

Minutes of the Franklinville Town Board Meeting held on March 12, 2024, at 7:00 P.M., at the Town Hall, 11 Park Square, Franklinville, NY.

ROLL CALL:

Catharyn Campbell.....Supervisor
Heather Stevens.....Councilwoman
Terry McClory.....Councilman
Scott Stanbro.....Highway Supt.
Andrea StanbroTown Clerk

ABSENT:

Sharon Hahn.....Councilwoman
Joseph Weaver.....Councilman

The meeting was called to order by Supervisor Campbell at 7:00 P.M. The Pledge of Allegiance was recited. Roll Call was taken.

Approval of Minutes

Mrs. Stevens made a motion to accept the February 13, 2024, minutes, seconded by Mr. McClory
Motion carried Ayes-3 Campbell, McClory, Stevens
Nays-0
Absent-2 Weaver, Hahn

Approval of Abstracts

Mrs. Stevens made a motion to pay Abstract # 3 General vouchers # 56-77 in the amount of \$ 42,548.80, Highway vouchers # 28-40 in the amount of \$ 34,429.39 seconded by Mr. McClory.
Motion carried Ayes-3 Campbell, McClory, Stevens
Nays-0
Absent-2 Weaver, Hahn

Petitions and requests from the floor

Attorney Peter Sorgi representing Schwab Land Holdings, LLC discussed an action desired to utilize vacant land with frontage on Pine Street and Kingsbury Hill Road, Town of Franklinville, NY; SBL No. 40.003-2-2.11; 41.75 +/- acres.

Per Communications with Attorney Peter Sorji:

My clients, Schwab Land Holdings, LLC and T.L. Schwab Transport, LLC have submitted in February Application for Site Plan Approval and Special Use Permit to the Town for an approximately 52,000 square feet building with parking areas and related site infrastructure on approximately 11.5 acres of an approximately 41.75 acres site which is zoned Agricultural-Residential (AR). The proposed use is a Heavy Equipment Storage and Service Facility which is allowed in the AR Zoning District with a Special Use Permit from the Town of Franklinville Zoning Board of Appeals.

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This Property is contiguous to Great Lakes Cheese and my clients will be doing trucking for Great Lakes Cheese and utilizing their southern access onto NYS Route 16 for truck traffic. The remaining 30.5 acres will continue to be farmed.

We had a recent development that results in a rezoning application for the entire site from Agricultural Residential to Industrial. We were recently contacted by Corey Wiktor, Cattaraugus County Industrial Development Agency Executive Director, and Mr. Wiktor has a potential industrial or manufacturing user for approximately five acres of the Property. The potential industrial or manufacturing user would be located to Cattaraugus County from outside of Western New York and good jobs will be one of many positive results from this potential project.

I also represent Great Lakes Cheese currently and represented them on their project and the zoning approvals a few years ago. At that time, we advised the Town Board that there would be offshoot businesses and the business that Mr. Wiktor has brought to us as well as my clients use are a result of Great Lakes Cheese.

The first step in the process is for the Town Board to declare itself Lead Agency pursuant to SEQR as this is a Type 1 SEQR Action. I have prepared the standard Lead Agency Solicitation Notice which I will review with the Town Board this evening. Once this is done, there is a 30 day waiting period for the other agencies to consent and to provide the Town Board with any areas of environmental concern.

Description of Action:

Schwab Land Holdings, LLC, the property owner, is seeking to rezone approximately 41.75 acres from Agricultural - Residential A R to Industrial (I). Approximately 11.5 acres will be utilized as a Heavy Equipment Storage and Service Facility and the remaining approximately 30.25 acres will continued to be farmed but it is anticipated that in the future, some of the approximately 30.25 acres will be used for an industrial or manufacturing use. The Property is contiguous to the Great Lakes Cheese Facility and this Property is ideal for the anticipated businesses that will be developed as a result of the Great Lakes Cheese Facility. Schwab Land Holdings, LLC has been working with Corey Wiktor, Cattaraugus County Industrial Development Agency Executive Director, and Mr. Wiktor has a potential industrial or manufacturing user for approximately five acres of the Property. The potential industrial or manufacturing user would be located to Cattaraugus County from outside of Western New York and good jobs will be one of many positive results from this potential project.

