

**JANUARY 13, 2020**

**REGULAR MEETING TOWN BOARD OF CHERRY CREEK**

**LOCATION:** Town Hall, 6845 Main St., Cherry Creek, NY

**PRESENT:** James Abbey, Carl Smallback, Ryan Lepp, Bruce Hendricks, Ken Chase, Mary Pulliam, Duncan Young, Dave Crossley, William Young via telephone

**GUESTS:** Leah Grossman, Randy Buntjer, Sandy Sayyear, Kathy Smith, Brenda Hendricks, Jessica & Jason Runge, Kim & Matt Reid, Jayson Rowicki, Diane Ellsworth

James Abbey brings meeting to order with the Pledge of Allegiance.

Motion by Carl Smallback, seconded by Bruce Hendrick, all in favor to accept December 9, 2019 minutes, none opposed.

**SUPERVISOR/TREASURERS REPORT:** Motion by Ryan Lepp, seconded by Carl Smallback, all in favor to accept Supervisor/Treasurers Report, none opposed.

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

**GENERAL BILLS:** #1 thru #37 totaling \$26,154.10, motion by Bruce Hendricks, seconded by Ryan Lepp, all in favor to pay General Bills, none opposed.

**HIGHWAY BILLS:** #183 thru #201 totaling \$18,843.02, motion by Ryan Lepp, seconded by Carl Smallback, all in favor to pay Highway Bills, none opposed.

**WATER BILLS:** #1 thru #5 totaling \$1359.27 **SEWER BILLS:** #1 thru #7 totaling \$1253.78, motion by Carl Smallback, seconded by Ryan Lepp, all in favor to pay Water/Sewer Bills, none opposed.

**ASSESSORS/CODE ENFORCEMENT REPORT:** 1 permit totaling \$50. Motion by Ryan Lepp, seconded by Carl Smallback, all in favor of Assessors/Code Enforcement Report, none opposed.

**DCO REPORT:** none

**JUDGES REPORT:** Motion by Ryan Lepp, seconded by Carl Smallback, all in favor to accept Judges Report, none opposed.

**HIGHWAY**

- Route 83 Cherry Creek south to Conewango Valley will be out for bid.
- Ken Chase questions weather Innogy paid for last pipe, Leah Grossman stated yes.
- Discussion regarding the condition of the benches at the Ball Park. Ken Chase stated Mike Gould would be able to build new, estimated expense of \$2500.00. William Young has asked CCCA and school for help in paying, and Ken Chase will check with Noco.

- Duncan Young stated the Caterpillar generator is not running and will be serviced on Wednesday.

CDBG Grant awarded for \$30,000.00 and 3 resolutions need to be passed.

#1 formation of committee, Lisa Gross, William Young, and Duncan Young. Motion by Ryan Lepp, seconded by Carl Smallback, all in favor, none opposed.

#2 Supervisor gives Clerk, Lisa Gross permission to advertise for requested quotes. Motion by Ryan Lepp, seconded by Carl Smallback, all in favor, none opposed.

#3 Supervisors Acceptance of NYS CDBG Agreement. Motion by Ryan Lepp, Seconded by Carl Smallback, all in favor, none opposed.

All resolutions need to read Town Board instead of Trustee's.

James Abbey has reviewed Judges books. Resolution needs to be passed accepting Judges books have been reviewed and accepted. Motion by Ryan Lepp in favor of the Resolution, seconded by Carl Smallback, all in favor, none opposed.

