

**REGULAR MEETING OF THE VETERAN TOWN BOARD**  
**May 12, 2022**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

**Board Members present:**

Lapierre  
Henke  
O'Brien  
Lewis

**Absent:**

Winkky

**Others Present:**

C. Rhodes: highway superintendent  
W. Wolf: resident  
E. Derry: resident  
N. Watts: Stormwater Coalition  
M. Little: resident  
E. Koska: resident

**WebEx:**

J. Groff

Supervisor Lewis opened public hearing at 6:56pm concerning Local Law #1/2022 regarding Town Board "Videoconferencing"

1. Question Marlene Little commented it would be so beneficial, transparency and participate
2. Evonna Koska agreed too would open communication. Boards perspective to see who is interested.

No further comments motion was made by Lewis seconded by Lapierre to close hearing at 7:05pm.

AYES: Lapierre, Henke, O'Brien, Lewis

NAYS: None

**Nicole Watts:**

Proposal addressing Chemung County Fairgrounds. Educator for Chemung County Stormwater Coalition  
Re: executive director of the fairgrounds

**AUDIT OF BILLS:**

Motion was made by Henke seconded by O'Brien to authorize payment of the bills with the totals that follow:

"A" Fund: \$28,385.40

"B" Fund: \$1,729.02

"SF" Fund: \$139.00

"DA" Fund: \$55,518.40

"DB" Fund: \$18,513.49

AYES: Henke, O'Brien, Lapierre, Lewis

NAYS: None

**MINUTES:**

Henke wanted wording #5 under old business revised to read "Henke wishes to meet with personnel of the cemetery to review operational plans, to ensure continuity and future viability"

With the changes motion was made by Henke seconded by Lapierre.

AYES: Henke, O'Brien Lapierre ABSTAIN: Lewis (due to attendance) NAYS: None

**PETITIONS and COMMUNICATIONS:**

1. Mining project

2. Note from Tim Rodabaugh concerning downed trees in the Rt.13 cemetery
3. Chemung county Board of Elections informing the Town of Veteran of a primary June 28 in addition primary August 23.
4. Frees rabies clinic June 4 at Horseheads Town Hall
5. Charter communications channel change
6. Campenlli attorney of law in aspect of the local control of the 5G role out

#### **Planning Board/ Zoning Board of Appeals:**

Chairman Dave Adams:

1. Meeting on May 2<sup>nd</sup>
2. Approved a public hearing on solar farm
3. Resignation of Mike Yesesky opened up 2 positions. One person applied so far. Would like to stay at 7 members.
4. Discussed Watkins Road storage facility needs additional documentation/ work done to comply with DEC. Town Code Officer needs to provide list of reputable/approved engineering firms to planning Board to allow projects to move forward due to delays from Soil & Water
5. O'Brien asked about potential of the dollar general. Have not heard anymore. When they came to planning board they were asked if they were in fact from dollar general and it was stated something like it.
6. From chairman Azzarelli nothing to report for ZBA

#### **CODE ENFORCEMENT OFFICERS REPORT:**

Verbal update \$2,000 J Dog clean up on Watkins Rd. stop work order issued used force clean up. Next month forced mowing will be in the bills.

Catherine St. clean up possible a bench warrant will be issued.

Motion was made by Lewis seconded by Lapierre to accept the report as given.

AYES: O'Brien, Lapierre, Henke, Lewis NAYS: None

#### **GREEN COMMITTEE/ STORMWATER COMMITTEE:**

Did not meet last week next meeting is June 14<sup>th</sup> 7pm everyone is welcome. Rather than having a meeting Liane and I worked on some grants pulling our hair out, it's been a journey.

#### **SUPERVISORS REPORT:**

1. Good standing with Association of town certificate
2. Village of Millport Fire Dept. monthly report
3. Sheriff's report Town of Veteran calls
4. Dog control report
5. Financial statement

Motion was made by Lapierre seconded by O'Brien to accept the report as given.

AYES: Lapierre, Henke, O'Brien, Lewis NAYS: None

#### **CLERKS REPORT:**

Motion was made by Lewis seconded by Lapierre to accept the report as submitted.

AYES: Henke, O'Brien, Lapierre, Lewis NAYS: None

#### **HIGHWAY SUPERINTENDENTS REPORT:**

1. 284 plan
2. Working on Stonecroft and Briarcliff Rds.

3. \$475,068.10 CHIPS money available
4. 2008 Intermunicipal agreement with Horseheads.
5. Dust oil
6. New truck hydraulic pump blew
7. Put in driveway pipes on Brickhouse, working on Johnson Rd cutting trees. Ground Stonecroft and Briarcliff to blacktop.
8. We helped Town of Horseheads grind for a week
9. Swept roads in Millport 14 hours

Motion was made by Henke seconded by Lapierre to accept the report. AYES: O'Brien, Lapierre, Henke, Lewis NAYS: None

**PUBLIC COMMENT:**

1. E. Koska came mainly to hear about videoconferencing. Impressed with the reports and the way the town is being run.
2. M. Little concerns of the mining of the gravel pit on Benjamin Rd. is that little bridge going to handle the trucks?

