**Minutes**

Town of Persia Board Meeting

8 West Main Street, Gowanda, NY 14070

July 14, 2022

**Workshop 6:30pm to discuss the solar array project**

**Board Meeting 7:00pm**

**All stand for the Pledge of Allegiance**

Roll Call:

Supervisor: John T. Walgus: present

Councilperson: Theresa A. Girome: present

Councilperson: Gloria J. Tomaszewski: present

Councilperson: Robert O. Dingman: present

Councilperson: Seth H. Howard: present

 Others present:

Highway Superintendent: Daniel H. Ackley

Town Clerk: Denise M. Trumpore

Dave Byrne – RENUA

Jack Broyles

**Public Participation**

**Dave Byrne – RENUA-**   
Stated they are in discussion with a property owner on Broadway Road regarding another solar array project.

**Supervisor John T.** **Walgus:**  \* I ask for a resolution to accept the financial report for June. \* I also need a resolution for the Supervisor report. \* I am recommending we accept Wendel Engineering’s bid as the most responsible and lowest bidder to begin the process of the second -floor renovation project. Wendel’s bid is $59,400.00 for the planning and feasibility study. Our grant writer, Elizabeth Accordino has submitted our grant application for the CFA from NYS. The CFA grant is for a 50% reimbursement of the engineering costs. The deadline is July 29th. We were one of the first to submit, and if anyone would like to see our submittal and Wendel’s paperwork, I’d by happy to show it to you. \* I along with our APRA administrator, Bahgat & Bahgat have submitted the paperwork for the second half of the APRA funding of our 2022 allotment. \* The NYS Division of the Budget has loosened the eligible projects that we are able to fund thru the APRA program, our Town Hall Renovation project along with the purchase of a new truck for the highway dept. are now eligible. I have received notification that our next American Rescue Plan Act Local Fiscal Funds Allocation is forthcoming. \* I will be asking tonight, to go to bid on new entry doors for the Town Hall. To refresh your memory, we had Nova Glass of Springville here trying to mitigate the problems with these doors. They fixed what they could, but stated it is just worn out. It’s getting difficult to unlock and operate the front door. I have asked town engineer Jake Alianello to draw up specifications for the door project. Also, after the doors are replaced, we will need to address the vestibule ceiling and wallpaper. \* We have sent the Zoning Ordinance changes to the Cattaraugus County Planning Board regarding the recommendation from the joint Planning /Zoning Board about “Large Scale Solar Energy Systems Applicability”. I have received the notification back from the Cattaraugus County Planning Board., and they approved this change to our zoning ordinance. \* In 2020 we had a public hearing for an ordinance titled Town of Persia Kennel Law, this ordinance was comprised by our former CEO Mel Shaw. It was sent to the County Planning Board for approval and then was adopted it at our May 14th board meeting in 2020. It will soon be added to our Zoning ordinance. \* At the June 14th board meeting it was brought to my attention by town engineer Jake Alianello that a special use permit could only be issued by the Zoning Board of Appeals. I will be attending the Planning & Zoning meeting on July 18th and will recommend that an application for a special use permit first goes to the Planning & Zoning Board and then they will make a recommendation to the Town Board, who will have the authority to except or reject the application. If the application is denied by the Town Board, the Applicant can then go to the Zoning Board of Appeals for a final review and send their recommendation back to the Town Board. \* I have received notification from the DEC’s Bureau of Design & Construction, Division of Operation, that they will be resuming the Zoar Valley ADA Project that includes an expanded parking lot on the end of Valentine Flats Road, and their plans include making the area ADA handicap accessible, with wheelchair accessible raised trails. I had a conference call with the DEC on July 13th. The project was put on hold in 2020 because of the COVID-19 pandemic. \* I have received notice from HIGHMARK Blue Cross Blue Shield that our employee’s health insurance will increase by $500.00 next year. That’s on top of a 18% increase from last year. We have until August 15th to let HIGHMARK BC&BS know if we intend to stay or switch. I have asked Independent Health for an insurance quote for comparison. \* I ask for a resolution for a budget transfer of $50.00 from contingent to band concerts. \* We will have to have a public hearing on August 11th to make amendments to our Zoning Ordinance for Solar and District Use Regulations.

