

Regular Meeting

November 13, 2007

Minutes of a Regular Meeting of the Town Board of the Town of Southport held at the Southport Town Hall, 1139 Pennsylvania Avenue on November 13, 2007.

Members Present: Supervisor David J. Sheen, Council Members Etta Dewey, Glenn Gunderman, Joseph Roman, Kathleen Szerszen

Others Present: Attorney Steven Barnstead, Highway Superintendent David Bachman, Code Enforcement Officer Pete Rocchi, Deputy Town Clerk Debbie Miller, Town Clerk Carolyn Renko

The meeting was called to order by Supervisor David Sheen at 7:00 P.M. EST followed by the Pledge of Allegiance to the Flag of the United States of America.

Moment of Silence: Council Member Szerszen

Monthly Reports were received as follows:

Town Clerk Carolyn A. Renko	Town Clerk & Dog License Fees	\$ 2,206.73
	Funds to State & County Agencies	8,152.77
	Fitzsimmons Cemetery Lot Sales	650.00
Code Enforcement Officer	Building Permit Fees	1,195.68
	Special Permits	50.00
Humane Society (S.P.C.A.)	October Report	
Justice Office		
Youth Services/Recreation/ Senior Citizens		

Motion was made by Council Member Gunderman, seconded by Council Member Szerszen, that the Monthly Reports be accepted and filed.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen

NOES: None

CARRIED.

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Correspondence was received as follows:

1. Letter from the Community Foundation to Daniel Drake, Recreation Director announcing a grant award in the amount of \$5,000.00 for the Softball Program.

Council Member Szerszen made a motion, Council Member Dewey seconded, to accept the minutes of September 25, 2007 and October 9, 2007.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 172-2007

APPROVING ABSTRACT OF GENERAL FUND CLAIMS

Resolution by: Roman
Seconded by: Gunderman

RESOLVED, that the abstract of General Fund Claims submitted by the Town Clerk for the month of November 2007, No. 816 through No. 912, in the amount of \$96,209.34 has been audited and approved for payment by this Town Board.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 173-2007

APPROVING ABSTRACT OF HIGHWAY FUND CLAIMS

Resolution by: Gunderman
Seconded by: Szerszen

RESOLVED, that the abstract of Highway Fund Claims submitted by the Town Clerk for the month of November 2008, No. 289 through No. 336, in the amount of \$37,944.87 has been audited and approved for payment by this Town Board.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

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RESOLUTION NO. 174-2007

AUTHORIZING PURCHASE OF SALT AT STATE OR COUNTY PRICE

Resolution by: Gunderman
Seconded by: Szerszen

RESOLVED, that the Highway Superintendent be and he hereby is authorized to purchase the necessary requirements of salt at the established State or County bid-contract price.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 175-2007

AUTHORIZING SUPERVISOR TO REQUEST COUNTY TO REASSESS CHARGES

Resolution by: Gunderman
Seconded by: Roman

RESOLVED, that the Town Supervisor be and he hereby is authorized to request the County to reassess unpaid mowing and tree removal charges for the Town of Southport on January 1, 2008 Town and County Tax Statements as follows:

<u>ACCOUNT</u>	<u>TAX MAP NUMBER</u>	<u>AMOUNT</u>
604 Schuyler Ave.	100.09-3-13	\$ 100.00
503 Fairway Ave.	100.09-3-20	75.00
505 Fairway Ave.	100.10-1-15	75.00
507 Fairway Ave.	100.10-1-16	75.00
513 Phoenix Ave.	100.09-1-35	100.00
414 Phoenix Ave.	100.09-4-5	100.00
414 Phoenix Ave.	100.09-4-5	125.00
416 Phoenix Ave.	100.09-4-6	100.00
1570 Pennsylvania Ave.	118.01-1-2	277.05
1626 Pennsylvania Ave.	117.04-2-3	1,525.00
902 Spruce St.	109.06-4-5	100.00
1065 Plymouth Ave.	99.20-2-79	100.00
1065 Plymouth Ave.	99.20-2-79	125.00
1067 Plymouth Ave.	99.20-2-78	100.00
1253 Woodbine Ave.	109.08-3-46	100.00
1253 Woodbine Ave.	109.08-3-46	125.00
1251 Charles St.	109.08-7-19	100.00
1251 Charles St.	109.08-7-19	125.00
829 Mt. Zoar St.	99.13-3-2	100.00
829 Mt. Zoar St.	99.13-3-2	125.00