T.L. Schwab Transport, LLC is proposing the construction of an approximately 52,000 square feet building with parking areas and related site infrastructure on approximately 11.5 acres of an approximately 41.75 acres site which is zoned Agricultural-Residential (AR). The proposed use is a Heavy Equipment Storage and Service Facility which is allowed in the AR Zoning District with a Special Use Permit from the Town of Franklinville Zoning Board of Appeals.

T.L. Schwab Transport, LLC's Project Site will be utilized for the storage and service of trucks and trailers are used to haul goods and materials. The primary access will be through an easement to the Great Lakes Cheese Facility which is located directly to the North of the Project Site with access onto NYS Route 16 through the southernmost driveway onto the Great Lakes Cheese Site. Much of the goods and materials being hauled will be to and from Great Lakes Cheese. The Project Site has a secondary access

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onto Kingsbury Hill Road which will be used primarily for employee and visitor access in their personal vehicles. There is also access from Fay Street via Pine Street which will be used sparingly for employee and visitor access in their personal vehicles.

SEQR Classification:

Type I per 6 NYCRR 617.4(b)(6)(i): “activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50 percent of any of the following thresholds: a project or action that involves the physical alteration of 10 acres;” and per 6 NYCRR 617.4(b)(2): “the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district.”

Questions/Comments:

Councilman McClory wanted to make sure there is an easement through Great Lakes Cheese for the concern of our local Town and Village Streets.

The Town of Franklinville can say that there will not be use of Faye St. to truck traffic.

Groundbreaking would likely to be late Fall early Spring if all tasks are approved.

Councilwomen Stevens asked if there was an environmental study done; reply was February 21, 2024.

Mr. Sorji then asked the Town Board if they wanted to be Lead Agency for the SEQR process, Mr. Sorji also asked if the Town Board would hold a Public Meeting on this action.

Councilman McClory made a motion to declare the Town of Franklinville as Lead Agency for the SEQR process, seconded by Councilwoman Steven.

Motion carried Ayes-3 Campbell, McClory, Stevens

Nays-0

Absent-2 Weaver, Hahn

Councilwoman Stevens made a motion to hold a public meeting at the next Regular Town of Franklinville Board Meeting April 9, 2024, seconded by Councilman McClory.

Motion carried Ayes-3 Campbell, McClory, Stevens

Nays-0

Absent-2 Weaver, Hahn

Questions/Comments:

Concern for time of the Town of Franklinville Officers and time to make sure there is a type of landscaping to blind the proposed industrial area from the Franklinville residence homes, and utilization of the area's resources are just a few of residents Heavern's and Farrington's concerns. Sorji explained his office will do most of the work as far as printing and gathering materials for the Town Clerk to mail, and with The Franklinville Town Board being Lead Agency; they can have more control on these issues.

Mr. Hatch asked what the pros and cons are to saying yes to being Lead Agency, Sorji explained it would be beneficial to the Town to have more control of the action; also, can ask for certain items like the landscaping barriers and the like. The Town Board will also see the comments from the other agencies involved as far as what they would like to see done or not done. For example, when NYS Office of Parks, Recreation and Historic Preservation worked with Great Lakes Cheese came across the Burial Ground and asked for the area to be preserved.

Mrs. Holden would like to see the Town of Franklinville have more investment opportunities in the area.

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Highway Superintendent

Mr. Stanbro reported half of the new garage doors are up and next week the other three doors will be done.

One of the trucks is down and is waiting for parts.

Mr. Stanbro asked the Board to go into an executive session.

Supervisor Campbell asked Mr. Stanbro if the Dog Control Van was fixed after breaking down; Stanbro replied the van is fixed and ready for pick up.

