

**REGULAR MEETING OF THE VETERAN TOWN BOARD
OCTOBER 13, 2022**

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT:

Lapierre
Henke
Winkky
O'Brien
Lewis

OTHERS PRESENT:

T. Rodabaugh: Historian
G. Campbell: Historical Society
W. Wolf: Planning Board member
D. Adams: Planning Board Chairman
J. Groff: Attorney
V. Azzarelli: Zoning Board Chairman
C. Rhodes: Highway Superintendent
E. Derry: Board of Assessment Review member
L. Morse: Candidate County Legislator

Supervisor Lewis opened a public hearing at 6:55pm concerning Local Law #5/22 "Public Servant Issuance of Appearance Tickets"

- One question was asked by W. Wolf: If someone is issued appearance ticket do they appear in front of our judge?

Motion was made by Lewis seconded by Winkky to close such hearings at 7PM.

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

NAYS: None

Town of Veteran Historical Society chairman G. Campbell and T. Rodabaugh Historian spoke about a Bicentennial Book they are working on and informed everyone that they will be selling the books.

Chemung County IDA/STEG Joe Roman will meet at a later date concerning the Wedge Solar project.

Audit the Bills:

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

"A" Fund: \$21,923.81

"B" Fund: \$235.96

"DA" Fund: \$7,023.08

"DB" Fund: \$94,069.11

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

NAYS: None

Minutes:

Motion was made by O'Brien seconded by Henke to approve the minutes of 9/8/22.

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

NAYS: None

Petitions and Communications:

- Thank you from Chemung County Library District for the offer of the micro film machine but they have no use for it.
- Charter channel changes
- Letter from Ag. & Markets inspection for dog control shelter passed.

- Letter from Ag. & Markets inspection for dog control officer passed.

Planning Board/ Zoning Board of Appeals:

- Met Oct. 3rd.
- Reviewed May/ Sept. minutes for the climate control storage units. Stormwater not approved.
- 211 Veteran Hill Rd. 5 megawatt solar
- Requested job description
- Zoning Board of Appeals received letter from Chairman, they did not meet

Code Enforcement Officers Report:

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

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

NAYS: None

Green Committee/ Stormwater Committee:

Meeting was moved to Tuesday Oct. 25th at 7pm

Supervisors Report:

- Financial balances
- Report from Millport Fire Dept.
- Report from Sheriff's Dept. on activities in the Town
- Dog control monthly report
- Bill attended water quality/ MS4 meeting
- Town and County fire contract moving forward

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

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

NAYS: none

Clerks Report:

Lewis inquired about the amount the state gets for marriage licenses compared to what the towns share. Clerk pointed out that it is the same with sporting licenses (DECALS) that they make much more than the towns share.

Motion was made by Henke seconded by Winkky to accept the report as submitted.

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

NAYS: None

Highway Superintendents Report:

- Oil and stoned Johnson Rd., Hall Rd. & Catherine St. Patching roads all over. Mowing back roads. Putting shoulders on Benjamin Rd.
- Truck #1 putting new bushing in the spring hangers.
- Operational all good, so far
- Horseheads, Catlin, Erin helped us out oil stone we helped out Van Etten oil stone.
- Dave Oman was made that we cut back the brush on Roemmelt Rd.
- Work in Millport for 10 hours 3 people

Motion was made by Henke seconded by Winkky to accept the report as given.

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

NAYS: None

Public Comment:

- V. Azzarelli inquired as if the Town of Veteran would be included in Town & Country Fire District.
- Chemung County has problem finding employees
- Enjoyed listening about the Bicentennial book
- Pay attention to FEMA grants

Resolutions and Motions:

No comments from public comments moved to new business

**Resolution No.74/22
Relative to Adoption of Local Law #5/2022**

Motion by: Lewis
Seconded by Winkky

WHEREAS, a proposed Local Law providing for and entitled “Public Servant Issuance of Appearance Tickets”, which proposed Local Law in its final form was presented to the Town Board at its meeting held on September 8, 2022, was laid on the desks of the members of the Town Board for at least 10 days, and a copy thereof was kept by the Town Clerk, and

WHEREAS, a public hearing on the advisability of enactment of said proposed Local Law was held on October 13, 2022 before this Board pursuant to Public Notice duly published in the Elmira Star Gazette, according to law, at which time all interested persons were heard, and

WHEREAS, adoption of the proposed Local Law will not require permits or approvals from any other local, regional or state agencies, and

WHEREAS, the Town Board, after due deliberation, finds that it is in the best interests of the Town to adopt said Local Law.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Veteran:

1. said proposed Local Law be and the same hereby is adopted and said Local Law shall be entered into the minutes of this meeting,
2. said Local Law shall be known as “Local Law #5 of 2022”, and
3. Town Clerk Pat Manwaring is authorized and directed to give due notice of the adoption of said Local Law to the Secretary of State.

