

On May 21, 2018 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:

PRESENT:	Bryan N. Kehl	Supervisor
	Gary Wysko	Board Member
	George Diehl	Board Member
	Michael Harding	Board Member
	Carrie Snyder	Board Member
	Bruce Kriger	Highway Superintendent
	Kristen Kriger	Town Clerk
	Arick Bremiller	Zoning Officer

ABSENT:

OTHERS PRESENT: Lanny Blum-T/Attica Planning/Zoning Boards Consultant; Rick Burry, and Debbie Kaiser, T/Attica BAR Member.

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

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

PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS:

- Supervisor Kehl welcomed guests to the meeting.
- R. Burry, asks if cars need to be registered to be at properties. Also requests what road work will be done this year. Per Supervisor Kehl, Chaddock Road will be paved and oil stoned at the cost of approximately \$160,000. Mr. Burry also requests why the Town uses Sand on the road in the winter.

RESOLUTION 2018-31**Approval of Minutes from April 16, 2018 Meeting:**

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 that the minutes of the April 16, 2018 meeting be approved as presented/corrected.

HIGHWAY SUPERINTENDENT'S REPORT:

- Patching holes across town completed.
- Grading of dirt roads completed.
- Replaced failing cross tube on Bantam Road.
- Removal of plow equipment cleaned up.
- Salt barn cover on building; damaged in wind storm. Insurance will cover most of repair work.
- Replacement of overhead doors on building will be completed soon.

ZONING OFFICER'S REPORT:

- #3 New Home Fullington Road Daniel Kaplan

ASSESSOR'S REPORT:

- None

TOWN CLERK'S CORRESPONDENCE:

- NYSTCA Conference information 2018-
 - www.dos.ny.gov/coog/openmeetlaw.html NYS Department of State Committee on Open Government website.
 - If Town Clerk is absent from Board Meeting, Town Board Member nor Supervisor can take minutes at the meeting, Supervisor can appoint anyone at the meeting to take minutes, but not a Board Member or Supervisor.
 - Any town officer may administer any necessary oath in any matter or proceeding lawfully before him, or in connection with any paper to be filed with him as such officer.
 - Before he or she enters on the duties of the office, and within thirty days after the commencement of the term of office for which he or she is chosen, every town officer shall take and subscribe before an officer authorized by law to administer oaths in his or her county, the constitutional oath of office and such other oath as may be required by law, which shall be administered and certified by the officer taking the same without compensation, and such oath shall be filed in the office of the town clerk. Each town justice shall also file such oath of office as provided pursuant to [section one hundred four of the uniform justice court act](#) with the county clerk and the office of court administration.
 - A neglect or an omission to take and file such oath, or to execute and file such undertaking within the time prescribed herein, except in the case of town justices, shall be deemed a refusal to serve and the office may be filled as in case of vacancy. The undertaking of a town officer provided by this section shall be in addition to any undertaking otherwise required by law.
 - Any town officer may resign to the town clerk in the manner provided by [section thirty-one of the public officers' law](#). If a vacancy shall occur or exist in the office of town clerk, the supervisor shall notify the county clerk of such vacancy and the date when such office became vacant.
 - Bookkeeper should not be paying any bills after the bills are approved at the Town Board monthly meeting where resolution was made to approve bills as presented. Town Clerk shall countersign all checks. Should not be using two name stamps on any checks.
 - Agendas are not required for meetings and the Town does not have to pay for any meeting postings. The Town Clerk is required to "give notice" to news media and post on door to Town Clerks office of any meeting not included in regular scheduled meeting. Minimum requirement for minutes are motions and resolutions. Town Clerk has the right to refuse to put anything in minutes other than required information.
 - Birth certificates copies should only be on white paper, not safety paper.
 - Electronic Death Registration System going live in our area on June 28.
- NYS Retirement.
- NYS DOH Electronic Death registration will begin in our area on June 28, 2018.
- Town of Attica Comprehensive Plan just about completed. Few more changes and additions, then will be able to forward to town attorney for review.
- Sludge Law Moratorium.

SUPERVISOR'S CORRESPONDENCE:

- Information regarding 2020 census.

SUPERVISOR'S COUNTY REPORT:

- WCCH – MRI Building.
- County Treasurer's Facebook post regarding Arcade resident who paid back taxes but not the penalties and fines.