**RESOLUTIONS AND MOTIONS:**

**RESOLUTION No.51/2022  
LOCAL LAW No.1/2022 "VIDEOCONFERENCING"**

Motion by: Henke  
Seconded by: Lapierre

WHEREAS, COVID-19 has been declared a state disaster emergency by the Governor, and  
WHEREAS, as a result thereof the Governor has issued Executive Orders temporarily modifying the Public Officers Law in such ways as to facilitate the conduct of meetings of public bodies by enabling members of the bodies to attend and participate in meetings via videoconferencing and also enabling the public to attend such meetings by videoconferencing, and  
WHEREAS, the Town of Veteran and its residents have used and benefited from such videoconferencing of its public meetings during COVID, and this Board feels that the benefits from such videoconferencing should continue following the declaration of emergency, and  
WHEREAS, Town Law section 62 requires Town Board meetings to take place within the jurisdiction of the Town making it appear that a board member cannot videoconference into a meeting from outside the Town's jurisdiction which would greatly diminish the utilization and benefit of videoconferencing, and  
WHEREAS, the Board has considered the adoption of a local law to permit videoconferencing from locations outside of the Town boundaries of Veteran and finds that such local law would benefit the Town and its residents  
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Veteran hereby adopts the proposed local law allowing members of the Town Board to participate in Town meetings via videoconferencing from outside the boundaries of the Town of Veteran.

Discussion was held concerning "participation" of public.

AYES: Lapierre, O'Brien, Lewis  
NAYS: Henke

**RESOLUTION NO.52/2022  
RELATIVE TO DEC MINING PROJECT**

Motion by: Lapierre

Seconded by: Henke

WHEREAS, The Region 8 Office of the New York State Department of Environmental Conservation (NYSDEC) has engaged the Towns of Erin and Veteran with SEQR LEAD AGENCY COORDINATION REQUEST dated April 18, 2022 regarding the Mitstifer Mine and

WHEREAS, the NYS DEC has requested the Towns' jurisdiction in the action and claims that there are no local approvals necessary and

WHEREAS, the request also provides the opportunity for the Town of Veteran to ASSUME THE RESPONSIBILITIES AS THE SEQR Lead Agency and

WHEREAS, this project may be served through a special liaison between the Town of veteran and the NYS DEC

NOW THEREFORE BE IT RESOLVED, that Supervisor David Lewis is authorized and directed, with the assistance of the Town Attorney, to incorporate the following points in a response to the NYS DEC no later than April 17, 2022:

The Town of Veteran reserves its authority under the Town of Veteran Zoning Law for approval of the proposed action.

The Town of Veteran has no interest in serving as the SEQR Lead Agency

Planning Board Chairman David Adams shall act as the liaison between the NYS DEC and Town of Veteran on the project.

Discussion was held.

AYES: Henke, Lapierre, Lewis NAYS: O'Brien

Motion was made by Henke seconded by Lapierre to table the Executive Director of Chemung County Fairgrounds until more information is gotten.

No further discussion.

AYES: Lapierre, Henke, Lewis NAYS: O'Brien

Set public hearings for the MS4 comments.

Motion by Lewis seconded by O'Brien to set the date of Monday May 23, 2022 at 6pm. directing town clerk to publish such hearing.

AYES: Lapierre, Henke, O'Brien, Lewis NAYS: None

**OLD BUSINESS:**

**Unified Building Code:** Attorney will be in town next week to present draft

**Bucket truck:** Attorney Groff has not seen current version: but told all his recommendations were incorporated

**Rules of Procedure:** Supervisor provided an in-depth explanation, resulting in a very pointed discussion concerning the public's participation in meetings. The overriding concern was not being able to provide

the appropriate information to constituents, or ensuring that all Board members agreed on information provided to constituents. The Supervisor reiterated that Board members could address issues before and after Board meetings directly.

**Grant/MS4 Flood Mitigation:** it's too hard and expensive: switching gears to a NYS grant program that is easier: there are issues concerning a geological study

**Lawsuit:** Attorney has direct to cease interfacing with courts, the town is being represented by the insurance agency's legal representatives.

**NEW BUSINESS:**

Motion was made by Lewis seconded by Henke to authorize the supervisor to sign the one year contract with Southern Tier Animal Control for dog control.

AYES: Henke, O'Brien, O'Brien, Lewis NAYS: None

Sullivanville Cemetery: downed trees, we will figure it out.

Motion was made by Lewis seconded by Henke to recess until May 23, 2022 at 6pm.

All in favor

Minutes recorded by V. Azzarelli

Transcribed by: Patricia R. Manwaring, clerk