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611 Cedar St.	99.14-2-53	100.00
761 Cedar St.	99.18-3-57	100.00
66 Dalrymple Ave.	109.05-1-41	100.00
66 Dalrymple Ave.	109.05-1-41	125.00
812 Broadway Ave.	99.18-5-14	100.00
822 Adams St.	99.19-2-56	100.00
844 Broadway Ave.	109.06-1-47	100.00
844 Broadway Ave.	109.06-1-47	125.00
Bartholomew Rd.	117.04-1-16	262.70
Milton St.	100.13-3-22	425.00

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 176-2007

AUTHORIZING APPLICATION OF SALES TAX FUNDS TO COUNTY TAX LEVY

Resolution by: Roman
Seconded by: Dewey

RESOLVED, that the Supervisor be and he hereby is authorized to notify the Chemung County Treasurer to apply \$125,000.00 of sales tax funds collected by the County of Chemung to the 2008 tax levy for the Town of Southport.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 177-2007

AUTHORIZING CHEMUNG COUNTY TO EXTEND 2008 TAX ROLL

Resolution by: Gunderman
Seconded by: Szerszen

RESOLVED, that the County of Chemung, New York, be and hereby is authorized and directed to properly extend the 2008 tax roll of the Town of Southport, the cost thereof to be paid by the County of Chemung, and the Supervisor is hereby authorized to execute such Agreement with the County of Chemung upon the approval of the Town Attorney.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 178-2007

AUTHORIZING INSTALLATION OF STREET LIGHT ON MORROWFIELD AVE.

Resolution by: Gunderman
Seconded by: Dewey

RESOLVED, that the Supervisor be and he hereby is authorized and directed to enter into an agreement with the New York State Electric & Gas Corporation for installation of a street light on Morrowfield Avenue.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 179-2007

AUTHORIZING PURCHASE OF SPORT UTILITY VEHICLE
PER NEW YORK STATE CONTRACT

Resolution by: Gunderman
Seconded by: Dewey

WHEREAS, this Town Board did in approving the budget for fiscal year 2008 provide funds for the purchase of a new town vehicle, and

WHEREAS, this Town Board has been advised by Hoselton Chevrolet, Inc. of East Rochester, New York, that it has been awarded a contract by the State of New York for the purchase of Sport Utility vehicles at a price established therein, and

WHEREAS, the Sport Utility vehicle is the same as contained in contract 20598, New York State Sport Utility vehicles, which is referred to and made a part hereof as if set forth herein, and

WHEREAS, the price for the purchase of such Sport Utility vehicle is substantially lower than estimates which have heretofore been obtained by this Town Board,

NOW THEREFORE BE IT RESOLVED, that a purchase order submitted to the said Hoselton Chevrolet, Inc. be and the same hereby is authorized for the purchase of one new and unused 2008 Chevrolet Trail Blazer LS 4X4 for the total amount of TWENTY THOUSAND SEVEN HUNDRED NINETY DOLLARS AND EIGHTY-FIVE CENTS (\$20,790.85), as itemized in said purchase order, and be it further

RESOLVED, that as a result of the award given by the State of New York, competitive bidding as required by the General Municipal Law be and hereby is waived.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 180-2007

FIXING TIME FOR JANUARY 2, 2008 ORGANIZATIONAL MEETING

Resolution by: Roman
Seconded by: Dewey

RESOLVED, that the Organizational Meeting of the Town Board of the Town of Southport will be held January 2, 2008 at 4 p.m. EST

