

**REGULAR TOWN BOARD MEETING
DECEMBER 6, 2022**

PRESENT:

Supervisor Richard A. Purol
Councilman Juan Pagan
Councilwoman Priscilla Penfold

ABSENT:

Councilman Jay Bishop
Councilman Walldorff

OTHERS PRESENT: Town Clerk, Rebecca Yacklon, Deputy Clerk, Kyle Coughlin, Attorney Jeffrey Passafaro, Barbara Warren, Jay Warren, Sue Hazelton, Braden Carmen, Dunkirk Observer, Shari Miller, Pete Miller, Phil Leone, Bob Price, Jerry Dziduch, Dave Maternowski,

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

APPROVAL OF REGULAR TOWN BOARD MEETING MINUTES NOVEMBER 15, 2022

Councilman Pagan made a motion to approve the Regular town board meeting minutes of November 15, 2022. The motion was seconded by Councilwoman Penfold 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 December 6, 2022. The motion was seconded by Councilman Pagan and carried.

General Fund	\$16,976.87
Highway Fund	\$2,626.83

OPEN COMMENTS

- Phil Leone 5208 Woodlands had thanked Supervisor Purol for the letter about windmills in Lake Erie.
He thanked Councilman Bishop for his input regarding permit verses registration.
Mr. Leone also a thanked Councilwoman Penfold for her viewpoint on grandfathering short-term rentals.
He then explained different terms to the board that he felt they did not understand at the past short term rental local law workshop and submitted a letter that explains his thoughts and definitions that may help the board better understand.
- Sue Hazelton 5178 Woodlands voiced her opinion on short term rentals and stated how no one wants them.

- Pete Miller 3884 Williams St brought to the board concern about the semi traffic still being an issue on Williams St. He also noted for the record how the highway department did a wonderful job fixing the potholes and clearing of the snow after the last snowstorm.
- Shari Miller 3889 Williams St. had expressed her concern to the board about the ongoing issue of traffic on Rt 60 and Williams St. and expressed how important it is to try and push for a light there. She presented information explaining this to each board member and it is on file in the clerk's office for review.
- Jay Warren 5182 Woodlands discussed some points that were brought up at the last short term rental workshop in regard to the comprehensive plan and would like the board to keep that in mind as they continue to work on the short-term rental local law.

TOWN CLERK REPORT (NOVEMBER 2022)

Clerk Fees \$590.00
 Zoning Fees \$4,185.00
 Dog Licenses \$162.00

Total amount transferred to Supervisor Purol \$9,483.00

JUSTICE REPORT (NOVEMBER 2022)

Total number of cases **295**

TOTAL FINES and surcharges submitted to the Town Supervisor **\$30,788.00**

BOARD MEMBER & COMMITTEE REPORTS

Councilman Pagan

NOTHING TO REPORT

Councilwoman Penfold

- Reported that there have not been any zoning board meetings scheduled and when the time comes, she will be attending.
- Getting prepared to do the audit at the end of April

HIGHWAY SUPERINTENDENT REPORT (Jeff Feinen Absent)

- Steve got the trucks all set up with plows and sanders on. Everything but the brine truck is ready as it is still at Rexford's being repaired.
- Did grader patch with Sheridan guys. Bennett East, Williams, Franklin, Chestnut, and the town parking lot.
- Been working on maintenance of small equipment, John Deere lawn tractor, push mower, weed eaters and saws when time allows.
- Cleaning and organizing highway barns and getting rid of trash. Sewer and highway records inside the shop have been sorted and organized.
- Picked up 6 tires and put on the pile in the yard. Also picked up and disposed of 3 dead deer from town roads.

- Cleaned down tree on Chestnut Rd. during high winds
- Cleaned leaves, branches, and other debris from "T" turnaround on Wildwood.
- Steve plowed and salted like a boss during the storm. He did a great job keeping the roads open and safe! He worked some crazy hours!! With the only problem I know of was sliding a tire into the ditch while turning around at Wildwood in whiteout conditions. GREAT JOB STEVE!!
- Moved snow from the East Town firehall.
- Had a rear tire blow out on the backhoe. The tire was dry rotted and just blew out. Called Valley Tire for a roadside service and a new tire put on.
- Three sewer calls answered in the month. Two pumps replaced and the tree still being monitored for further issues.
- Auctions International has been out to take photos of the one-ton dump. Contract has been signed and returned. I am not sure when it will be listed.
- I attended the FEMA declaration webinar and don't think we will be eligible for anything.
- Did an interview for the highway position.

Councilman Pagan made a motion to hire a town highway worker fulltime at a six-month provisional rate already budgeted for the year to commence after all tests required are complete and meant. The motion was seconded by Councilwoman Penfold and carried.

