

On October 17, 2011 the Regular Meeting of the Attica Town Board was held at the Attica Historical Society, 130 Main Street, Attica, NY, with the following members present:

PRESENT: 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

ABSENT: None

OTHERS PRESENT: Ray Caryl, Stu Hempel, Mark Burry, Rick Burry, Attica Village Mayor – Bill Lepsch, Gina Lepsch, Arnold Sprague, Eadie Krauss, and Gail Shadboldt.

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:

- At this time Supervisor Patti thanked the Historical Society members for allowing the Town of Attica hold its October Board meeting at the Historical Society. Gail Shadboldt did announce as of January 2012, she will be retiring as the President of the Historical Society. Gail has served as president for the last 16 years to the Historical Society.

RESOLUTION 2011-88

Approval of Minutes from September 19, 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 September 19, 2011 Meeting be approved as presented/corrected.

HIGHWAY SUPERINTENDENT'S REPORT:

- Ditching on Mengers Road continuing.
- Mowing roadsides.
- Truck inspections due this month and working on installing plow frames for upcoming winter season.
- Radio in new pick up has been installed, will have 2009 pick up in an online auction this month.
- Roof project started last week.
- Town highway employees have been helping the Village of Attica with road work for the last 2 weeks.
- Ray Caryl did comment on a hole on Merkle Road/Exchange Street. Superintendent Kriger will get this repaired.
- Letter received from Intercommunity Medical Building regarding the work done by the Town of Attica to their parking lot, thanking Highway Superintendent, Bruce Kriger, for his cooperative effort and excellent work.

ZONING OFFICER'S REPORT:

- There were four permits issued in the month of September 2011:
 - J. Baker #11-30 Nesbitt Road Pole Barn
 - K. Babin #11-27 Jillson Road Land Separation
 - Village of Attica #11-28 Dunbar Road Water Tank
 - M. Norcross #11-29 Attica Gulf Road Garage

- There were no permits pending approval for September.
- There were no verbal warnings issued nor written warnings issued during the month of September.

TOWN CLERK’S CORRESPONDENCE:

- Letter received from Town Attorney, regarding letter Clerk Mell received from Mr. and Mrs. St. Pierre, who have an unlicensed dog within the Town. This letter indicated the Dog Control Officer had trespassed during the dog enumeration and they are fining the Town of Attica for this. Based on information received from the Town Attorney, this fine, the resident is requiring from the Town due to trespassing is not applicable, as the Dog Control Officer, has the right to enter property due to the Town Law. A letter will be sent to the St. Pierre’s regarding this information and to license their dog.

SUPERVISOR’S CORRESPONDENCE:

- NYS Retirement report, monthly report has passed validation.
- Information received from Senator Gallivan regarding Medicaid reform.
- Time Warner Cable franchise fee check received in the amount of \$2,185.28.
- NYS Department of Taxation State Aid check received in the amount of \$27,587.
- Letter received from Tri-County Drift Hoppers regarding the state requiring double staking of snowmobile trails.
- Letter received from Wyoming County Board of Supervisors, regarding the discontinuation of grant writing fees paid from the County.
- Article regarding the failing infrastructure system in NYS.
- Senator Gallivan will be speaking at an Agricultural Forum in Geneseo.
- Wyoming County EMS Director, Tony Santoro, submitted dates/times for upcoming All-Hazard Mitigation meetings.

SUPERVISOR’S COUNTY REPORT:

- Updates on Exchange Street road project.
- Wyoming County Youth Bureau, re: 2012 funding and cutbacks.
- NYSAC update and resolutions.
- Wyoming County Highway Department sold culverts to Essex County. The culverts were needed due to the recent flooding in that area.
- Resolution #7 – Order of Protection for Deer Approved.
- Resolution #8 – Confinement of Dogs in Wyoming county Authorized.
- Resolution #9 – Resolution Opposing the Power NY Act of 2011.
- Update on the ProAct discount card benefits and savings to date.
- Workers’ Compensation update.
- Wyoming County OFA re: Identity theft against senior citizens, AARP 55 Alive Defensive Driving Course, and their annual Halloween party.

RESOLUTION 2011-89

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’ September reports be accepted as submitted.

RESOLUTION 2011-90

Pay the Bills:

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 bills as presented by the Audit Committee be paid from Abstract **010** in the following amounts:

“A” voucher(s) #200-218 \$31,852.17

“B”	voucher(s)	None this month	
“DA”	voucher(s)	#66-70	\$3,227.09
“DB”	voucher(s)	#12	\$317.97

VILLIAGE LIASION: N/A

OLD BUSINESS:

- Received letter from SEMO regarding Town of Attica’s letter of intent for stream bank stabilization projects on Route 98. All paperwork has been submitted from the grant writer. This is still being reviewed for consideration.

