

Town of Orangeville  
Board Meeting & Public Hearing  
3529 Route 20 A, Warsaw, New York 14569  
May 13, 2021

The Town Board of Orangeville met on May 13, 2021 to audit the town accounts and transact other such business as is necessary at this time.

Present were Town Board Members:

- Susan May Supervisor
- Hans Boxler, Jr. Councilman
- Andrew Flint Councilman
- James Herman Councilman
- Joseph Ahl Councilman

Others Present:

- Rosann A. Lowder, RMC
- Sheryl Montgomery, Bookkeeper
- Lisa Perez, Bookkeeper
- Wade Roggow, Highway Superintendent
- Thomas Suto, Zoning Officer

Guests:

Name	Town of Residence	Name	Town of Residence
Mark Meyerhofer			
David DiMatteo			

Supervisor May called the board meeting to order at 7:00 p.m. at the town hall located at 3529 Rt. 20A, Warsaw, New York.

Supervisor May opened with the Pledge of Allegiance; all were thanked for attending the meeting. [There were no questions or comments from the audience.]

Supervisor May requested a motion to approve the Meeting minutes from April 8, 2021. On a motion from Mr. Ahl, seconded by Mr. Herman, to approve the previous meeting minutes. Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

Supervisor May requested a motion to approve the following transfers:

- General Funds: transfer \$1,350.00 from A1620.4 to A1410.4
- Highway Funds: transfer \$253.60 from DA9060.8 to DA9050.8

On a motion from Mr. Ahl, seconded by Mr. Herman, to approve the transfers. Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

Supervisor May requested a motion to approve the Supervisors Report. On a motion from Mr. Ahl, seconded by Mr. Herman, to approve the Supervisor Report. Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

Supervisor May requested that we need to create a line item under Bookkeeper, to establish a line for second bookkeeper. On a motion from Mr. Ahl, seconded by Mr. Herman, to approve the new line item. Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

Zoning – report in packet.

Supervisor May requested a motion for the Board to approve Mr. Roggow’s record of activities at 10 days per pay period. On a motion from Mr. Ahl, seconded by Mr. Herman, to approve Mr. Roggow’s record of activities a 10 days per pay period. Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

[Mr. DiMatteo attending the meeting at 7:40pm]

Town Clerk Report: Our Town website visits for April 2021 was 1415. The Towns total revenue for the month of April 2021 was \$428.00: \$170.00 for Zoning, \$198.00 for dogs, \$10.00 for DEC, \$10.00 for late fees and \$50.00 for Registrar fees. We had 21 dog renewals and 1 new dog license. To the general fund, \$329.00, Dogs were \$119.00, \$10.00 for late fees, \$0.55 for DEC, \$50.00 for registrar fees and \$170.00 for Zoning. We disbursed \$120.00 to Wyoming County, \$26.00 to Ag and Markets for dogs and \$9.45 to DEC

Supervisor May requested that the Town Board acknowledge Jim Kelly from the Varysburg Fire department for his service to the Town. An acknowledgement will be completed and sent to the Fire department.

Supervisor May requested a motion to opened the Public Hearing at 7:30pm. On a motion by Mr. Ahl, seconded by Mr. Herman to open the public hearing. Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

There were no questions regarding the public hearing. The public hearing was closed at 7:52pm on a motion by Mr. Ahl, seconded by Mr. Herman. Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

**TOWN OF ORANGEVILLE  
RESOLUTION TO AUTHORIZE  
CHARTER COMMUNICATIONS FRANCHISE AGREEMENT**

Adopted: May 13, 2021

The Town Board of the Town of Orangeville met at a regular board meeting at the Town Offices of the Town of Orangeville on the 13<sup>th</sup> day of May 2021, commencing at 7:30 p.m., at which time and place the following members were:

- Present:** Supervisor Susan May\_\_\_\_\_
- Councilman James Herman\_\_\_\_\_
- Councilman Joseph Ahl\_\_\_\_\_
- Absent:** Councilman Hans Boxler, Jr.\_\_\_\_\_
- Councilman Andrew Flint\_\_\_\_\_

**WHEREAS**, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers 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**, pursuant to Governor Andrew Cuomo’s Executive Orders put in place in consideration of the COVID-19 pandemic and the guidelines put in place during New York Forward, said meeting was held in accordance with social distancing protocol and face coverings were worn by all Board Members and public attendees; and

**WHEREAS**, an application has been made to the Town Board of the Town of Orangeville, County of Wyoming, New York, by Spectrum Northeast, LLC, which is an indirect subsidiary of Charter Communications, Inc. (“hereinafter referred to as “Charter”), a limited liability company organized and existing in good standing under the laws of the State of New York, doing business at 2604 Seneca Avenue, Niagara Falls, New York 14305, for the approval of a renewal agreement for Charter’s cable television franchise for seven (7) years commencing with the date of approval by the Public Service Commission; and

**WHEREAS**, the franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

**WHEREAS**, The Town of Orangeville and Charter Communications desire to enter into a Franchise Agreement for the construction and operation of a cable system within the Town of Orangeville. The proposed franchise agreement is annexed hereto as Exhibit A; and

**WHEREAS**, the Town Board of the Town of Orangeville held a public hearing in the Town of Orangeville, New York on May 13<sup>th</sup>, 2021 at 7:30 P.M., notice of such hearing was published in the Batavia Daily News paper on April 20, 2021;

and **NOW ON MOTION OF** Mr. Joseph Ahl which has been duly seconded by Mr. James Herman, be it **RESOLVED**, the Town Board of the Town of Orangeville finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached hereto as Exhibit A; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests; and be it further

**RESOLVED**, that the Town Board of the Town of Orangeville hereby grants the cable television franchise of Spectrum Northeast, LLC and the Town of Orangeville for seven (7) years commencing with the date of approval by the Public Service Commission and expiring seven (7) years; and be it further

**RESOLVED**, the Town Board of the Town of Orangeville authorizes and empowers Susan May, the Town Supervisor of the Town of Orangeville to sign the Franchise Agreement between Charter Communications; and be it further

**RESOLVED**, that the Town Board will ensure that proper safety protocols are followed based upon the Phase of reopening that New York State attains and any additional Executive Orders issued by the Governor by said date of public hearing.

Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

Supervisor May requested a motion to approve the 2021 Highway Fund Bills: Abstract #5 Vouchers #62 through #82 totaling \$31,525.90. A motion was made by Mr. Herman, seconded by Mr. Ahl to approve the payment of the Highway Fund bills. Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

Supervisor May requested a motion to approve the 2021 General Funds bills: Abstract #5 Vouchers #68 through #85, totaling \$13,023.46. A motion was made by Mr. Ahl, seconded by Mr. Herman to approve the payment of the General Fund bills. Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

Supervisor May discussed that Wyomoco Camp will be open, the Board discussed that maybe we could work out an arrangement with the Camp that the Town Residents could use the Camp activities, a weekend per month. Supervisor May will investigate.

The meeting was adjourned at 8:45pm on a motion by Mr. Herman, seconded by Mr. Ahl to adjourn. Ayes 3]  May  Boxler  Flint  Herman  Ahl. Noes [0] Carried

Respectfully submitted

*Rosann A. Lowder, RMC*

Rosann A. Lowder, Registered Municipal Clerk  
Town of Orangeville