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 181-2007

AUTHORIZING TOWN OFFICIALS TO ATTEND
NEW YORK STATE ASSOCIATION OF TOWNS TRAINING SCHOOL

Resolution by: Roman
Seconded by: Gunderman

RESOLVED, that Town Officials are hereby authorized to attend the New York State Association of Towns Training School in New York, New York, on February 17-20, 2008, and that their expenses therefor shall be a proper Town charge.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 182-2007

RATIFYING APPOINTMENT OF MARTY MASON AND HAROLD BOSSARD AS
MEMBERS OF THE CEMETERY COMMISSION

Resolution by: Gunderman
Seconded by: Szerszen

RESOLVED, that Marty Mason and Harold Bossard be and they hereby are reappointed as members of the Cemetery Commission of the Town of Southport said terms to expire November 1, 2010.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

Update of progress of an unsafe building located at 1535 Maple Avenue was discussed. Susan Calabrese spokes person for her Mother Alice Calabrese owner of the property stated that there is a current offer to purchase the property and the potential buyers are trying to secure financing.

Code Enforcement Officer Pete Rocchi said he has not been inside the house to inspect, but the immediate concerns (porches) have been addressed. Now the biggest concerns are the complaints received by the neighbors as far as the condition of the house.

Supervisor Sheen asked that the status of the sale and condition of the house be reviewed in 30 days. It will be reviewed at the December 11, 2007 meeting.

RESOLUTION NO. 183-2007

AUTHORIZING CHEMUNG COUNTY EXECUTIVES SUBMISSION OF A JOINT APPLICATION FOR A SHARED MUNICIPAL SERVICES INCENTIVE (S.M.S.I.) PROGRAM GRANT TO CONDUCT A FEASIBILITY STUDY ON EXPLORING A COMPREHENSIVE ROAD PROGRAM WITHIN CHEMUNG COUNTY

Resolution by: Roman
Seconded by: Szerszen

WHEREAS, the Chemung County Executive has notified the Supervisor of the Town of Southport of Chemung County=s intention to serve as the Lead Applicant responsible for the preparation and submission of an application requesting \$180,000.00 in funding from New York State=s 2007-2008 Shared Municipal Services Incentive (SMSI) program in cooperation with each of those municipal governments participating in the Chemung County Highway Services Board; and

WHEREAS, the proceeds of the proposed SMSI grant award will be used to conduct a feasibility study to explore obtaining consultant services to investigate the ongoing efforts of the Highway Services Board to examine and research a comprehensive road program which may support a more efficient and cost-effective highway services delivery system within Chemung County, and

WHEREAS, Chemung County has affirmed that it will contribute the required ten percent cash share of the proposed feasibility study projects estimated cost on behalf of all co-applicants, and assured the Town of Southport that it will not incur any expense in connection with this application for a grant or the grant itself, and

WHEREAS, the Chemung County Executive has requested that the Town Board of the Town of Southport adopt a resolution expressly authorizing the Chemung County Executive to submit the proposed application for SMSI funding and to identify the Town of Southport as a municipal co-applicant

RESOLVED, that the Town Board of the Town of Southport authorizes the Chemung County Executive to prepare and submit a joint application for SMSI funding for the proposed feasibility study to explore obtaining the aforesaid consultant services and to identify the Town of Southport as a co-applicant.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen

NOES: None
CARRIED.

RESOLUTION 184-2007

AUTHORIZING CHEMUNG COUNTY EXECUTIVES SUBMISSION OF A JOINT APPLICATION FOR A SHARED MUNICIPAL SERVICES INCENTIVE (S.M.S.I.) PROGRAM GRANT TO CONDUCT A FEASIBILITY STUDY EXAMINING POTENTIALS FOR INCREASED SHARING OF FIREFIGHTING RESOURCES WITHIN CHEMUNG COUNTY

Resolution by: Gunderman
Seconded by: Szerszen

WHEREAS, the Chemung County Executive has notified the Supervisor of the Town of Southport of Chemung County's intention to serve as the Lead Applicant responsible for the preparation and submission of an application requesting \$200,000.00 in funding from New York Sates 2007-2008 Shared Municipal Services Incentive (SMSI) program in cooperation with each of Chemung County municipal governing boards; and

