

December 13, 2010

Alexander Town Board Regular Meeting and Public Hearing

Alexander Town Hall 7:00 p.m.

Present: Supervisor Ruth Hulshoff
Town Board: Joseph Higley, Emma Jean Grant, William Schmieder, William Hirsch
H'way. Supt: Tom Lowe
Town Clerk: Laura Schmieder
Guests: Eric Wagner, Johnny Newton, Letha Kreutter, Sue Gilhooly

The meeting was called to order at 7:00 pm by Supervisor Hulshoff. The Pledge of Allegiance was recited and a moment of silence for our servicemen and women.

The Clerk read the Notice of Public Hearing for the Local Law entitled "Dog Control Law of the Town of Alexander," which was published on November 17, 2010. On motion by Councilperson Higley, seconded by Councilperson Grant, and carried, the Public Hearing on the Local Law was opened at 7:00 p.m.

On motion by Councilperson Hirsch, seconded by Councilperson Higley, and carried, to approve the November 8, 2010 Regular Meeting and Public Hearing minutes as presented. 5 – Yes Hulshoff, Grant, Schmieder, Higley, Hirsch 0 – No Motion carried

COMMUNICATIONS: Thank you letter from Tri-Town Youth for contribution made; letter from student Ben Stryker regarding a roadway to the Field of Dreams; letter from Rich Guarino informing us that Ben Eddy received the rank of Eagle Scout; Thank you letter from Genesee County Legislature re: letter of support for Genesee Justice; Certificate of Completion from James Orr-the newly elected Justice; Genesee County Legislature agendas; newsletters from Office for the Aging and Mercy Flight;

Sue Gilhooly of Bethany asked to speak to the Board to voice her sincere gratitude to Charles Say, Alexander Highway employee. He was snowplowing his route and stopped to help her daughter who had been in a serious auto accident. Charlie was first on the scene. She wanted the Board to know what had happened and how thankful she is for the quick actions on Charlie's part.

There were residents present who had questions for the Board. They want to know when they can expect answers to the letters presented to the Board earlier this year. The Supervisor stated that the Board wants residents to know that they care about their concerns. It was stated that Assessor Conti reportedly didn't give answers to residents who questioned their assessments-this was the common concern. One resident stated that an assessment should not be raised by \$100,000. when it was supposedly assessed at 100% the year before. The Board will be talking with the Assessor in regard to the cyclical assessment program that goes into effect in 2012. This should make assessments more fair and equitable. The Board will set up an informational meeting with the Assessor, the BAR and residents to answer questions. We need to work together to make it all work for the future.

REPORTS:

CEO/ZEO: Karl asked the Clerk to present the correspondence he received from Town Attorney David DiMatteo in regard to property maintenance issues. He presented 4 options for local laws that would deal with this. Karl will give these to the Planning Board with his recommendation so that the Town can move forward with adopting a local law to provide for the levying of taxes on these properties that are improved by cleanup/repair.

Town Clerk: a)the update for dog licensing has not yet been received from BAS; b) the tax bills should be received by the week of the 20th for processing; c) R.A. Haitz completed the work on the roof and cupola on 11/10; d) Sallome came on 11/12 to check the furnaces for winter; e) Councilperson Grant and a few other residents prepared the wreaths for hanging and Highway Supt. Tom Lowe placed them on the building 12/1 and 12/3-they were all thanked by the Board for their efforts; f) the Clerk's office will be closed on Dec. 24th and 31st for the Holiday.

Supervisor Financial: the mortgage tax check was received-a little lower than budgeted for 2010; the Health and Hospital Participation Agreements were received and filed;

Highway Supt.: a) been fighting the snow-minor repairs to equipment; b) the electric has been run to the transformer box at the salt shed-will need to have an electrician take it into the shed; c) we need to put in stone around the culvert and finish grading before the state releases the performance bond; d) the men are now hauling out of the new salt shed; e) there was a resident caught taking stone from a pile on Day Road-he made restitution to the Town;

RES. NO. 66: PROPERTY MAINTENANCE

On motion by Councilperson Hirsch, seconded by Councilperson Grant, and carried, to allow CEO Karl Bender to present copies of all the samples of Property Maintenance Local Laws to the Planning Board with his recommendation. 5 – Yes Hulshoff, Grant, Schmieder, Higley, Hirsch 0 – No Motion carried

RES. NO. 67: YEAR END BUDGET TRANSFERS AND AMENDMENTS

On motion by Councilperson Hirsch, seconded by Councilperson Higley, and carried, to authorize the Supervisor to make the necessary budget transfers/amendments to balance the 2010 budget. 5 – Yes Hulshoff, Grant, Schmieder, Higley, Hirsch 0 – No Motion carried

OLD BUSINESS:

Salt barn update: Stu Brown's office prepared the vouchers to be sent to the State under the Mary Lou Rath member item funding for the salt shed reimbursement

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Water Districts Update: paperwork received from Stu Brown's office-action taken below; the Petition to Request a Water District on Pike Road has been signed and witnessed by the Clerk-it will be forwarded to the Town Attorney.