NEW BUSINESS:

RESOLUTION 2011-91

Hold the November 21, 2011 Town Board Meeting at the Attica High School Auditorium

On a motion by Councilman Wysko, seconded by Councilman Corcimiglia, the following resolution was ADOPTED

Ayes	5	Mucher, Barraclough, Corcimiglia, Wysko, Patti
Nays	0	

Resolved to hold the November 21, 2011 Town Board Meeting at the Attica High School Auditorium as part of Local Government education classes. Senator Gallivan will also be attending this meeting.

RESOLUTION 2011-92

Hold Public Hearing for 2012 Town Budget

On a motion by Councilman Corcimiglia, seconded by Councilman Mucher, the following resolution was ADOPTED

Ayes	5	Mucher, Barraclough, Corcimiglia, Wysko, Patti
Nays	0	

Resolved to hold a public hearing for the 2012 town budget on Wednesday, November 2, 2011, at 7pm, Municipal Building, 9 Water Street, Attica, NY.

RESOLUTION 2011-93

Oppose the Power of NY Act of 2011

On a motion by Councilman Barraclough, seconded by Councilman Mucher, the following resolution was ADOPTED

Ayes	5	Mucher, Barraclough, Corcimiglia, Wysko, Patti
Nays	0	

Resolved to oppose the Power of NY Act of 2011. This resolution supports the Attica Town Board’s opposition and expresses its deepest disappointment and concern over the enactment of the Power NY Act of 2011. This will remove decision making from local municipalities and will put that authority into the hands of a NYS Board with little local representation. Copies of this resolution will be sent to Senator Patrick Gallivan, Assemblyman Daniel Burling and Governor Andrew Cuomo.

RESOLUTION 2011-94

Pay Town Attorney Quarterly Bill

On a motion by Councilman Mucher, seconded by Councilman Wysko, the following resolution was ADOPTED

Ayes	5	Mucher, Barraclough, Corcimiglia, Wysko, Patti
Nays	0	

Resolved to pay the town attorney quarterly bill, which was not audited by the audit committee.

RESOLUTION 2011-95

Apply for Grant for the Town of Attica’s Share of Reimbursement with the 2012 Summer Recreation Program

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 apply for grant for the Town of Attica's share of reimbursement with 2012 summer recreation program that we jointly fund with the Village of Attica.

RESOLUTION 2011-96

Supervisor Patti to Submit Letters of Opposition Regarding Snowmobile Club Trail Requirements

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 allow Supervisor Patti to submit letters of opposition regarding snow mobile club trail requirements to Senator Patrick Gallivan and Assemblyman Daniel Burling. The Town of Attica opposes the recently imposed mandate of double staking on the snowmobile trails and legislation only adds another unfunded mandate onto the snowmobile clubs who greatly add to the economy within the Town of Attica and Wyoming County.

RESOLUTION 2011-97

Authorize Transfer of \$50,000 from DA9901.9 to A9901.9

On a motion by Councilman Wysko, seconded by Councilman Corcimiglia, the following resolution was

ADOPTED Ayes 5 Mucher, Barraclough, Corcimiglia, Wysko, Patti
 Nays 0

Resolved to authorize transfer of \$50,000 from DA9901.9 to A9901.9. This transfer will cover the cost of the roof project at the highway garage and will be replaced with funding the Town received from Senator Gallivan.

RESOLUTION 2011-98

Approve Land Separation Request of Thomas Ziegler and Hermann Weber

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 Land Separation request of Thomas Ziegler and Hermann Weber. Land Separation application has not been received or reviewed by the Zoning Officer, Town Clerk or Planning Board.

Resolution Number: 2011-98

Date: October 17, 2011

Land Separation Application of Thomas Ziegler and Hermman Weber Approved
Whereas, Thomas Ziegler has submitted a Land Separation Application to separate 25.490 acres to Hermann Weber; and

Whereas, Hermann Weber, has agreed to accept this land with his contract agreement with Thomas Zieger; and

Whereas, the and Attica Town Board has reviewed and approved this application and agreed to the separation, although the application has not been received or reviewed by the town of Attica Zoning Officer or Attica Town Planning Board; now therefore

Be It Resolved, the Town of Attica hereby agrees to the Land Separation Application of Thomas Ziegler be approved at the Town of Attica Board meeting held on October 17, 2011.

Carried: YES Ayes: 5 Noes: 0 Absent: 0

Abstained: 0

- Supervisor Patti updated the Board with the WCCH work and improvements.
- Supervisor Patti updated the Board on the recent NYS developments pertaining to unfunded mandates and the impact they continue to have on the Towns, Villages, Counties and School Districts within NYS.
- Ray Caryl voiced his opinion of cutbacks within the County and why library funding is also being cut.

- Mr. Caryl disagrees with Supervisor Patti supporting not cutting back at the Youth Bureau, but cutting back libraries.

The next meeting of the Attica Town Board will be held Monday November 21, 2011, at 1pm with the workshop beginning at 12:30pm. This meeting will be held at the Attica High School Auditorium.

There being no other business to come before the Board at this time, Councilman Wysko moved to adjourn the meeting at 8:15pm. Unanimous.

Respectfully submitted,

Kristen Mell, Town Clerk