

July 17, 2017

On July 17, 2017 the Regular Meeting and Public Hearing 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>	Bryan N. Kehl	Supervisor
	Gary Wysko	Board Member
	George Diehl	Board Member
	Carrie Snyder	Board Member
	Bruce Kriger	Highway Superintendent
	Kristen Kriger	Town Clerk
	Arick Bremiller	Zoning Officer
<b>ABSENT:</b>	Michael Harding	Board Member

**OTHERS PRESENT:** Nathan Montford-V/Attica Trustee, Lanny Blum, Ann Taylor, Julie Perry-T/Attica Justice, Anthony Santoro-Wyoming County Emergency Management, John Higgins-T/Attica Planning Board Chairman, Linda Kehl, Brian Fugle, Joseph Fugle, David Wheeler, Stuart Hempel, and Jay Meyers-Attica Fire Department.

The workshop commenced at 6:30pm. At 7:00pm Supervisor Kehl called the meeting to order with the Pledge to the Flag. Supervisor Kehl requested a moment of silence to honor our military.

#### **RESOLUTION 2017-65**

##### **Open Public Hearing for Local Law for Proposed Local Law #2 and #3:**

On a motion by Board Member Diehl, seconded by Board Member Harding, the following resolution was

ADOPTED	Ayes	5	Wysko, Snyder, Diehl, Harding, Kehl
	Nays	0	

Resolved to open Public Hearing for proposed Local Law #2 "Amend Comprehensive Plan of the Town of Attica to include Alternative and Green Energy Systems and Uses" and proposed Local Law #3 "Amending the Zoning Law of the Town of Attica to include Alternative and Green Energy Systems and Uses."

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

- Supervisor Kehl welcomed guests to the meeting.
- Jay Meyers gave a Fire Department report from the flood on July 13; 20 members responded, 350 man hours, 40 calls. No injuries or deaths.
- Ann Taylor asked the board what they were going to do with Mrs. Welker's house on Lindsey Road, stating the house is condemned from the flooding. Per Supervisor Kehl, the house is not condemned, there may be some water damage, but that is all.
- Julie Perry-T/Attica Justice wanted it on record and in minutes that the Town Justices can accept \$100.00 per marriage they perform per Municipal Law 80-B. This money is not required to be accounted for with the Town or NYS Comptroller's office.

#### **RESOLUTION 2017-66**

##### **Adoption of Minutes from June 19, 2017 Meeting:**

On a motion by Board Member Diehl, seconded by Board Member Wysko, the following resolution was

ADOPTED	Ayes	5	Wysko, Snyder, Diehl, Harding, Kehl
	Nays	0	

Resolved that the minutes of the June 19, 2017 meeting be adopted as presented/corrected.

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

- Comet Road work continues.
- Grader hot mix patching holes across town.

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- Roadside mowing continues.
- Merkle Road paving on hold due to the road being washed out, ditches washed out, several driveway tubes and cross tubes washed out.
- Additional roads were washed out and closed for approximately 24 hours, all are re-opened with the exception of Merkle Road. Approx. \$150,000 worth of damage to that road.
- Have a lot of work to do to fix damaged roads, culverts, pipes, tubes, across town due to flood.
- Board Member Harding questioned why it took so long for 98 to be closed due to flooding on 98 effecting Harding’s Furniture and sheds and the Town Highway Barn. Per Anthony Santoro, it’s a state road and the state has to handle it. With all the damage throughout the County, all Towns, Villages, State and Emergency personnel were busy.

**ZONING OFFICER’S REPORT:**

• #09	Diana Miglicaccio	Livestock Barn	Creek Road
• #10	Marcia and Brad Veley	Addition	Exchange Street
• #11	Gerald Condello	Cabin	Merle Road
• #12	Josh Carpenter	Addition to Barn	Exchange Street (Mess Farm)
• #13	Mike Bow	Deck	Plowe Road
• #14	Greg Newell	New Home	Vernal Road
• #15	Christopher Camp	Pole Barn	Exchange Street
• #16	Christopher Camp	Demolition Permit (barn)	Exchange Street

**ASSESSOR’S REPORT:**

- Tina McQuillen submitted monthly sales report.

**TOWN CLERK’S CORRESPONDENCE:**

- Wyoming County Rabies Clinic will be held Wednesday, July 19, at 6pm, at the Town Highway Barn, 700 Route 98, Attica.
- Planning Board members request to attend Association of Towns Training on Monday, July 31, 2017.

**SUPERVISOR’S CORRESPONDENCE:**

- Snow contract for the 2018/2019 season received from Wyoming County Highway Dept.
- National Grid will be increasing rates throughout NY.

**SUPERVISOR’S COUNTY REPORT:**

- Countywide Zoning Officer approved in the County.
- Law banning guns in County Buildings is being considered at the County. Supervisor Kehl agrees with the proposed law.