1. Under Article XXI – Section 6- Large Scale Solar Energy Systems Applicability, add new paragraph VIII “Large Scale ground mounted solar systems are permitted as accessory and principal uses in the Town of Persia, subject to the following conditions, ‘unless specifically waived by the Town Board as part of the permit’.
2. Under Article XXI - Section 7, paragraph 2 –Applications for Large Solar Energy systems, strike **utility scale** and replace with “**large scale**”.
3. Under Article VII - District Regulations Section 7.2 – District Use Regulations, Schedule A, strike “**Zoning Board of Appeals”** and replace with the “**Persia Town Board”**
4. Under Article VII – District Regulations - Section 11.2 -Powers and Duties, strike “**approve or disapprove each application for a special use received in compliance with the provisions of this ordinance**” and replace with “**recommend or disapprove the application and forward their decision to the Persia Town Board for further action”**
5. Under Article VII – District Regulations – Section 11.4 – Special Use Permit, strike **Board of Zoning Appeals** and replace with “**Zoning Board”**
6. Under Article VII – District Regulation – Section 11.4 – Special Use Permit, strike “**issue “**and replace with “**recommend or disapprove of the findings of their decision and forward it to the Persia Town Board for”**
7. Under Article VII – District Regulations – Section 11.4 – Special Use Permit- under paragraph c, strike **“the Board of Appeals”** and replace with “**the Persia Town Board”.**

\* Birthday wishes this month to Judge Mark Hebner whose birthday was July 12th.

**Highway Superintendent Daniel H. Ackley:** \*Read highway bills. \* Mowed roadside. \* Removed gravel from the trash rack. \* Mowed the Broadway and Maltbie cemeteries. \* Chipping will start soon. \* I am going to talk to the owners of the property where the pond is that highway gets their water from, I am going to ask if they would be willing to get a permit to stock the pond with grass carp. \* Nothing happening with the buying of a new truck.

**Councilperson Theresa A. Girome:** \* I would like a resolution to appoint Laura Paskuly to the Zoning Board of Appeals, and a resolution to appoint Joe Tomaszewski to the Board of Assessment Review to replace Mark Hebner. \* Attended a Village Board meeting on June 14th; discussion was on Brownfield Project – there are 23 sites between the Village and the Town on both sides of the bridge. This encompasses 149 acres. \* We now have two new hydrants on Palmer Street. \* Unless the time changes, from 3:00 to 7:00pm every Thursday in July there will be a farmers’ market, it will be behind Jesse’s Home and Gifts. \* The next board meeting will be August 9th at 6pm.

**Councilperson Robert O. Dingman:**  \* I would like to have a workshop next month to discuss the public hearing and the solar project. \* Went to a chamber meeting; discussion was on the farmers’ market, ducky derby, and fall cruise and car show on September 25th. \* Music in the park is going well but they have no food vendors yet. There will be a Thatcher Brook meeting on July 21st, I would like to meet with Dan Ackley to discuss the trash rack and getting other towns involved. \* There is a group pushing the ADA to put in “rail bikes “and I am working on this.

**Councilperson Seth H. Howard:** \*read general bills.

**Councilperson Gloria J. Tomaszewski:** \* no report.

**Assessor Kate Harrington:** \* by email \* The 2022 roll year has been finalized as of July 1st. These are the assessments that will be used for all 2022 taxes. Changes can no longer be made to the roll, and any complaints will need to go through the Cattaraugus County Department of Real Property Tax Services. A copy of the Final Tax Roll is available here: <https://www.cattco.org/real-property-and-gls/assessment-rolls>

Grievance Day was June 7th; one property was reviewed by the Board of Assessment Review. \* The Assessing Office has corresponded with several property owners about their assessments, tax bills, and exemptions. \* There were five property transfers in May Sales from March and April have been updated. You can find more information about these sales here: <https://www.cattco.org/real-property-and-gls/sales>

**Town Clerk Denise M. Trumpore**: \*

Total transactions for June - 125

Total Collected: $ 1,688.00

Towns Portion: $**1,123.22**

**\***I ask for a resolution to accept the minutes fromJune 9th.

**RESOLUTION # 56 Audit of Claims**

On a motion of Councilperson Dingman

Seconded by Councilperson Howard

The following was

ADOPTED AYES – 5 Dingman, Howard, Tomaszewski, Girome, Walgus

NAYS – 0

**RESOLVED that the bills contained on Abstract #7 for General and Highway have been reviewed by the Town Board and are authorized for payment in the following amounts:**