Supervisor Campbell reported we have received a few bids for the repair on the Highway barn and Chimney repair at the Town Hall as bricks are falling off the roof and behind the steeple the roof is pulled away and letting water in.

Mr. Stanbro read the following bids:

Stone Mountain Masonry – Highway Barn - \$8,552.70

Grind out cracks, repair, flush joints with liquid bond

Stone Mountain Masonry – Highway Barn Windows –

Slide \$7,839, Double \$7,154.72 Awning \$8,486 Labor \$11,500

Stone Mountain Masonry – Town Hall - \$4,465.30

Flashing, tear down current chimney, sheet, ice water shield, shingles, grind out and mortar joints because roof is pulled away flashing.

All Pro Gutters – Highway Barn - \$2,341.00

Supply and 6in white gutters with down spouts, remove and replace. If would like the same for the back of the building, double the price.

Supervisor Campbell said she will talk to Diane first and decide at the next Board meeting.

Cemetery Sexton

Mr. Easton reported that Mt. Prospect opened a month early with 3 burials and 3 burials are scheduled with 4 graves purchased.

Mr. Easton mentioned that he hasn't heard of concerns about the new prices.

Supervisor Campbell asked Mr. Easton if there had been a lot of stones falling over; a local Town had asked. Mr. Easton replied said there is not a lot of issue with that maybe a tree root or two pushing but not vandalism. Mr. Easton also mentioned that to pour a foundation is around four to five hundred dollars.

Supervisor Campbell read the following bids for contracted Mowing at Mt. Prospect and Cadiz Cemetery:

Oscars \$18,000.00/year same as before

On a motion made by Mr. McClory to award Oscars with the Cemetery Mowing Contract seconded my Mrs. Stevens.

Motion carried Ayes-3 Campbell, McClory, Stevens

Nays-0

Absent-2 Weaver, Hahn

Code Enforcement Officer

None

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Dog Control Officer

Mrs. Stanbro reported she has been in contact with the Dog Enumerator.com again after speaking with them back in July 2023. This Company is willing to hold the quoted price given in July to go through with a dog enumeration. An enumeration hasn't been done since 2007.

Mailings would go out to Village and Town of Franklinville Residents around March 18th and responses would need to be returned by April 30, 2024. After that the DCO would then be going to residence houses that return a card. There will be a \$20 fee for any unregistered dog after April 30, 2024.

Mr. Farrington expressed concern of an enumeration and would rather see education to encourage Village and Town residents to have their dogs vaccinated and licensed would-be money better spent.

Zoning Chairman

None

Town Clerk

-April 1, 2024 will be the last day of Tax Collection for March 31, 2024

-New hours effective April 1, 2024

Monday & Thursday 7:30a to 12:30p, 1:30p to 4p Tuesday 7:30a to 12:30p 1:30p to 5p

Friday 7:30a to 12p, 12:30p to 2:30p

-A few new updates have been made to the Town of Franklinville's Website.

Justices

None

Assessor

Report Attached

Supervisor

Ms. Campbell reported:

- There still needs to be time to work on the Building and Codes Uniform Law
- Dates as follows: Law Review Workshop dates for the local zoning laws:
 - 3/25 5p-7p
 - 4/8 5p-7p
- Because we have limited time during these workshops, it would be helpful to receive any suggestions regarding the zoning laws in writing or email prior to the meetings.

Reports from Board members

- Councilwomen Stevens reported Formal Grievance Day is May 30, 2024 but please plan a time at the informal review times. Dates of informal review are Thursday, March 21 and Wednesday, March 27 at 8:30am – Noon and 2:00pm – 6:00pm

Old Business

None

New Business

None

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Resolutions

Resolution # 32-2024

On a motion of Mrs. Stevens, seconded by Mr. McClory, the following resolution was.

Motion carried Ayes-3 Campbell, McClory, Stevens

Nays-0

Absent-2 Weaver, Hahn

Resolution Establishing the use of Facebook for the Town of Franklinville for informational purposes only for the year 2024.