Pike Road resident update: Mr. Chojnacki was not present tonight as he requested. A copy of a letter sent to him by the Town Attorney was distributed to the Board.

On motion by Councilperson Higley, seconded by Councilperson Grant, and carried, the Public Hearing for the Local Law "Dog Control" was closed. 5 – Yes Hulshoff, Grant, Schmieder, Higley, Hirsch 0 – No Motion carried

NEW BUSINESS:

RES. NO. 68: ADOPTION OF LOCAL LAW FOR DOG CONTROL

WHEREAS, all Town Board Members, having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Law (Public Meetings Law), said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the purpose of this local law is to provide for the licensing and identification of dogs, the control and protection of the dog population and the protection of persons, property, domestic animals and deer from dog attack and damage; and

WHEREAS, a Notice of Public Hearing was duly published in the Town's official newspaper and said public hearing was held on December 13, 2010 at which time all parties in attendance were provided an opportunity to speak or provided written comment in favor of or in opposition to the proposed local law;

WHEREAS, that the Town Board of the Town of Alexander feels it is in the best interests of the Town of Alexander to adopt said law.

NOW ON MOTION OF Councilperson Joseph Higley, which has been duly seconded by Councilperson Emma Jean Grant, therefore, be it

RESOLVED, that the Town Board of the Town of Alexander feels it is in the best interests of the Town of Alexander to adopt Local Law No. 2 of 2010 entitled, "Dog Control Law of the Town of Alexander;" and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York.

5 – Yes Hulshoff, Grant, Schmieder, Higley, Hirsch 0 – No Resolution adopted

RES. NO. 69: DOG LICENSE FEES SET

On motion by Councilperson Hirsch, seconded by Councilperson Higley, and carried, the following:

WHEREAS, the Town Board of the Town of Alexander has adopted Local Law #2 of 2010 entitled "Dog Control Law of the Town of Alexander;" and

WHEREAS, this local law mandates a surcharge of \$1.00 for spayed/neutered dogs, and \$3.00 for unspayed/unneutered dogs as set forth in Section 110-4 of Ag and Markets Law for the purpose of carrying out animal population control; therefore

BE IT RESOLVED, that the dog license fees for the Town of Alexander be set at \$5.00 for spayed/neutered dogs, and \$13.00 for unspayed/unneutered dogs, effective January 1, 2011. Yes – 5 Hulshoff, Grant, Schmieder, Higley, Hirsch 0 – No Motion carried

After discussion, it was decided to table the Agreement for the Expenditure of Highway Monies until the end of the year meeting.

RES. NO. 70: SEQR RESOLUTION FOR WATER DISTRICT NO. 2

Councilperson Higley moved adoption of the following resolution; Councilperson Grant seconded the motion:

RESOLVED, that in accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Alexander announces its intent to serve as Lead Agency to conduct an environmental review under Section 617.7 of the New York State Codes, Rules and Regulations (NYSCRR) of a project to establish the Town of Alexander Water District No. 2. The creation of the proposed water district will allow for the extension of public water service along a portion of NYS Route 98. The water system improvements will eventually involve the construction of approximately 21,500 l.f. of watermain and will provide public water service to approximately 65 residential units.

FURTHER RESOLVED, that the Town Board has determined that the proposed action is an "Unlisted Action" as defined under SEQR.

FURTHER RESOLVED, that the Town Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of potential environmental impact of the above listed action. The Town Board hereby accepts the environmental assessment of the proposed project prepared by Stuart I. Brown Associates, Inc., dated December 13, 2010. The Town Board further declares that, based on the environmental assessment which has been prepared, the project will result in no major impacts and, therefore will not cause significant damage to the environment. A Negative Declaration under SEQR is therefore issued for this project.

Upon being put to a vote, this resolution was adopted with a 5 – Yes (Hulshoff, Grant, Schmieder, Higley, Hirsch) 0 – No vote

The end of the year meeting was scheduled for December 29, 2010 at 6:30 p.m. The Town Clerk will advertise.

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On motion by Councilperson Hirsch, seconded by Councilperson Higley, and carried, to pay the bills on Abstract #12 as follows:

General Fund A	Vouchers 238 – 271	\$24,025.02
General Fund B	Vouchers 85 - 92	3,595.78
Highway Fund A	Voucher 19	1,785.49
Highway Fund B	Vouchers 174 – 195	56,391.28
Highway Fund H	Vouchers 46 - 28	94,905.18

On motion by Councilperson Higley, seconded by Councilperson Grant, and carried, the meeting adjourned at 10:50 p.m.

Respectfully submitted,

Laura Schmieder
Town Clerk