

Regular Board Meeting of the Town of Poland Board September 14, 2021

Supervisor Kelly Snow called the Regular Board Meeting to order at 6:58 p.m. with the pledge to the flag. In attendance were Town Council members Corey Swanson, Stevan Hatfield, Norm Gustafson and Terry Walker. Also present were Highway Superintendent Larry Mee, Legislator John Davis, Attorney Joel Seachrist and Post Journal Stringer Rose Mary Carver.

Supervisor Snow asked if there were any corrections or additions to the minutes from the August 10th Regular Board Meeting. There being none, *Councilman Hatfield made a motion, seconded by Councilman Gustafson to accept the minutes as written.*

Ayes: Snow, Swanson, Hatfield, Gustafson, Walker

Motion carried.

OLD BUSINESS

- 1) Town Hall - Town Clerk Wallace received quotes from Ridout's Heating & Cooling and King's Heating for a replacement boiler and possible central air system.
- 2) ARPA - After attending the Mayor & Supervisor's meeting, Supervisor Snow received word in August that there were multiple new rules & regulations regarding the use of the awarded money. Towns can only use the money awarded for sewer, water infrastructure, internet infrastructure and grant disbursement. Supervisor Snow reached out to Baggett & Baggett, an accounting firm, for more answers on this issue. The Town will not be able to move forward with the quotes for the replacement boiler/air system if the awarded ARPA money cannot be used for this project.
Highway Superintendent Mee received a quote from Jamestown Roofing for replacing the roof of the shop. The quote for replacement was between \$80,000 - \$90,000, but after reviewing the project again, Jamestown Roofing recommended maintenance instead of full replacement. The price for just the maintenance on the roof will be around \$3,000-\$4,000 and will last for another 10 years. Superintendent Mee is able to use the money from this year's budget to complete the project.
- 3) Court Update - nothing new to report
- 4) EOP - nothing new to report
- 5) NY Street Lighting LED Project - Supervisor Snow has had no response from National Grid.
- 6) Elevator Service - nothing new to report
- 7) Marijuana Retail Dispensaries - Supervisor Snow read Local Law No. 1 - 2021

TOWN OF POLAND LOCAL LAW NO. 1 FOR THE YEAR 2021

A LOCAL LAW TO OPT OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER CANNABIS LAW ARTICLE 4.

Section 1. Legislative Intent

It is the intent of this Local Law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Poland that would otherwise be allowed under Cannabis Law Article 4.

Section 2. Authority

This Local Law is adopted pursuant to Cannabis Law §131 which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law §24.

Section 3. Local Opt-Out

The Town Board of the Town of Poland hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town's jurisdiction.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Permissive Referendum/Referendum on Petition

This Local Law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedure outlined in Municipal Home Rule Law §24.

Section 6. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Councilman Walker made a motion, seconded by Councilman Gustafson to adopt Local Law #1 - 2021.

Roll Call:

- Supervisor Kelly Snow - Aye*
- Councilman Corey Swanson - Aye*
- Councilman Stevan Hatfield - Aye*
- Councilman Norm Gustafson - Aye*
- Councilman Terry Walker - Aye*

Motion carried.

The board would like to keep this topic on the agenda and revisit this decision in the future.

****First Privilege of Floor**- no response**

LEGISLATOR

- 1) Concerning the ARPA funding, the county has met with department heads and developed 41 separate projects.
- 2) Next month's meeting will be preparing for budget time.

NEW BUSINESS

- 1) Zoning Board of Appeals - Received a resignation letter from the Chairman of the Zoning Board, Marty Ericsson. Bob Sauer has been filling in for Chairman Ericsson for the last few months. After a brief discussion, *Supervisor Snow made a motion, seconded by Councilman Swanson to appoint Bob Sauer the Chairman of the Zoning Board of*

Appeals.

Ayes: Snow, Swanson, Hatfield, Gustafson, Walker

Motion carried.

2) Town Attorney - The Town Attorney Paul Webb Jr. is not able to continue to represent the Town of Poland, so Mr. Hajdu gave Supervisor Snow names of attorneys that may be interested in filling the position for the town. Attorney Joel Seachrist is interested in applying for the job. Attorney Seachrist approached the board and gave a brief history of himself and his work experience with multiple other local municipalities. After a brief discussion, Supervisor Snow made a motion, seconded by Councilman Swanson to appoint Joel Seachrist as the Town of Poland's Attorney effective immediately.

Ayes: Snow, Swanson, Hatfield, Gustafson, Walker

Motion carried.