**RESOLUTION 2017-67**

**Monthly Reports:**

On a motion by Board Member Diehl, seconded by Board Member Harding, the following resolution was

ADOPTED                      Ayes    5            Wysko, Snyder, Diehl, Harding, Kehl  
    Nays    0

Resolved that the Supervisor’s and Town Clerk’s, June reports be accepted as submitted.

**RESOLUTION 2017-68**

**Pay the Bills:**

On a motion by Board Member Wysko, seconded by Board Member Diehl, the following resolution was

ADOPTED                      Ayes    5            Wysko, Snyder, Diehl, Harding, Kehl  
    Nays    0

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Resolved that the bills as presented by the Audit Committee be paid from Abstract 007 in the following amounts:

**A/B voucher(s): #188-215**

**DA/DB voucher(s): #64-71**

**Total: \$27,459.44**

**VILLIAGE LIASION:**

- Discussion regarding cats in Village.

**OLD BUSINESS:**

- FEMA Grant is on hold. Bid amounts exceed FEMA approved amount. Project may not go through as planned.
- Beavers within the Town.

**NEW BUSINESS:**

**RESOLUTION 2017-69**

**Sign Snow/Ice Agreement with Wyoming County:**

On a motion by Board Member Wysko, seconded by Board Member Diehl, the following resolution was

ADOPTED                      Ayes    5            Wysko, Snyder, Diehl, Harding, Kehl  
    Nays    0

Resolved to sign snow/ice agreement with Wyoming County Highway Department.

**RESOLUTION 2017-70**

**Approve Members of Planning, Zoning and Town Board to Attend Training:**

On a motion by Board Member Diehl seconded by Board Member Snyder, the following resolution was

ADOPTED                      Ayes    5            Wysko, Snyder, Diehl, Harding, Kehl  
    Nays    0

Resolved to approve members of Planning, Zoning and Town Board to attend NYS association of Towns training coming up July 31.

**RESOLUTION 2017-71**

**Approve Land Separation for Stedman and Stedman:**

On a motion by Board Member Diehl, seconded by Board Member Diehl, the following resolution was

ADOPTED                      Ayes    5            Wysko, Snyder, Diehl, Harding, Kehl  
    Nays    0

Resolved to approve land separation application for Douglas Stedman and William Stedman as approved by the Town Planning Board.

**Resolution Number:** 2017-71

**Date:** July 17, 2017

**Land Separation Application of Douglas Stedman and William Stedman**

**Approved by the Attica Town Board**

**Whereas**, Douglas Stedman has submitted a land separation application to separate land into a 2 parcel split from the original 97.32 acres to include: (1) Approx. .61 acres vacant land; and (2) Approx. 96.71 acres vacant farm land, and

**Whereas**, the Attica Town Board and the Attica Town Planning Board have reviewed and approved this application and agreed to the separation, now therefore

**Be It Resolved**, After review of this application with the Town of Attica Planning Board; The Attica Town Board hereby agrees to the Land Separation Application of Douglas Stedman and William Stedman be approved at the meeting of the Town of Attica Board.

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

*Wysko, Snyder, Diehl, Harding, Kehl*

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**RESOLUTION 2017-72****Close Public Hearing for Proposed Local Law #2 and #3:**

On a motion by Board Member Harding, seconded by Board Member Snyder, the following resolution was ADOPTED

Ayes	5	Wysko, Snyder, Diehl, Harding, Kehl
Nays	0	

Resolved to close public hearing for proposed Local Law #2 "Amend Comprehensive Plan of the Town of Attica to include Alternative and Green Energy Systems and Uses" and proposed Local Law #3 "Amending the Zoning Law of the Town of Attica to include Alternative and Green Energy Systems and Uses." This will be referred to Wyoming County Planning Department for review.

**RESOLUTION 2017-73****Enter into Executive Session:**

On a motion by Supervisor Kehl, seconded by Board Member Snyder, the following resolution was ADOPTED

Ayes	5	Wysko, Snyder, Diehl, Harding, Kehl
Nays	0	

Resolved to enter into Executive Session at 8:00pm.

**RESOLUTION 2017-74****Exit Executive Session:**

On a motion by Board Member Snyder, seconded by Board Member Diehl, the following resolution was ADOPTED

Ayes	5	Wysko, Snyder, Diehl, Harding, Kehl
Nays	0	

Resolved to exit executive session at 8:34pm.

The next meeting of the Attica Town Board will be held Monday August 21, 2017, at 7pm with the workshop beginning at 6:30pm.

There being no other business to come before the Board at this time, Board Member Diehl moved to adjourn the meeting at 8:36pm. Unanimous.

Respectfully submitted,

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Kristen Kriger,  
Registered Municipal Clerk,  
Town Clerk