WHEREAS, the proceeds of the proposed SMSI grant award will be used to conduct a feasibility study to explore obtaining consultant services to examine and research existing firefighting service units within Chemung County and identifying potential cost savings and service improvements that might be achieved through increased sharing of firefighting resources among the County municipal jurisdictions; and

WHEREAS, Chemung County has affirmed that it will contribute the required ten percent cash share of the proposed feasibility study projects estimated cost on behalf of all co-applicants, and assured the Town of Southport that it will not incur any expense in connection with this application for a grant or the grant itself; and

WHEREAS, the Chemung County Executive has requested that the Town Board of the Town of Southport adopt a resolution expressly authorizing the Chemung County Executive to submit the proposed application for SMSI funding and to identify the Town of Southport as a municipal co-applicant;

RESOLVED, that the Town Board of the Town of Southport authorizes the Chemung County Executive to prepare and submit a joint application for SMSI funding for the proposed feasibility study and to identify the Town of Southport as a co-applicant.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

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RESOLUTION NO. 185-2007

APPROVING TOWN OF SOUTHPORT EMPLOYEE POLICY MANUAL

Resolution by: Roman
Seconded by: Szerszen

WHEREAS, the Town Board has determined there is a need to update the existing Employee Handbook for all non-contractual employees of the Town of Southport, and

WHEREAS, Public Sector HR Consultants, LLC has submitted a proposal in the amount of FIVE THOUSAND DOLLARS AND NO CENTS (\$5,000.00) to develop and implement an Employee Handbook for the Town of Southport.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport hereby authorizes the Supervisor to enter into an agreement with Public Sector HR Consultants, LLC, with the terms and conditions of that contract to be subject to the review and approval of the Town Attorney.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 186-2007

APPOINTING BRUCE STANKO ASSESSOR FOR THE TOWN OF SOUTHPORT
PURSUANT TO TERMS OF CIVIL SERVICE AND OF THE CITY OF ELMIRA

Resolution by: Dewey
Seconded by: Gunderman

WHEREAS, by Resolution No. 118-2007 the Town Board of the Town of Southport appointed Bruce Stanko as Acting Assessor for the Town of Southport due to the current Assessor being unavailable due to personal reasons, and

WHEREAS, the Town of Southport has entered into an agreement with the City of Elmira, whereby the City of Elmira provides certain services to the Town of Southport in connection with the position of Assessor, and

WHEREAS, the six year term of appointment of the Town Assessor mandatorily expired on September 30, 2007, and

WHEREAS, this Town Board finds and determines that Bruce Stanko satisfactorily meets the requirements and qualifications established pursuant to Law for the position of Assessor

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport, in regular session duly convened, changed the capacity of Bruce Stanko as Acting Assessor to Assessor pursuant to terms of Civil Service and the intermunicipal agreement with the City of Elmira, and be it further

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RESOLVED, that pursuant to the terms of agreement between the Town of Southport and the City of Elmira that Bruce Stanko will not be considered an employee of the Town of Southport and will be considered an employee of the City of Elmira and will not receive any compensation from the Town of Southport, and be it further

RESOLVED, that the Town Clerk shall within fifteen days of the date hereof notify the New York State Board of Real Property Services of the appointment of Bruce Stanko as Assessor for the Town of Southport.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 187-2007

AUTHORIZING THE TOWN OF SOUTHPORT TO PARTICIPATE IN THE STORMWATER TEAM AS PROPOSED BY THE CHEMUNG COUNTY SOIL AND WATER CONSERVATION DISTRICT AND THE CHEMUNG COUNTY STORMWATER COALITION

Resolution by: Roman
Seconded by: Dewey

WHEREAS, the Chemung County Soil and Water Conservation District has proposed the establishment of a Stormwater Team to assist the member communities of the Chemung County Stormwater Coalition with the implementation and enforcement of the Stormwater Management and Erosion and Sediment Control laws, and