AYES: O’Brien, Lapierre, Henke, Winkky, Lewis

NAYS: None

**RESOLUTION No.75/22
Relative to Setting Public Hearing for Local Law #6/2022 “Tax Cap Override”**

**Motion by: Lapierre
Seconded by: Lewis**

WHEREAS, the Town Board is charged with the responsibility of enacting a budget every year for the Town affairs; and

WHEREAS, the tax levy limit established in General Municipal Law Section 3-c makes it an increasingly difficult for the Town Board to anticipate budgetary needs and taxing constraints; and

WHEREAS, in the event the Town's tax levy exceeds the allowable tax levy limit voluntarily or due to clerical or technical errors the State has the authority to penalize the Town unless the Town Board has formally given itself permission to exceed the tax cap, and

WHEREAS, adopting a Local Law overriding the tax levy is not predictive of the final tax levy but will provide the Town flexibility to exceed the property tax cap if it is deemed necessary, and

WHEREAS, Supervisor David Lewis has recommended the adoption of this Local Law, and

WHEREAS, this Board has reviewed a draft local law providing for the override of the tax levy limit established in General Municipal Law Section 3-c for the fiscal year 2023; and

WHEREAS, this Board is empowered to enact such a local law following a public hearing.

NOW, THEREFORE, be it resolved that the Town Board of the Town of Veteran shall hold a public hearing at the Town Hall, Millport, NY on November 10, 2022, at 6:55 p.m. to consider a proposed Local Law which would provide for an override of the tax levy limit. At the public hearing, the Town Board shall hear comments from all interested persons and thereafter may take action on the proposed local law.

BE IT FURTHER RESOLVED, that the Town Clerk is authorized and directed to publish and post a legal notice of the public hearing on the proposed local law in the manner provided by law and shall make a copy of the proposed local law available for public inspection in the Clerk's Office following the adoption of this Resolution and until the public hearing is closed.

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

NAYS: None

Old Business:

Website update: Zooming another company. Have to decide what we want. Lapierre will work with O'Brien on this matter.

Bi-Centennial:

Resolution No.76/2022 Relative to Towns Bi-Centennial

Motion by: Lewis

Seconded by: O'Brien

Whereas the Town Board of the Town of Veteran has extensively discussed the potential for a celebration of the Towns Bi-Centennial 2023, and

Whereas, the resources in the Town of Veteran are insufficient to properly to resource and coordinate such an event on a scale with appropriate interest level.

Now Therefore Be It Resolved, the Town of Veteran will not be supporting the Bi-Centennial event.

AYES: Lapierre, Winkky, O'Brien, Lewis

ABSTAIN: Henke

NAYS: None

**Resolution No.77/22
Relative to Comprehensive Plan Review Committee**

Motion by: Lewis

Seconded by Henke

Whereas, the Town of Veteran adopted a Comprehensive Plan in 2014 to guide the new Zoning Law that was eventually adopted in 2021, and

Whereas, significant events, including a global pandemic, ARPA, and remote working arrangements have impacted the local economic landscape since the Comprehensive Plan adoption, and

Whereas, additional recommendations, beyond the top priority to adopt a new Zoning Law, should be considered during the Implementation Phase of the Comprehensive Plan

Now Therefore Be It Resolved, that the Town of Veteran Board appoints a Comprehensive plan Review Committee charged with the editorial revision, a current recommendation of the top five recommended actions, and a review of the document to identify sections requiring a substantial material revision , and Be It Further Resolved, the Comprehensive Plan Review Committee shall report its finding to the Town of Veteran Board no later than March 31, 2023, and

Be It Furthermore Resolved that the membership of the Comprehensive Plan Review Committee shall be made up of the following appointed residents with diverse backgrounds that have shown a high level of interest in the Town of Veteran affairs: Liane O'Brien, Shawn Lapierre, Dave Adams, Vincent Azzarelli, Winston Wolf, Mario DeMichele and Carol Edwards.

And Be It Finally Resolved, that the committee shall, in their first meeting elect a chairperson amongst the appointed members.