Resolution # 33-2024

On a motion of Mr. McClory, seconded by Mrs. Stevens, the following resolution was.

Motion carried Ayes-3 Campbell, McClory, Stevens

Nays-0

Absent-2 Weaver, Hahn

Resolution on Annual Review of Franklinville Procurement Policy for the Year 2024.

Resolution # 34-2024

On a motion of Mr. McClory, seconded by Mrs. Stevens, the following resolution was.

Motion carried Ayes-3 Campbell, McClory, Stevens

Nays-0

Absent-2 Weaver, Hahn

Resolution Making Appointment to the Town Board due to Resignation.

Resolution # 35-2024

On a motion of Mrs. Stevens, seconded by Mr. McClory, the following resolution was Motion carried

Motion carried Ayes-3 Campbell, McClory, Stevens

Nays-0

Absent-2 Weaver, Hahn

Resolution announcing the vacancy in the Zoning Board of Appeals Chairman.

Resolution # 36-2024

On a motion of Mrs. Stevens, seconded by Mr. McClory, the following resolution was

Motion carried Ayes-3 Campbell, McClory, Stevens

Nays-0

Absent-2 Weaver, Hahn

Resolution Making Appointment to the Zoning Board of Appeals Secretary due to a Resignation.

Resolution # 37-2024

On a motion of Mr. McClory, seconded by Mrs. Stevens, the following resolution was.

Motion carried Ayes-3 Campbell, McClory, Stevens

Nays-0

Absent-2 Weaver, Hahn

Resolution Authorizing Supervisor to Execute Contractual Agreement with the Cattaraugus County SPCA ("SPCA") for March 12, 2024-January 31, 2025.

Resolution # 38-2024

On a motion of Mr. McClory, seconded by Mrs. Stevens, the following resolution was.

Motion carried Ayes-2 Campbell, McClory

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Nays-1 Stevens
Absent-2 Weaver, Hahn

Resolution to Approve Dog Enumeration for the year 2024.

Adjournment

Mrs. Stevens made a motion to adjourn and head into an executive session regarding personnel at 8:22PM and was seconded by Mr. McClory.

Motion carried Ayes-3 Campbell, McClory, Stevens

Nays-0
Absent-2 Weaver, Hahn



Town Clerk

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CATTARAUGUS COUNTY REAL PROPERTY SERVICES

207 Rock City Street, Suite 101 • Little Valley, New York 14755 • (716) 938-2224 • Fax (716) 938-2758

Elizabeth Lerow, Assessor

Assessor@cattco.org

TO: Town of Franklinville Supervisor & Board
FROM: Cattaraugus County Assessor
DATE: February 11, 2024
RE: Monthly Report for February

The February report is as follows:

- Reassessment Update: Disclosure Notices have been mailed to Franklinville property owners. (For your convenience, a copy of the cover letter that was sent out with each notice is included with this report.) These notices provide property owners with their preliminary assessment, an approximate tax liability, and information on the review process. Informal reviews give property owners an opportunity to provide information that could change their assessment. Informal review applications are available at <https://www.cattco.org/reassessments>, our main office in Little Valley, and here at the Town Hall. Our office is open Monday – Friday for informal reviews; property owners can call us at 716-938-2343 or email us at Assessor@cattco.org. Additionally, we will be available for Informal Reviews at the Franklinville Town Hall on Thursday, March 21 and Wednesday, March 27, from 8:30 AM to noon and 2:00 PM to 6:00 PM.
- Renewal applications for Agricultural Assessment and Senior Citizen Exemption are being submitted and processed. So far, 94% of Agricultural Assessment and 90% of Senior Citizen renewal applications have been processed.
- The Assessing Office has corresponded with several property owners about their assessments, tax bills, and exemptions.
- There were nine property transfers in December. You can find more information about these sales here: <https://www.cattco.org/real-property-and-gis/sales>

Thank you.

END OF REPORT