ZONING/CODE ENFORCEMENT OFFICER REPORT (Ryan Mourer Absent)

- Permit issued for multiple cell tower antennas to be swapped out and converted from Sprint to Verizon.
- 5040 West Lake Road (old motel) continuing to work weekly with new ownership to correct all issues on the property. Several onsite visits with management. Did onsite inspections this week on 4 units. Several fire code violations addressed immediately and health code violations with infestation of bugs. Also working with out-of-town owner and buffalo manager on state laws for repairs. They are currently appearing to try to get complaint and continue communication daily and weekly.
- Working with potential drive thru business on Vineyard to be added to Tops Plaza in a current vacant spot.

SUPERVISOR REPORT

- Attended a North County Water meeting
- Submitted a letter on wind towers from North County Water

SCHEDULE WORKSHOP FOR SHORT TERM RENTAL LOCAL LAW

Councilman Pagan made a motion to schedule a workshop meeting to discuss short term rentals on Wednesday, December 14, 2022 at 5:00 p.m. The motion was seconded by Councilwoman Penfold and carried.

APPOINT CARTER TOWN TO BOARD OF ASSESSMENT REVIEW

On motion of Councilman Pagan Carter Town was reappointed to a five-year term of the Board of Assessment Review. The motion was seconded by Councilwoman Penfold and carried.

APPOINT STEVE ZENTZ TO TOWN MARSHALL

On motion of Councilwoman Penfold Stephen Zentz was appointed as Marshall of the court Town of Dunkirk. The motion was seconded by Councilman Pagan and carried.

APPROVE 2023 OFFICIALS LIST

Councilwoman Penfold made a motion to approve the Officials List for the year 2023. The motion was seconded by Councilman Pagan and carried.

APPOINT TAX COLLECTOR AND DEPUTY

Councilman Pagan motioned to appoint Town Clerk Rebecca Yacklon the Tax Collector for the year 2023 and Kyle Coughlin as the Deputy Tax Collector. The motion was seconded by Councilwoman Penfold and carried.

APPOINT VITAL STATISTICS AND DEPUTY OF VITAL STATISTICS

Councilwoman Penfold made a motion to appoint Rebecca Yacklon as Register of Vital Statistics and Kyle Coughlin as Deputy Registrar of Vital Statistics. The motion was seconded by Councilman Pagan and carried.

SCHEDULE ORGANIZATIONAL MEETING

Councilwoman Penfold made a motion to schedule the Organizational meeting and to move the regular town board meeting from Tuesday January 17th to Tuesday, January 10, 2023 at 6:30 p.m. at 4737 Willow Road, Town of Dunkirk. The regular town board meeting would immediately follow the organizational meeting. The motion was seconded by Councilman Pagan and carried.

APPROVE UNIFORM CODE LAW

Councilman Pagan made a motion to approve Local Law #1 of 2022-New York State Code Enforcement Regulations. The motion was seconded by Councilwoman Penfold.

SHOREWOOD WATER DISTRICT RESOLUTION

Standardized Parts & Materials

TOWN OF DUNKIRK
RESOLUTION FOR STANDARDIZED PARTS
AND MATERIALS - SHOREWOOD WATER DISTRICT

WHEREAS, the Town of Dunkirk established and operates the Shorewood Water District in said Town, which furnishes public water to part of the Town of Dunkirk, and

WHEREAS, the Shorewood Water District in the Town of Dunkirk purchases water from North Chautauqua Water District, and participates in CBI Water Management and Operations, so that it would be prudent, economical, and more efficient to standardize certain parts, equipment, supplies and materials used in said Water District;

NOW, THEREFORE, ON MOTION of Councilman Pagan.

Seconded by Councilwoman Penfold, it is

RESOLVED that the Town Board of the Town of Dunkirk determines and authorizes the use of standard parts, equipment, supplies and materials required for the current 202-b Project in the Shorewood Water District, together with ongoing operation and maintenance of said existing Shorewood Water District facilities and equipment, and it is further

RESOLVED that the parts, equipment, supplies and materials as described and recited on the attached list to this Resolution is hereby determined as the standard parts, equipment, supplies and materials for purchase and use by the Town in the Shorewood Water District, and it is further

RESOLVED that the parts, equipment, supplies and materials list may be modified in the future by this Town Board as it deems appropriate upon advice of engineering consultants, and that said list, as from time to time amended, will control and authorize standardized purchasing and use in said Shorewood Water District in the Town of Dunkirk.

RESOLUTION ADOPTED, all voting AYE.

Dated: December 6, 2022

Rebecca Yacklon

Town Clerk

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 7:18 p.m.

Respectfully Submitted,

Rebecca Yacklon
Town Clerk