WHEREAS, the Chemung County Soil and Water Conservation District and the Chemung County Stormwater Coalition have recommended that the Stormwater Team be comprised of a professional Engineer, technician and an education coordinator; and

WHEREAS, the cost of the Stormwater Team will be shared between the member communities of the Chemung County Stormwater Coalition based upon a formula derived from the populations of the member communities, and

WHEREAS, the Town Board of the Town of Southport finds it is in the best interest of the Town of Southport to participate in the Stormwater Team as proposed by the Chemung County Soil and Water Conservation District and the Chemung County Stormwater Coalition;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southport does hereby agree to participate in the Stormwater Team as proposed by the Chemung County Soil and Water Conservation District and the Chemung County Stormwater Coalition, with the cost to the Town of Southport to be determined by later agreement by the Town of Southport.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 188-2007

GRANTING SPECIAL PERMIT TO DR. EDWARD DAILEY FOR RELOCATION OF HIS DENTAL PRACTICE FROM ITS CURRENT LOCATION AT 907 PENNSYLVANIA AVENUE TO PROPERTY LOCATED AT 1268 AND 1270 MAPLE AVENUE AND 394 RAECREST CIRCLE

Resolution by: Gunderman
Seconded by: Szerszen

WHEREAS, upon receipt, the Town Clerk of the Town of Southport referred the application of Dr. Edward Dailey for a special permit to relocate his dental practice from its current location at 907 Pennsylvania Avenue to property located at 1268 and 1270 Maple Avenue and 394 Raecrest Circle, Town of Southport, Chemung County, New York, to the Town of Southport Planning Board for its review, investigation, and recommendation as required by the Zoning Code of the Town of Southport, as amended, and to the Chemung County Planning Board for its review, investigation, and recommendation as required by the General Municipal Law of the State of New York, as amended, and

WHEREAS, based upon review and discussion with the applicant, the Planning Board of the Town of Southport on November 5, 2007, recommended that the Town Board approve such special permit for Dr. Edward Dailey to relocate his dental practice from its current location at 907 Pennsylvania Avenue to property located at 1268 and 1270 Maple Avenue and 394 Raecrest Circle in the Town of Southport, including all conditions imposed by Planning Board Resolution No. 19-2007PB, but not limited to, its holding a public hearing, wherein the public was given the opportunity to speak with regards to said application after based upon review and discussion with the applicant, and

WHEREAS, by Resolution No. 167-2007 dated September 11, 2007, the Town of Southport declared itself to be lead agency and further declares that this is an unlisted action and will not have a potentially significant effect on the environment,

NOW THEREFORE BE IT RESOLVED, that such special permit be and the same hereby is granted upon the express condition that such activity be conducted in strict conformity with not only the terms, conditions and restrictions contained in Planning Board Resolution No.19-2007 PB that said special permit is also issued in strict conformity with any and all provisions of applicable laws, rules and regulations, including, but not limited to the Town of Southport Municipal Code, and be it further

RESOLVED, that this special permit shall become null and void and the same revoked in each and every instance if Levi Stanley shall cause such activity to be conducted in any manner other than as set forth in Planning Board Resolution No. 19-2007 PB and that said special permit is also issued upon the express condition that such activity be conducted in strict conformity with any and all provisions of applicable laws, rules and regulations, including, but not limited to the Town of Southport Municipal Code, and in the event of such revocation such premises shall be used only as provided by the Zoning Ordinance and Municipal Code of the Town of Southport; any use of such premises for any other use than as authorized by this special permit and the Zoning Ordinance and Municipal Code of the Town of Southport shall be deemed a violation thereof, after notice of such revocation shall have been served personally or by registered mail on said applicant, and be it further

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RESOLVED, that any alterations to the structure in which such activity is conducted must be made in conformity with the requirements of not only the Zoning Ordinance of the Town of Southport, but also the Building Code of the State of New York, as amended, and the granting of this special permit does not in any way change the provisions contained in either law or ordinance, and be it further

RESOLVED, that in the event the activity allowed by this special permit shall not be conducted in accordance herewith for a continuing period of one year, this special permit shall become null and void without any further action by this Town Board.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen

NOES: None

CARRIED.

