

On May 16, 2011 the Regular Meeting of the Attica Town Board was held in the Board Room of the Municipal Building, 9 Water Street, Attica, New York, with the following members present:

|                 |                    |                        |
|-----------------|--------------------|------------------------|
| <b>PRESENT:</b> | Douglas P. Patti   | Supervisor             |
|                 | Howard Barraclough | Councilman             |
|                 | Ralph Mucher       | Councilman             |
|                 | Angelo Corcimiglia | Councilman             |
|                 | Gary Wysko         | Councilman             |
|                 | Bruce Kriger       | Highway Superintendent |
|                 | Kristen Mell       | Town Clerk             |
|                 | William Stranahan  | Zoning Officer         |
|                 | Debbie Kaiser      | Court Clerk            |

**ABSENT:** None

**OTHERS PRESENT:** Mark Burry, Doug Stedman, Bill Hardie, Mary Beth Hardie, Claudia Hardie, Bill Stedman, Raymond Caryl and Stuart Hempel.

The workshop commenced at 6:30pm. The Councilmen reviewed the Abstract, the Supervisor's, Town Clerks, and Justice Reports.

At 7:00pm Supervisor Patti called the meeting to order with the Pledge to the Flag. Supervisor Patti then requested a moment of silence to honor our military.

**PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS:**

- Supervisor Patti welcomed Claudia Hardie to the meeting and presented her with the 2011 Supervisor's Scholarship Award for a week at Camp Wyomoco.
- Stuart Hempel reviewed some information with the board regarding the Orangeville wind turbines. Mr. Hempel did indicate that there have been 2 appeals from land owners to not have turbines, but the Town of Orangeville has won both appeals.

## **RESOLUTION 2011-40**

### **Approval of Minutes from April 18, 2011 Meeting:**

On a motion by Councilman Corcimiglia, seconded by Councilman Wysko, the following resolution was ADOPTED                      Ayes    5            Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays    0

Resolved that the minutes of the April 18, 2011 meeting be approved as presented/corrected.

### **HIGHWAY SUPERINTENDENT'S REPORT:**

- Salt barn is full for next season.
- Graded all dirt roads.
- Minimum maintenance roads will be graded when weather permits. Still really wet.
- Will be beginning major road project soon.
- Driveway tube installed for new house on Jillson Road.
- Helped Village on West Ave. paving project.
- One bid received on scraper blade.
  - Alexander Equipment, \$2,228.00
  
- Five bids received on new pick up truck.
  - Basil Ford, \$20,450.00
  - Van Bortel Ford, \$21,263.00
  - West Herr Ford, \$21,998.00
  - Spurr Chevrolet, \$22,119.00
  - Kelly Motor Corp., \$22,600.00
  
- There are 23-25 trees on Maplewood to be taken down. Estimate from tree service is about 3-4 days with the Town helping do clean up and cost of \$3,500-\$4,500 for the trees to be taken down. Supervisor Patti will be contacting owner of the trees to review this information and where the mulch will be taken after all is done.

### **ZONING OFFICER'S REPORT:**

- There were four permits issued in the month of April 2011:

|              |        |                 |                        |
|--------------|--------|-----------------|------------------------|
| ○ M. Merle   | #11-04 | Merle Road      | Agricultural Structure |
| ○ G. Weaver  | #11-05 | Jillson Road    | New Home               |
| ○ J. Donohue | #11-06 | Fullington Road | Pool and Deck          |
| ○ B. Kehl    | #11-07 | Route 98        | Addition               |
- There are no permits pending approval:
  
- There were no verbal warnings issued and no written warnings or summons issued during the month of March.
- Once the updated Town of Attica Zoning Laws has been approved by the State, letters will be sent out to residents which will be affected by the changes to the law which require Zoning Permits.

- Letter was received from the Town Attorney regarding water issue to a resident on Route 98. Wyoming County Soil and Water and Department of Health will be reviewing this issue as it is not part of the Attica Town Zoning Laws.

#### **TOWN CLERK'S CORRESPONDENCE:**

- Senior Lunch will be held on Friday, May 20, 2011 at the high school, have received 90 reservations.

#### **SUPERVISOR'S CORRESPONDENCE:**

- Letter received from Assemblyman Burling regarding the CHIPS funding.
- Email received from Wyoming County Highway Superintendent Gadd regarding sand bids. Hanson did not bid this year for County bid.
- Thank you letter received from Attica Area Chamber of Commerce for the Town supporting their Concerts in the Park.
- Letter received from Senator Gallivan regarding the 2011 NYS Budget with the state increasing state mandated programs for each county to run.
- Validation for April 2011, from NYS Retirement System.
- WBEN News Radio 930 Article which Supervisor Patti spoke of prison closures in NYS.
- Intercommunity Medical Building Roster.

#### **SUPERVISOR'S COUNTY REPORT:**

- FCC information received regarding the January 2013 compliance on Narrowband radios and rules. Wyoming County and the Towns within the County are working together on this to be in compliance.
- County Highway Superintendent update on the Exchange Street reconstruction project in the Village of Attica.
- PREA Standards as mandated from the Federal Government.
- Semi-Annual mortgage tax distributions for Wyoming County.
- Email received for the 2011 State Equalization rates, the Town of Attica is at 100%.
- Wyoming County has received \$300,000 for use on a high risk rural road project. This money will be used to make much needed improvements to Capwell corners in the Town of Middlebury.
- Wyoming County Soil and Water grant application process information received.
- Wyoming County Board of Supervisors introduced local law #D – A Local Law Relating to Decorum at Funeral Related Events.

