

**REGULAR TOWN BOARD MEETING
SEPTEMBER 20, 2022**

PRESENT:

Supervisor Richard A. Purol
Councilman Juan Pagan
Councilman Henry Walldorff
Councilwoman Priscilla Penfold
Councilman Jay Bishop (absent)

OTHERS PRESENT: Town Clerk, Rebecca Yacklon, Deputy Clerk, Kyle Coughlin, Attorney Jeffrey Passafaro, Barbara Warren, Jay Warren, Sue Hazelton, Gary Hazelton, Joe Muscato, Pete Miller, Braden Carmen, Dunkirk Observer, Maureen Stegle, Ed Stegle, Allison Lang

Supervisor Purol opened the regular Town Board meeting up at 6:30 pm with the pledge to the flag.

APPROVAL OF REGULAR MEETING MINUTES AUGUST 16, 2022

Councilman Walldorff made a motion to approve the Regular town board meeting minutes of August 16, 2022. The motion was seconded by Councilman Pagan and carried.

ABSTARCT OF AUDITED VOUCHERS

Councilwoman Penfold made a motion to approve the abstract of audited vouchers as presented by the Town Clerk on the September 20, 2022. The motion was seconded by Councilman Pagan and carried.

General Fund	\$21,734.65
Highway Fund	\$12,196.31
Vineyard Light	\$166.73
ELRSD	\$37,846.68
Shorewood	\$9,710.80
Justice Checking	\$41,177.75

OPEN COMMENTS

- Sue Hazelton of 5178 Woodlands read a letter and submitted for the record.
- Allison Lang of 5192 Woodlands thanked the entire board for their work on the short-term rental law up to this point. She brought up her concerns about short term rentals in an R- 1 district to the board after sitting in at the workshops. Sitting in at these workshops she sees how it is difficult to regulate and sees how the board is trying to find the correct solution on how to regulate these short-term rentals. She also had asked the board if this is what they want for the community and if it actually benefits the Town.
- Pete Miller of 5184 Williams St. was in questioned to his concern at a meeting two months ago about the flow of traffic with tractor trailers using William St. to go to Americold. He also was concerned about how the average speed is 50-mph in a 40-mph zone. Another concern he brought to the board was that over the last two years there has been a lot of break ins and people being robbed in his neighborhood. He emphasized his concern for better police protection form the City of Dunkirk. He questioned why the city never shows up.

Supervisor Purol informed Mr. Miller that the City is only secondary and to call 911 with any issues. Supervisor Purol had also informed Mr. Miller that they are working with Americold on the tractor trailers using Williams Street to enter Americold.

- Maureen Stegle of 3736 Wildwood Dr. stated that she has a petition started from the East side of Dunkirk regarding short term rentals in an R-1 district but would like to continue getting more signatures and she will submit it at a later date. She stated how she was very pleased with her experience at the Town Board meeting that she had attended. She further had shared with the board her concern about short term rentals and the ability to enforce these regulations being set if we can't enforce what we have now.

Supervisor Purol had informed Mrs. Stegle that when she finishes getting the signature's she could turn it in anytime.

- Jay Warren of 5182 Woodlands submitted a report to all board members for their review of possible options to consider for short term rentals in a R-1 single family residential zoning district. Mr. Warren included several considerations for the board in his report as well. Supervisor Purol had thanked Mr. Warren and told him it was very nice of him to put that together.
- Barbara Warren of 5182 Woodlands had thanked the Town Board for all the time, effort, and outside work that's been done throughout this issue of short-term rentals. Barbara had expressed her continued concern of short-term rental issues and the future of this issue in an R-1 district, if short term rentals are permitted.

TOWN CLERK REPORT (AUGUST 2022)

Clerk Fees	\$400.00
Zoning Fees	\$575.00
Dog Licenses	\$66.00

Total amount transferred to Supervisor Purol \$1,041.00

JUSTICE REPORT (AUGUST 2022)

Total number of cases **346**

TOTAL FINES and surcharges submitted to the Town Supervisor **\$39,097.00**

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BOARD MEMBER & COMMITTEE REPORTS

Councilwoman Penfold

- Shared with board that she has been reviewing the employee handbook and looking at changes and updates.
- Took an online webinar for audit control and plan on using that when its time for the towns audit.

