

Please turn off all cell phones prior to the beginning of the meeting. Meeting will be recorded.

The Franklinville Town Board will meet on Tuesday, September 8, 2020 at the Town Hall, commencing at 7:00 P.M.

AGENDA:

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

APPROVAL OF ABSTRACTS

PETITIONS & REQUESTS FROM FLOOR

PUBLIC HEARING- LOCAL LAW #2-2020 “A Local Law to Supersede The Whitehall Doctrine and Doctrine of Incompatibility with Respect to Town Councilman Position and the Position of Zoning Board Secretary”.

REPORTS FROM DEPARTMENT HEADS

1. Highway Supt.
2. Cemetery Sexton
3. Code Enforcement Officer
4. Dog Control Officer
5. Supervisor
6. Town Clerk
7. Justices
8. Assessor

COMMUNICATIONS/CALENDAR

COMMITTEE REPORTS

REPORTS FROM BOARD MEMBERS

OLD BUSINESS

NEW BUSINESS

EXECUTIVE SESSION

ADJOURNMENT

Minutes of the Franklinville Town Board Meeting held on August 11, 2020 at 7:00 P.M., at the Town Hall, 11 Park Square, Franklinville, NY.

ROLL CALL:

- Robert Breton.....Supervisor
- Lorrie Fisher.....Deputy Supervisor/ Councilwoman
- Kimberly Palmatier.....Councilwoman
- John Tinelli.....Councilman
- Joseph Weaver.....Councilman
- Terry McClory.....Highway Supt.
- Loretta Close.....Deputy Town Clerk
- Tim Chase.....Constable

The meeting was called to order by Supervisor Breton at 7:00 P.M. The Pledge of Allegiance was recited. Roll Call was taken. Also present were Peggy Close, Lonnie Farrington, Kay Farrington, Barb Holden, Wayne Holden, and Ginger Schroeder.

Approval of Minutes

Mr. Weaver made a motion to accept the July 14, 2020 minutes, seconded by Mr. Tinelli.

Motion carried Ayes- Breton, Fisher, Tinelli, Palmatier, Weaver

Nays-0

Approval of Abstracts

Mr. Weaver made a motion to pay Abstract #07 Amendment from \$14,168.03 to \$13,527.19, The Abstract # 08 General vouchers # 164-175 in the amount of \$7299.18 and Highway vouchers # 113-121 in the amount of \$87,814.79 seconded by Mr. Tinelli. The Fuller voucher #170 should be changed to \$1666.67 from \$1616.67.

Motion carried Ayes- Breton, Fisher, Tinelli, Palmatier, Weaver

Nays-0

Petitions and requests from the floor

Ginger Schroeder, County Legislator, gave an update regarding the status of the proposed Alle Catt Wind Project. She also asked that the board approve a resolution requesting the Cattaraugus County Legislature to provide financial support to the Town of Farmersville and/ or the County's

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Citizen Groups to bring litigation to overturn the decision of the New York State Board on Electric Generation Siting and the Environment regarding the Alle Catt Wind Project. She also asked the Town Board to approve a resolution to inform the Cattaraugus County Industrial Development Agency of its opposition to the Alle Catt Wind Project, the issuance of a PILOT Agreement, and that Alle Catt be required to pay full taxes.

Highway Superintendent

Mr. McClory explained that they have finished Trowbridge Road for this year. Next year they will put another coat of oil on the road to fully complete the project.

Also, a resident on Saunders Road chewed up the newly completed road surface with a bulldozer, causing quite a bit of damage. The police were called. Mr. McClory was told that criminal charges could not be brought because there are no witnesses to who was driving the bulldozer. Civil charges may be able to be brought against the person who rented the bulldozer from The Hole Works.

Cemetery Sexton

Code Enforcement Officer

Mr. Farrington confirmed that a Code Violation ticket had been issued to the resident on Cemetery Hill with the ongoing violations due to her horses.

Dog Control Officer

Town Clerk

Miss Close explained that there is still an ongoing problem in issuing hunting/fishing licenses. The printer that prints the actual licenses is not working correctly. This is an ongoing problem across the state. The DEC is working on the problem.