RESOLUTION 2018-32**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, April reports be accepted as submitted.

RESOLUTION 2018-33**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

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

A/B voucher(s): #107-129* DA/DB voucher(s): #36-45 Total: \$80,528.44

**with addition of bill for \$552.50 for The Prospector Restaurant for the Senior Citizen's Luncheon on 5/21/18 and BAN Payment of \$42,786.00.*

VILLAGE LIAISON:

- APD will be purchasing a new vehicle. 31 lbs. of prescription drugs collected at the last drug collection. AFD honored past member, Charles Schwalenstocker for his 100th birthday. Village proposing moving the ice rink to another location at the park. Board Member Wysko would like the speed limit at the high school to be 20 mph instead of 30 mph.

OLD BUSINESS:

- Countywide electronic recycling was held on Saturday, May 12, 2018 at the Town of Attica Highway Department and was successful.
- Sludge Moratorium.
- Board Member Wysko requests putting up the Town Insurance policy up for bid.
- Town website.

NEW BUSINESS:**RESOLUTION 2018-34****Approve Land Separation Between Ziegler's and Steven's Farms:**

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

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

Resolved to approve Land Separation between Ziegler's and Steven's farms to allow for a new manure lagoon on Ziegler's farm.

Resolution Number: 2018-34

Date: May 21, 2018

Land Separation Application of Fredrick Stevens and Ziegler Farms***Approved by the Attica Town Board***

Whereas, Fredrick Stevens has submitted a land separation application to separate land into a 2 parcel split from the original 84.36 acres to include: (1) Approx. 79.46 acres farm land; and (2) Approx. 4.90 acres 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 Fredrick Stevens and Ziegler Farms 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

RESOLUTION 2018-35

Armed Forces Recognition Proclaimed:

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 proclaim Armed Forces Recognition in the Town of Attica on May 20, 2018.

ARMED FORCES RECOGNITION PROCLAIMED

WHEREAS, Since our Nation’s founding, the U.S. Military has been dispatched around the world to defend our freedom and that of our allies. In battles big and small, the men and women of the United States Armed Forces have distinguished themselves through their strength, loyalty and valor; and

WHEREAS, Many members of the Armed Forces have come from the Town of Attica, to fill the ranks of The Army, The Navy, The Air Force, The Marines and The Coast Guard, many being injured or even paying the ultimate sacrifice in the defense of our freedoms in this great country; and

WHEREAS, Armed Forces Day having its origin when President Truman declared May 20th, 1950 as the first official day to celebrate and honor all branches of the Armed Forces under one department, The Department of Defense; and

WHEREAS, Citizens of our Town are presently serving in all branches of the Armed Forces, in places all around the World; and

WHEREAS, The members of the Attica Town Board and the Citizens of the Town of Attica, in keeping with the tradition of our State and Nation, strongly support our Veterans who sacrifice so much to insure our freedom; now therefore,

BE IT RESOLVED, The Attica Town Board does hereby recognize members of all branches of the armed forces.

In Witness thereof, I have set my Hand and caused the Seal of the Town of Attica to be affixed this 21st Day of May in the year 2018

*Bryan N. Kehl, Supervisor
Town of Attica*

RESOLUTION 2018-36

Put Out for Bid with Local Insurance Companies for Review of the Town Insurance Policy:

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 put out for bid with local insurance companies for review of the Town insurance policy.

RESOLUTION 2017-37

Sign Agreement to Spend Highway Funds:

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 to sign agreement to spend highway funds for 2018.

There being no other business to come before the Board at this time, Board Member Diehl moved to adjourn the meeting at 8:05pm. Unanimous.

RESOLUTION 2017-38

Open Meeting Again:

On a motion by Board Member Diehl, seconded by Board Member Harding, the following resolution was ADOPTED Ayes 3 Diehl, Harding, Kehl

Nays 0

Resolved to open up the Town of Attica Board Meeting in the Town Clerk’s Office at 8:07pm.

RESOLUTION 2017-39

Make BAN Payment of \$42,786.00:

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

ADOPTED Ayes 3 Diehl, Harding, Kehl
 Nays 0

Resolved to make BAN payment of \$42,786.00.

There being no other business to come before the Board at this time, Board Member Harding moved to adjourn the meeting at 8:10pm. Unanimous.

Respectfully submitted,

Kristen Kriger,
Registered Municipal Clerk,
Town Clerk