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

NAYS: None

Motion was made by Lewis seconded by Henke to adjourn this part of the meeting at 8:20pm until October 20, 2022 at 6pm for the purpose of reviewing 2023 budget. If more time is needed meetings will be adjourned for the dates of October 27, 2022 and November 3, 2022.

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

NAYS: None

**CONTINUED MEETING OF OCTOBER 13, 2022
October 20, 2022 6pm**

Pledge of Allegiance

Board members present:

Lapierre
Henke
Winkky
O'Brien
Lewis

Others:

C. Rhodes

The board did extensive review of the 2023 budget.

Motion was made to adjourn at 8pm and reconvene October 27 at 6pm

Adjourned at 8pm

**Continued meeting of October 20, 2022
October 27, 2022 6pm**

Pledge of Allegiance

Board members present:

Lapierre
Winkky
O'Brien
Lewis

Others:

C. Rhodes

Absent:

Henke

The board continued to review the 2023 budget.

**Resolution No.78/22
Relative to Buyout for Rhodes Health Insurance**

Motion by: Lapierre

Seconded by: O'Brien

Whereas, Highway Superintendent Curt Rhodes is currently covered on a Town of Veteran paid health care plan including deductible coverage, and

Whereas, Highway Superintendent Curt Rhodes family circumstances will permit him to obtain health coverage insurance through another source, and

Whereas Highway Superintendent Curt Rhodes has proposed to the Town Board to opt out of health care with a \$10,000 annual opt out, and

Therefore Be It Resolved, that the Town Board of the Town of Veteran will extend an opportunity for 2023 for Curt Rhodes to opt of Town of Veteran sponsored health care coverage and all other health care assisted payments with a commission \$10,000 payroll increase in by weekly payments of the amount though the year.

AYES: Lapierre, Winkky, O'Brien, Lewis

NAYS: None

Motion was made to adjourn this part of the meeting at 7:30pm
The Town Board will meet November 3, 2022 at 5:10pm to set public hearings concerning the 2023 budget and the fire contract with Town & Country Fire Dept.

**RECONVIENED METING OF OCTOBER 27, 2022
November 3, 2022**

Pledge of Allegiance

Board members present:

Lapierre

Henke

O'Brien

Lewis

Absent:

Winkky

**RESOLUTION No.79/22
APPROVING PRELIMINARY BUDGET FOR 2023 AND DIRECTING PUBLIC HEARING THEREON**

Motion by: Lewis

Seconded by: Lapierre

The Town Board of the Town of Veteran, duly convened, does hereby resolve as follows:

SECTION 1. Pursuant to and in accordance with the provisions of section 106 of the Town Law, and other applicable provisions of law, the annexed detailed statement of estimated expenditures and revenues be and the same hereby is approved and adopted as the preliminary budget of the Town of Veteran for the fiscal year beginning 2023. Such preliminary budget shall be filed forthwith in the office of the Town Clerk, where it shall be available for public inspection.

SECTION 2. The Town Board shall meet at 4049 Watkins Road, Millport, NY, on November 10, 2022 at 6:55 pm and then and there hold a public hearing upon such preliminary budget.

SECTION 3. The Town Clerk shall give notice of such public hearing by publishing notice thereof in the Elmira Star Gazette, the official newspaper of the Town, and shall cause a copy of said notice to be posted on the signboard of the Town.

SECTION 4. This resolution shall take effect immediately.

AYES: Lapierre, Henke, O'Brien, Lewis

NAYS: None

RESOLUTION No.80/22

SCHEDULING A PUBLIC HEARING FOR T&C FIRE CONTRACT

Motion by: Lewis

Seconded by: Lapierre

The Town Board of the Town of Veteran, duly convened, does hereby RESOLVE as follows:

Section 1. The Town Board does hereby schedule a Public Hearing on November 10, 2022 at 6:55 pm at 4049 Watkins Rd., Millport, NY on the proposed fire protection agreement with Town and County Fire Department for 2023.

Section 2. The Town Clerk is hereby authorized, empowered and directed to:

(a) Immediately publish a Legal Notice as to said Public Hearing in the Elmira Star Gazette, and post a copy thereof on the Town Clerk's sign board.

Section 3. Pursuant to Part 617 of the implementing regulations to Article 8 (State Environmental Quality Review Act) ("SEQR"), the Town Board shall determine whether the agreement would have a significant effect upon the environment.

Section 4. This Resolution shall take effect immediately.

AYES: Henke, O'Brien, Lapierre, Lewis

NAYS: None

Motion was made by Lewis seconded by Lapierre to adjourn at 5:20pm

All in favor

Patricia Manwaring

Clerk