Justices

Judge Holden explained to the board that the state is still limiting the cases that can and cannot be heard at this time. The court is hoping that the next set of guidelines will open the courts further, while allowing for social distancing.

Judge Holden also asked about the status of an ORI number for the Constables to use. Supervisor Breton explained that the board is still looking into the possible ramifications.

Assessor

None

Communications

Supervisor

Deputy Supervisor Fisher reminded the board that they need to set dates for the budget workshop. The dates agreed upon are as follows: August 25, September 1, and September 15, all at 6:00PM.

The signs for Bryant Hill have been ordered.

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Mrs. Fisher explained that the Village of Franklinville has billed the Town for their portion of the work done on the water district on Fay Street.

All CDL drivers will have to complete a sign up by Oct. 1 for the new DOT Clearinghouse.

The fund balance policy will be discussed during the budget process.

Mrs. Fisher discussed the Emergency Contact Information and reminded the board members that their information needs to be included.

An updated list of people authorized to purchase supplies at Fresh Market need to be made.

Mrs. Fisher asked Mr. and Mrs. Farrington if any progress has been made on updating the electric supply to the Assessor's/Code Enforcement Officers' office. There is only one outlet, and that is not sufficient for the needs of that office. Mr. and Mrs. Farrington are looking into the situation.

Updates regarding Case Lake include a new floating dock that is going to be installed soon.

Supervisor Breton expressed to Legislator Schroeder that the Legislature had approved a different dock and hopes she will investigate that. Mr. Breton also requested that Ms. Schroeder investigate the paving that he believes was supposed to be done on the new access road to the lake.

Committee Reports

None

Reports from Board members

None

Old Business

Knox boxes are up, and Mr. Tinelli stated that he still needs keys to put into the boxes.

New Business

None

Resolution # 38-2020

On a motion of Mr. Tinelli, seconded by Mr. Weaver, the following resolution was ADOPTED Ayes- Breton, Fisher, Tinelli, Weaver

Nays- 0

Abstain- 1 Palmatier

Resolution for a "Local Law to Supersede The Whitehall Doctrine and Doctrine of Incompatibility with respect to Town Councilman Position and the Position of Zoning Board Secretary".

Resolution # 39-2020

On a motion of Mrs. Fisher, seconded by Mr. Tinelli, the following resolution was ADOPTED Ayes- 4 Breton, Fisher, Tinelli, Weaver

Nays- 0

Abstain- Palmatier

Resolution Authorizing Public Hearing on Local Law 2-2020

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Resolution #40-2020

On a motion of Mr. Tinelli, seconded by Mr. Weaver, the following resolution was ADOPTED Ayes- 5 Breton, Fisher, Palmatier, Tinelli, Weaver

Nays-0

Resolution authorizing the Town of Franklinville to request the Cattaraugus Legislature provide financial support to the Town of Farmersville and/or the County's Citizen Groups to bring litigation to overturn the decision of the New York State Board on Electric Generation Siting and the Environment regarding the Alle Catt Wind Project.

Resolution #41-2020

On a motion of Mr. Tinelli, seconded by Mrs. Palmatier, the following resolution was

ADOPTED Ayes-5, Breton, Fisher, Palmatier, Tinelli, Weaver,

Nays-0

Resolution to inform the Cattaraugus County Industrial Development Agency of its opposition to the Alle Catt Wind Project, the issuance of a PILOT Agreement, and that Alle Catt be required to pay full taxes.

Resolution #42-2020

On a motion of Mr. Weaver, seconded by Mr. Tinelli, the following resolution was

ADOPTED Ayes- 5 Breton, Fisher, Palmatier, Tinelli, Weaver

Nays-0

Resolution making an appointment by the Town Board due to a resignation.

Adjournment

Mr. Tinelli made a motion to go into Executive Session at 7:45PM to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, and then adjourn, and was seconded by Mr. Weaver.

Motion carried Ayes-5 Breton, Fisher, Palmatier, Tinelli, Weaver

Nays-0

Deputy Town Clerk