

August 12, 2019

**REGULAR MEETING TOWN BOARD OF CHERRY CREEK**

**PRESENT:** William Young, James Abbey, Carl Smallback, Ryan Lepp, Matt West, Ken Chase, Mary Pulliam, Dave Crossley

**GUESTS:** Please see attached

William Young brings meeting to order with the Pledge of Allegiance.

Motion by Ryan Lepp, seconded by Carl Smallback, all in favor to accept July 8, 2019 minutes, none opposed.

**SUPERVISOR/TREASURERS REPORT:** Motion by James Abbey, seconded by Matt West, all in favor to accept Supervisor/Treasurers Report, none opposed.

**CLERKS REPORT:** Motion by Matt West, seconded by Ryan Lepp, all in favor to accept Clerks Report, none opposed.

**GENERAL BILLS:** #240 thru #266 totaling \$6605.56, motion by Carl Smallback, seconded by Matt West, all in favor to pay General Bills, none opposed.

**HIGHWAY BILLS:** #93 thru #111 totaling \$134,674.13, motion by Ryan Lepp, seconded by James Abbey, all in favor to pay Highway Bills, none opposed.

**WATER BILLS:** #42 thru #52 totaling \$2579.32

**SEWER BILLS:** #45 thru #49 totaling \$1185.77, motion by Matt West, seconded by Carl Smallback, all in favor to pay Water/Sewer Bills, none opposed.

**ASSESSORS/CODE ENFORCEMENT REPORT:** 5 permits totaling \$350.00, motion by Ryan Lepp, seconded by James Abbey, all in favor to accept Assessors/Code Enforcement Report.

**DCO REPORT:** 3 phone calls which were able to be handled over the phone with no problems. Motion by James Abbey, seconded by Carl Smallback to accept DCO Report, none opposed.

**JUDGES REPORT:** 2 reports received, motion by Ryan, seconded by James Abbey, all in favor to accept Judges Reports, none opposed.

**HIGHWAY**

- Jerry Abers handed in his letter of resignation for August 16, 2019. Ken Chase would like to go into executive session after board meeting to discuss employment.
- Chips application is done.

- Quote for new loader \$10,312.00. Chase would recommend trade. Motion by James Abbey, seconded by Ryan Lepp, all in favor of the trade, none opposed.
- Shoulder work being done on Aldrich.

### COMMUNICATIONS – OLD/NEW BUSINESS

- Water law sent over to Dana Lundberg.
- New Lease for Fire Hall is being worked on.
- No response from Pine Valley regarding Safe Place.
- Road Damage Law has been resubmitted to the State.
- Latshaw property transfer, just waiting to sign final paper work.
- New zone plans with Dana Lundberg.
- Town and Village laws have been given to Dana Lundberg and he is working on them.
- Salary Budget sheet have been handed out. Budget workshop set for August 19, 2019 at 7PM.
- Deposits made - \$536.38, \$136.31, \$491.44 and \$1050.00. Sales tax deposit of \$54,624.50.
- Discussion regarding cemetery banks, Ryan Lepp said grade/gravel. William Young said weeds would be a problem. Ken Chase questioned board in regards to cutting a shelf into the bank. Board would like him to discuss with the cemetery commission.
- Lisa Gross and William Young continue to work and email in regards to the dissolution grant check. Kent Gardner states check should be received soon.
- Fire hall roof leak, quoted by Ben Gross, and he will get the work done in September.
- Ditch meeting – William Young has sent out for 3 quotes on the work which will be divided between all property owners.
- Received the analysis from Wilmington Trust.
- Ryan Lepp spoke about meeting to be held with the Fire Commissioners, board would like lease back from Dana Lundberg first.

### PUBLIC

Many Town/Hamlet residents here to discuss the application for Gravel Pit/Gernatt's up behind the Baptist Church. They have concerns regarding noise, traffic, hours of operation, dust control, and health issues. Dave Crossley stated that DEC is in control in regards to the application/permits and no application has been received yet. He discussed special use permits/public hearing. Jessica Rungi has been in contact with the DEC (Lucas Mahoney # 379-6380). She stated the Town has the right to put a stop to all gravel pits and discussed moratorium and special use permits. William Young would like her to email him with all

information she has received. Diane Ellsworth stated the board should represent Town Residents and contact the DEC with their concerns.

Matt West will be in contact with Lucas Mahoney and James Abbey will be in contact with Gernatt's.

Dave Crossley final drawing received in regards to Cockaigne and everything is back on track. Lifts are up and running. William Young stated Public Hearing will need to be scheduled soon in regards to the Grant Monies.

Leah Grossman, Innogy, to update board on Wind Project. Tree clearing will be starting in 2 weeks and spoke regarding the compliance filing reports, civil works and posting of letters. Complaint log has been set up in regards to the project. Residents discussed concerns regarding cell reception and the problems they are having in Arkwright. Susan Baldwin has concerns regarding temporary road turning. Leah Grossman explained to her there would be no construction in Villenova and she will show her on the map where the construction will be.

Resolution of the Town of Cherry Creek Approving the Host Community Agreement for the Cassadaga Wind Farm. Motion by James Abbey to pass resolution seconded by Ryan Lepp, all in favor, none opposed.

Kathy Smith has concerns in regards to the sidewalk up from the Trillium.

Robert Silagyi has concerns regarding tree and creek. He also has issues with drainage on his corner lot. Ken Chase will take a look at these issues and report back to board.

#### **TRANSFERS**

\$250 from A1990.4 to A6410.4, \$200 from A1990.4 to A1220.4, \$1500 from SM5410.4 to SM5410.1, motion by James Abbey, seconded by Matt West, all in favor of transfers, none opposed.

Motion by Ryan Lepp to adjourn regular meeting to go into executive session, seconded by Matt West, all in favor, none opposed. 8:45 PM

Next regular meeting September 9 at 7 PM