in the Silver Grove Subdivision.

WHEREAS the Town of Castile has no intention of ever opening, maintaining or operating the offered South Road in the Silver Grove subdivision east of the intersection of South, Luther and Grove Roads.

WHEREAS after consultation with the Deputy Superintendant of Highways and the head of the Sewer and Water Department, it was determined that the Town desires to maintain a 30 ft Right of Way to retain its ability to access the sewer line running on the lake side of the parcel to be quit claimed. This 30 foot Right of Way is to run from the intersection of South, Grove and Luther Roads to the high water mark of Silver Lake along the existing driveway and lawn for the maintenance of the Town's sewer line,

WHEREAS the Town Supervisor shall be authorized to sign quit claim deedings to property owners affected by the paper road as shown on the filed subdivision map eliminating the Town's rights to open, create, maintain or operate the paper road known as South Road to the east of the intersection of South, Luther and Grove Roads, the cost of the recording with the Wyoming County Clerk and any Town Attorney fees in preparing and/or reviewing the deedings shall be borne by the requesting property owners,

RESOLVED that the Town of Castile ABANDONS any and all rights to open, maintain, construct or operating the paper road being South Road, east of the intersection of South, Grove and Luther Roads, as offered in the Silver Grove Subdivision as set out in the Wyoming County Clerk's office at Liber 3 of Maps Page 27 and the Traber Subdivision Map filed as Map 61-9 in the Castile Map Book at page 89, in consideration of the grant of a 30 foot right of way across said parcel to the Town's benefit for maintenance of the Town's sewer line.

ADOPTED: VOTE-AYES: _____ NAYS: _____

Town Resolution

for

Abandonment of Paper Road Known as "Old Orchard Drive" Created Under Map of Old Orchard Beach Subdivision filed in Wyoming County Clerk's Office at page 84 on July 14, 1928

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RESOLUTION # _____

Abandonment of paper road known as "Old Orchard Drive" Created Under Map of Old Orchard Beach Subdivision filed in Wyoming County Clerk's Office Maps page 84

Motion by: _____

Seconded by: _____

WHEREAS the Town of Castile has by the filing of a subdivision map, with proposed roads, been offered the right to create a Town Road known as Old Orchard Drive pursuant to the Map of Old Orchard Beach filed in the Wyoming County Clerk's office at Maps page 84

WHEREAS the Town of Castile has never created, maintained, opened or operated roads known as Old Orchard Drive in the Old Orchard Beach Subdivision,

WHEREAS the Highway Superintendent for the Town has searched the inventory of highways and has found no notations for Old Orchard Drive,

WHEREAS the Town of Castile has no intention of ever opening, maintaining or operating the offered Old Orchard Drive,

WHEREAS the Town Supervisor shall be authorized to sign quit claim deeding to property owners affected by the paper road as shown on the filed subdivision map eliminating the Town's rights to open, create, maintain or operate the paper road known as Old Orchard Drive, the cost of the recording with the Wyoming County Clerk and any Town Attorney fees in preparing and/or reviewing the deeding shall be borne by the requesting property owners,

RESOLVED that the Town of Castile ABANDONS any and all rights to open, maintain, construct or operating the paper road being Old Orchard Drive, as offered in the Old Orchard Beach Subdivision as set out in the Wyoming County Clerk's office at Maps Page 84.

ADOPTED: VOTE – AYES: _____ NAYS: _____

A motion was made by Coun Barber, seconded by Coun Vitagliano allowing Sup Granger and Dep Sup Klein to sign the letters of support for the Village of Perry for the grant applications for the Public Beach and Silver Lake Trail.

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

A motion was made by Coun Vitagliano, seconded by Coun Hurst allowing Sup Granger to sign into the Snow Contract with Wyoming County.

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

The Board members agreed upon a sign for Jackson Memorial Cemetery.

A motion was made by Coun Vitagliano, seconded by Coun Barber approving the quote given by Robb's Glass for \$1729 for the partition for the Clerk's front window, to be divided 30% (Village) and 70% (Town).

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

James Schlick from Board of Elections contacted Clerk Draper and asked if the voting could take place in the Government Center from now on.

A motion was made by Coun Vitagliano, seconded by Coun Barber to move the polling site for voting back to the Government Center.

Polled: Ayes: Barber, Vitagliano, Klein
Noes: Hurst Carried

Coun Barber stated that he was contacted by someone from the church asking if the Town would be willing to help with a Community Christmas Celebration. He stated that he is willing to go to the meetings to see in what capacity they are looking for help.

A motion was made by Coun Vitagliano, seconded by Dep Sup Klein approving a monetary donation for the Community Christmas Celebration at a rate to be determined after the meeting held at the church.

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

The Silver Springs Fire Contract was reviewed and a motion was made by Coun Hurst, seconded by Coun Vitagliano to increase the amounts to \$9000 for 2018, \$9500 for 2019 and 10,000 for 2020.

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

At 8:33PM a motion was made by Coun Hurst, seconded by Coun Vitagliano to adjourn the meeting.

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