#### **COMMUNICATION/OLD AND NEW BUSINESS**

- **2020** Census boundary and annexation survey was done by Kevin Okerlund
- Need to pass 2020 Local Law # 1 Road Defects. Motion by Ryan Lepp, seconded by Carl Smallback, all in favor, none opposed. Mary Pulliam will forward to Dana Lundberg to forward to the State.
- Dog Law will be saved for next meeting.
- Will not be doing rabies clinic this year.
- Land drainage next door, keep in minutes.
- Association of Towns Annual Dues \$599.00, Ken Chase states its worth having. Motion by Bruce Hendricks, seconded by Carl Smallback, all in favor to pay, none opposed.
- Received final notification regarding Cockaigne grant.
- NYMIR advised there is issues with cyber security, William Young will contact NYMIR in regards.
- Grant for boiler at fire hall, no new updates.
- Dave Crossley has rough draft of the new zone plan, he will be emailing to all board members and Supervisor for all input, then public hearing will be needed.
- Received call from DEC regarding flood plan updates.
- Dave Crossley will be retiring and stated Kevin Okerlund has a couple candidates in mind.
- Dave Crossley will file the Annual code report.
- The mold house tenants and owner are going to court and Dave Crossley will be called to appear in court, but not on behalf of the Town. There will be no Town involvement.
- Still is no backup for Duncan Young, for public works. Dustin Sheldon was mentioned as a fill in in case of an emergency. James Abbey, stated a couple of interviews will be done soon and would like to hold off on rehiring Dustin Sheldon as a fill in.

- William Young and Dana Lundberg will be discussing the Town/Village Laws.
- Discussion regarding the Alley. William Young has discussed with Dana Lundberg and has action plan. He will be calling Kathy Smith in regards.
- Jessica Runge questions when there planning on a meeting with everybody in regards to the zoning plan meeting she was invited to attend. Dave Crossley agreed to set up a meeting, Jessica Runge will email list of people.
- Leah Grossman stated tree clearing has started on Plank Road. GBS is on sight. Randy Buntjer will be attending meetings for all updates.
- Sandy Sayyear stated Innogy has asked to use some roads that were not in the initial report; Ken Chase stated they are all County roads.
- Diane Ellsworth here to represent people from Park Terrace and Crestview Drive. She questions if the host agreement was signed, William Young stated yes. She then wanted to know why it wasn't posted on the Website. William Young said it was not required. Leah Grossman stated it is posted on a website and she will give her the link. Diane Ellsworth also stated she has heard allegations that there is a board member who will benefit financial from the Wind Project. William Young stated that that board member had to abstain from any voting. She also wanted to know why Board Meetings are not published in the paper.
- Kathy Smith would like to know why nothing is being done in regards to all the abandoned homes in the hamlet. Dave Crossley stated it's a long expensive process.

#### **2020 APPOINTMENS AS FOLLOW:**

- Regular meeting will be held second Monday of every month at 7 PM.
- Official Bank CCB
- Official Newspaper Post Journal
- Official Lawyer Dana Lundberg
- Historian, Sharon Sweeting
- Mileage 54 ½ cents per mile
- Registra, Mary Pulliam \$300
- Bookkeeper/Payroll, Bahgat, Laurito-Bahgat Firm
- Court Clerk, Mia Abbey
- Deputy Supervisor, James Abbey
- Highway Committee, Carl Smallback, Ryan Lepp
- Safety Committee, William Young, Carl Smallback
- Building Committee, Ken Chase, Bruce Hendricks
- Census Committee, William Young, James Abbey
- Insurance Committee, Ken Chase, James Abbey, Ryan Lepp
- Grievance Board, Ken Latshaw, Phil Rupp, Barry Gross
- Cemetery Committee, Ken Chase, Sharon Sweeting, J. Martin Smith
- Code Enforcement, Kevin Okerlund, Dave Crossley
- Assessor, Kevin Oklerlund

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- Zoning Committee, Duncan Young, Kirk Hoth, Clyde Rodgers, Sharon Sweeting, Mark Raetz
- Don Control Officer, Mary Benson
- Deputy Highway Superintendent, Rick Walker
- Langford testing, Silver Creek
- Mutual Aid Agreement with Chautauqua County
- Continuation of shared services with the County
- Deputy Town Clerk, Mia Abbey
- Water/Sewer Clerk, Lisa Gross, hourly rate
- Board approval to pay Credit Card, Wex Bank, State Comptroller and any other bills that need to be paid before the board meeting
- Comprehensive Planning Committee, Gary Howe, Deb Bernard, Lonnie Reynolds, Clyde Rodgers

Motion by Ryan Lepp, seconded by Bruce Hendricks, all in favor to accept all 2020 Appointments, none opposed.

Motion by Ryan Lepp to adjourn regular meeting and go into executive session per Duncan Young's request, seconded by Carl Smallback, all in favor, none opposed. 8:45 PM

Next regular meeting February 10, 2020, 7 PM

Mary J. Pulliam

Town Clerk