Councilman Pagan

NOTHING TO REPORT

Councilman Walldorff

NOTHING TO REPORT

HIGHWAY SUPERINTENDENT REPORT (Jeff Feinen Absent)

- Steve's been mowing around Town
- Prep & painting plows
- Marked out roads for grader patch
- Moved dirt at East Town Fire Hall
- Ditched small section of Greenhurst Ave.
- Sheridan mowed shoulders again
- New tractor should be in this month
- Paved with Hanover and skid paved with Sheridan
- Will have Auction International out to list the one ton. Need resolution declaring it surplus.

A motion by Councilman Walldorff to give Highway Superintendent, Jeff Feinen permission to declare surplus to the 2003, FORD F450 one-ton truck and sell as is at Auctions International. The motion was seconded by Councilwoman Penfold and carried unanimously.

ZONING/CODE ENFORCEMENT OFFICER REPORT (Ryan Mourer Absent)

Activities of Town:

Permits Issued:

- Permit issued for new signage and use for Spirit Halloween
- Permit issued for new electric service South Roberts Road
- Permit issued for roof replacement
- Permit issued for two sea wall repairs
- COFC issued for Chautauqua Opportunities Heating System

Took 3 days of State training out of town this month. Annual requirements for the year have been met including additional course taken last week for the new Energy code.

ATTORNEY REPORT

- Mr. Passafaro had informed the board that he is working on a state mandate uniform code template that is almost ready for adoption and that it must be adopted by the end of the year.
- Mr. Passafaro also informed the board that the Town did not opt out of Marijuana Dispensaries and Dens so if there is going to be any zoning restrictions done it has to be done by a local law and completed by the end of the year.
- Mr. Passafaro had made the board aware that he attended an article #78 hearing in Mayville with special counsel. The court did not schedule anything else at this point.

SUPERVISOR REPORT

- ELRS – Trailer Park transfer is complete, and it is no longer the towns responsibility.

CORRESPONDENCE

- Received invitation from the Fredonia Chamber of Commerce inviting the Town Council to a ribbon cutting at Jo-Jo's Cake Cottage located at 11164 Urban Road on Sept. 26th.
- Received an invitation to attend an informational session from National Grid on renewable energy project development within the area.

SCHEDULE BUDGET WORKSHOP MEETING

Councilman Pagan made a motion to schedule a workshop for Saturday, September 24, 2022, at 8:00 a.m. The motion was seconded by Councilman Walldorff and carried.

SCHEDULE SPECIAL TOWN BOARD MEETING

Councilman Pagan made a motion to schedule a special meeting for Tuesday, October 4, 2022, at 4:00 p.m. to present the tentative budget for the 2023 year. The motion was seconded by Councilwoman Penfold and carried.

POLICE CONTRACT

Supervisor Purol informed the board that we did not receive the police contract yet for 2023 but after following up with the City Police Chief we are most likely looking at a two percent increase over last year.

ANIMAL SHELTER CONTRACT

Supervisor Purol had informed the board that he would like a motion to sign the shared service agreement contract of the City of Dunkirk Animal Shelter that had expired. Councilwoman Penfold made a motion to approve the Dunkirk City Animal Contract at \$40 per day per dog for one year. The motion was seconded by Councilman Walldorf and carried unanimously.

PRELIMINARY BUDGETS FOR FIRE DISTRICT

Copies of the preliminary budgets for West Town Fire and East Town Fire were given to all board members for their review.

APPOINT ASHLEY DUBOIS TO FULLTIME DEPUTY COURT CLERK POSITION

Councilman Pagan made a motion to appoint Ashley Dubois to fulltime Deputy Court Clerk at her normal rate of pay. The motion was seconded by Councilman Walldorff and carried.

AIR CONDITIONING UNIT

Supervisor Purol had addressed to the board that he received an updated bid from Casale Plumbing, Heating of \$5000.00 with Gugino coming in with a bid of \$7,646.

Duly moved by Councilman Walldorff to accept the low bid from Casale Heating, plumbing to install a wall mount air conditioning unit in the Court room. The motion was seconded by Councilwoman Penfold and carried.

ADJOURNMENT

With no further business, a motion was made by Councilwoman Penfold and seconded by Councilman Pagan. The motion was carried unanimously, and the meeting was adjourned at 7:14 p.m.

Respectfully Submitted,

Rebecca Yacklon
Town Clerk