#### **RESOLUTION 2011-41**

#### **Monthly Reports:**

On a motion by Councilman Mucher, seconded by Councilman Barraclough, the following resolution was ADOPTED                    Ayes 5                    Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays 0

Resolved that the Supervisor's, Town Clerk's, and Justices' April reports be accepted as submitted.

## **RESOLUTION 2011-42**

### **Pay the Bills:**

On a motion by Councilman Barraclough, seconded by Councilman Corcimiglia, the following resolution was ADOPTED Ayes 5 Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays 0

Resolved that the bills as presented by the Audit Committee be paid from Abstract 005 in the following amounts:

|      |            |         |             |
|------|------------|---------|-------------|
| "A"  | voucher(s) | #90-112 | \$9,596.88  |
| "B"  | voucher(s) | #18-19  | \$77.23     |
| "DA" | voucher(s) | #35-47  | \$56,626.71 |
| "DB" | voucher(s) | #3      | \$1,951.53  |

### **VILLIAGE LIASION:**

- N/A

### **OLD BUSINESS:**

- N/A

### **NEW BUSINESS:**

- Founders' Day will be Held June 4, 2011. Due to construction, there will not be a parade.

## **RESOLUTION 2011-43**

### **Issue a Negative Declaration of Environmental Significance Relating to the Enactment of a Town Zoning Local Law**

On a motion by Councilman Corcimiglia, seconded by Councilman Barraclough, the following resolution was ADOPTED Ayes 5 Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays 0

Resolved to Issue a Negative Declaration of Environmental Significance Relating to the Enactment of a Town Zoning Local Law.

#### **RESOLUTION 2011-44**

##### **Adopt Zoning Local Law which will be Effective upon the Filing with the Secretary of State**

On a motion by Councilman Barraclough, seconded by Councilman Wysko, the following resolution was ADOPTED Ayes 5 Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays 0

Resolved to Adopt Zoning Local Law which will be Effective upon the Filing with the Secretary of State.

- Supervisor Patti thanked Chairman Lanny Blum and the entire Planning Board for their hard work and dedication that went into creating this updated Zoning Law for the Town of Attica. The last Zoning Law was erected in 1967 and had a few changes over the years.

#### **RESOLUTION 2011-45**

##### **Approve Attica Sports Boosters as the Organization of the Month for June 2011 on the Town Website**

On a motion by Councilman Barraclough, seconded by Councilman Corcimiglia, the following resolution was ADOPTED Ayes 5 Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays 0

Resolved to Approve Attica Sports Boosters as the Organization of the Month for June 2011 on the Town Website.

#### **RESOLUTION 2011-46**

##### **Approve All About You as the Business of the Month for June 2011 on the Town Website**

On a motion by Councilman Mucher, seconded by Councilman Barraclough, the following resolution was ADOPTED Ayes 5 Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays 0

Resolved to Approve All About You as the Business of the Month for June 2011 on the Town Website.

**RESOLUTION 2011-47**

**Declare the Week of June 5-11, 2011 as Don Rogers Week in the Town of Attica**

On a motion by Councilman Barraclough, seconded by Councilman Corcimiglia, the following resolution was ADOPTED Ayes 5 Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays 0

Resolved to Declare the Week of June 5-11, 2011 as Don Rogers Week in the Town of Attica. Mr. Rogers is retiring at the end of this school year after \_\_\_ years of service to the Attica School District. Mr. Rogers' dedication and hard work have touched the lives of thousands of children whether they were in the band or not and through his hard work, the Attica Mighty Marching Blue Devils have brought pride to our community.

**RESOLUTION 2011-48**

**Approve the Purchase of a 2011 Pick Up Truck for the Highway Superintendent**

On a motion by Councilman Mucher, seconded by Councilman Corcimiglia, the following resolution was ADOPTED Ayes 5 Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays 0

Resolved to Approve the Purchase of a 2011 Pick Up Truck for the Highway Superintendent from Basil Ford at \$20,450.00.

**RESOLUTION 2011-49**

**Approve upon Receipt of the New Pick Up Truck, to Sell the 2009 Pick Up Truck**

On a motion by Councilman Wysko, seconded by Councilman Barraclough, the following resolution was ADOPTED Ayes 5 Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays 0

Resolved to Approve, upon Receipt of the New Pick Up, Truck to Sell the 2009 Pick Up Truck.

**RESOLUTION 2011-50**

**Approve the Purchase of a Scraper Blade for the Town Tractor**

On a motion by Councilman Barraclough, seconded by Councilman Corcimiglia, the following resolution was ADOPTED Ayes 5 Mucher, Barraclough, Corcimiglia, Wysko, Patti

Nays 0

Resolved to Approve the Purchase of a Scraper Blade for the Town Tractor from Alexander Equipment at \$2,228.00.

**RESOLUTION 2010-51**

**Supervisor Requests to Enter into Executive Session**

On a motion by Councilman Barraclough, seconded by Councilman Corcimiglia, the following resolution was ADOPTED Ayes 5 Mucher, Barraclough, Wysko, Patti

Nays 0

Resolved to enter into Executive Session at 7:57pm to discuss ongoing assessment litigation and safety issue.

At 8:22, a motion by Councilman Mucher, the Board came out of Executive Session.

The next meeting of the Attica Town Board will be held Monday June 20, 2011, at 7pm with the workshop beginning at 6:30pm.

There being no other business to come before the Board at this time, Councilman Wysko moved to adjourn the meeting at 8:23pm. Unanimous.

Respectfully submitted,

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Kristen Mell, Town Clerk