At the October 30th meeting the Town Board passed a resolution to accept a bid of Silverline Construction Inc. for Comfort Road Streambank Stabilization contingent upon Supervisor Sheen, Highway Superintendent David Bachman and Council Member Szerszen conferring with Engineer Tim Steed about the cost of the project and the amount of the bid submitted. Council Member Szerszen relayed Mr. Steeds explanation of his estimate for the cost of the job. The final amount for the project is \$17,293.00.

RESOLUTION NO. 189-2007

SETTING PUBLIC HEARING TO ADOPT LOCAL LAW NO. 2 OF THE YEAR 2007
FOR STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL IN
THE TOWN OF SOUTHPORT TO INCLUDE ARTICLE III ADMINISTRATION AND
ENFORCEMENT OF SAID STORMWATER AND EROSION AND SEDIMENT CONTROL
LAW

Resolution by: Roman

Seconded by: Gunderman

RESOLVED, that a public hearing be held by the Town Board with respect to enactment of the following local law, such public hearing to be held on the 11th day of December, 2007, at 7:15 p.m., in the Town Hall, Southport, New York. The proposed local law to be considered is as follows:

LOCAL LAW NO. 2 OF THE YEAR 2007 FOR STORMWATER MANAGEMENT
AND EROSION AND SEDIMENT CONTROL IN THE TOWN OF SOUTHPORT TO
INCLUDE ARTICLE III ADMINISTRATION AND ENFORCEMENT OF SAID
STORMWATER AND EROSION AND SEDIMENT CONTROL LAW

A LOCAL LAW

Copies of the text of the above-named local law shall be filed in the office of the Town Clerk.

and be it further

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RESOLVED, that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law, the Open Meetings Law and § 264 and § 265 of the Town Law of the State of New York.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

RESOLUTION NO. 190-2007

SETTING PUBLIC HEARING TO ADOPT LOCAL LAW NO. 3 OF THE YEAR 2007
TO AMEND THE CODE OF THE TOWN OF SOUTHPORT TO INCLUDE A LAW
CONCERNING ILLICIT DISCHARGE DETECTION AND ELIMINATION

Resolution by: Gunderman
Seconded by: Roman

RESOLVED, that a public hearing be held by the Town Board with respect to enactment of the following local law, such public hearing to be held on the 11th day of December, 2007, at 7:30 p.m., in the Town Hall, Southport, New York. The proposed local law to be considered is as follows:

LOCAL LAW NO. 3 OF THE YEAR 2007 TO AMEND THE CODE OF THE TOWN
OF SOUTHPORT TO INCLUDE A LAW CONCERNING ILLICIT DISCHARGE
DETECTION AND ELIMINATION

A LOCAL LAW

Copies of the text of the above-named local law shall be filed in the office of the Town Clerk.

and be it further

RESOLVED, that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law, the Open Meetings Law and § 264 and § 265 of the Town Law of the State of New York.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen
NOES: None
CARRIED.

Under Taxpayers' Requests, Tim Harsh of 1491 Caton Avenue inquired about opening a gun smith business.

Attorney Barnstead commented that Mr. Harsh would have to submit his request to the Board of Appeals.

Ron Collins resident of 197 Walsh Rd. inquired about the town codes for wood burning stoves. He would like to purchase an outdoor wood burning stove and place it in his yard. However, he wants to place it closer to the lot line than the town municipal code allows.

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Council Member Roman asked if Mr. Collins could apply for a variance.

Attorney Barnstead said that he could go before the Board of Appeals.

Dale Balmer of Dutch Hill Rd. said that wood burning stoves have been a hot topic with the NYS DEC. He encouraged everyone to support their local government in order to keep local control of what happens in the community.

Council Member Dewey made a motion, Council Member Gunderman seconded to adjourn the meeting.

AYES: Dewey, Gunderman, Roman, Szerszen, Sheen

NOES: None

CARRIED.

The meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Carolyn A. Renko
Town Clerk