**Abstract 7– General Vouchers # 124 to # 142 Total: $ 6,459.58**

**Abstract 7- Highway Vouchers # 39 to # 46 Total: $ 8,100.84**

**RESOLUTION #57 Approval of Minutes**

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Girome

ADOPTED AYES – 5 Tomaszewski, Girome, Howard, Dingman, Walgus

NAYS - 0

**RESOLVED to approve the minutes from June 9th.**

**RESOLUTION # 58 Financial Report**

On a motion of Councilperson Howard

Seconded by Councilperson Girome

ADOPTED AYES – 5 Howard, Girome, Tomaszewski, Dingman, Walgus

NAYS - 0

**RESOLVED to accept the financial report for June 2022.**

**RESOLUTION # 59 Supervisor’s Report**

ON a motion of Councilperson Dingman

Seconded by Councilperson Howard

ADOPTED AYES – 5 Dingman, Howard, Girome, Tomaszewski, Walgus

NAYS –0

**RESOLVED to approve the Supervisors report for June 2022.**

**RESOLUTION # 60 Zoning Board of Appeals**

On a motion of Councilperson Girome

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 5 Girome, Tomaszewski, Howard, Dingman, Walgus

NAYS – 0

**RESOLVED** **to appoint Laura Paskuly to the Zoning Board of Appeals.**

**RESOLUTION # 61 Resignation from Mark Hebner**

On a motion of Councilperson Girome

Seconded by Councilperson Howard

ADOPTED AYES – 5 Girome, Howard, Tomaszewski, Dingman, Walgus

NAYS – 0

**RESOLVED to accept the resignation of Mark Hebner from the Board of Assessment Review.**

**RESOLUTION # 62 Board of Assessment Review**

On a motion of Councilperson Girome

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 5 Girome, Tomaszewski, Howard, Dingman, Walgus

NAYS –0

**RESOLVED to appoint Joe Tomaszewski to the Board of Assessment Review.**

**RESOLUTION #63 Budget Transfer**

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Girome

ADOPTED AYES – 4 Tomaszewski, Girome, Howard, Walgus

NAYS – 1 Dingman

**RESOLVED to transfer $50.00 from A1990.4 Special Items – Contingent to A7270.4 – Band Concerts- Contractual**

**RESOLUTION #64 Planning & Feasibility study bid**

On a motion of Councilperson Howard

Seconded by Councilperson Dingman

ADOPTED AYES – 5 Howard, Dingman, Girome, Tomaszewski, Walgus

NAYS – 0

**RESOLVED to accept the most responsible and lowest bid from Wendel Engineering for a planning & feasibility study on the second floor of the Town Hall for $59,400.00.**

**RESOLUTION # 65 Bids for entry doors for the Town Hall**

On a motion of Councilperson Dingman

Seconded by Councilperson Girome

ADOPTED AYES – 5 Dingman, Girome, Howard, Tomaszewski, Walgus

NAYS – 0

**RESOLVED** **to go out to bid to repair or replace entry doors for the Town Hall.**

**RESOLTION #66 Public Hearing**

On a motion of Councilperson Girome

Seconded by Councilperson Dingman

ADOPTED AYES – Girome, Dingman, Tomaszewski, Dingman, Walgus

NAYS - 0

**RESOLVED to have a public hearing to amend**

1. Under Article XXI – Section 6- Large Scale Solar Energy Systems Applicability, add new paragraph VIII “Large Scale ground mounted solar systems are permitted as accessory and principal uses in the Town of Persia, subject to the following conditions, ‘unless specifically waived by the Town Board as part of the permit’.
2. Under Article XXI - Section 7, paragraph 2 –Applications for Large Solar Energy systems, strike **utility scale** and replace with “**large scale**”.
3. Under Article VII - District Regulations Section 7.2 – District Use Regulations, Schedule A, strike “**Zoning Board of Appeals”** and replace with the “**Persia Town Board”**
4. Under Article VII – District Regulations - Section 11.2 -Powers and Duties, strike “**approve or disapprove each application for a special use received in compliance with the provisions of this ordinance**” and replace with “**recommend or disapprove the application and forward their decision to the Persia Town Board for further action”**
5. Under Article VII – District Regulations – Section 11.4 – Special Use Permit, strike **Board of Zoning Appeals** and replace with “Zoning **Board”**
6. Under Article VII – District Regulation – Section 11.4 – Special Use Permit, strike “**issue “**and replace with “**recommend or disapprove of the findings of their decision and forward it to the Persia Town Board for”**
7. Under Article VII – District Regulations – Section 11.4 – Special Use Permit- under paragraph c, strike **“the Board of Appeals”** and replace with “the **Persia Town Board”.**

**RESOLUTION #67 Workshop**

On a motion of Councilperson Dingman

Seconded by Councilperson Tomaszewski

ADOPTED AYES - 5

NAYS - 0

**RESOLVED to have a workshop on August 11th at 6:00pm to discuss the solar project and the public hearing.**

Hearing no objection, Supervisor Walgus closed the meeting at 8:07 pm.

 Respectfully submitted,

 Denise M. Trumpore

Top of Form

Bottom of Form

Town Clerk