SUPERVISOR

1) Distributed the budget worksheets to the department heads and should be turned in to the Supervisor by September 20th.

2) Attended an insurance meeting with the Town Broker and review the three insurances available to the town: Blue Cross & Blue Shields, Univera and Independent Health. Blue Cross & Blue Shields only increased by .13% and the other companies had a larger increase and larger deductible. After meeting with the Highway Department, it was decided to stay with Blue Cross & Blue Shields.

3) Dawn Swanson, Librarian at Kennedy Free Library, invited the Town Supervisor to a meeting with the library board to discuss the vision of the library. The library is looking for assistance from the town financially to help with future improvements. After a brief discussion with the board, it was decided to review this request during the Budget Workshop.

TOWN CLERK

1) Sarah Phearsdorf from Southern Tier West uploaded the pictures from the Memorial Day Parade onto the town website. Sarah suggested the town switches the website to Weebly because the layout options are much better, there are slideshow options and it is mobile-friendly. The price increase for the new website would be \$155 a year. In the future it may be possible for the town clerks to be trained to update the websites own their own.

2) On September 22nd, Sarah Phearsdorf from Southern Tier West is coming to help with record management in our town vault.

ASSESSOR

1) The annual Assessor Conference on Assessment Administration is being held in Niagara Falls from October 3rd thru the 6th. I will be attending this training, as it satisfies my annual education requirements. During this conference, we are informed of all new legislation pertaining to Real Property Tax as well as any new requirements that we must be aware of. This is the best opportunity available to update and gain knowledge in my profession, and best serve our property owners.

HIGHWAY SUPERINTENDENT

1) The final BAN payment is due next year and the next equipment that needs to be replaced is the excavator. Superintendent Mee distributed a quote to the board that included trade-in of the old excavator. After discussion from the board, Supervisor Snow made a motion, seconded by Councilman Swanson, contingent on the first payment not being due until after March 15th, Superintendent Mee can take out a BAN on the new excavator.

Roll Call:

Supervisor Kelly Snow - Aye

Councilman Corey Swanson - Aye

Councilman Stevan Hatfield - Aye

Councilman Norm Gustafson - Aye

Councilman Terry Walker - Aye

Motion carried.

CORRESPONDENCE

1) Received an invitation to the 2021 Workers' Memorial service at Erlandson County Park in Frewsburg at 11:00 am on September 25th.

MONTHLY REPORTS

JUSTICE JUDITH SHIELDS - reported 94 Vehicle & Traffic and 14 Criminal with \$7,558.00 forwarded to Supervisor.

CEMETERY- ALAN SHORT- July 14th - Sept. 14th: Continued mowing and trimming at both Cemeteries; I need to do some routine dirt work around the grounds; I'll need the Town's small front loader for a couple weekends if possible and new mower is working great. Thank you.

DOG CONTROL - Three loose dogs were picked up and taken home to their owners, and two dogs were seen but unable to be caught. One call about a dog bite, but wanting no action taken. Made calls to start a rabies clinic.

LIBRARY - The month of August statistics: 483 patrons, 8 Lego club attendees, 8 Book club attendees, 9 Story Walk participants, and 73 people used the computers. We have continued to reorganize the library while moving the children's area downstairs. We have added curbside service for our patrons.

In addition to Book Clubs, Lego Clubs, and Story Hour we are excited to begin a crochet club and continue our Year Long Reading Challenge Club.

We had about 50 shelves that needed to be repaired and Colecraft is handling that as the furniture is still under warranty.

Please remember to like us on Facebook and check our website for updates on information. We appreciate everyone's support of the library through the busy summer months.

PLANNING BOARD - no report

ZONING BOARD - no report

RECREATION (REBECCA LINDQUIST) - no report

HISTORIAN - REBECCA LINDQUIST- no report

TOWN CLERK BONNITA WALLACE reported \$1,029.07 paid to Supervisor with \$2,610.33 total disbursed.

ZONING OFFICER GEORGE GUSTAFSON - (ZONING REPORT) reported zero (0) Complaints received, one (1) Notice of Violation issued and \$448.00 in fees forwarded to Town Clerk.

CODE ENFORCEMENT OFFICER ERIC YAGER - (BUILDING CODE REPORT) zero (0) Inspections Performed, and zero (0) Certificates of Occupancy were reported.

SUPERVISOR SNOW distributed prior to the meeting the Agenda and Monthly Supervisor's Reports for General Fund, Highway Fund, Payroll Fund, Money Market accounts and General & Highway Budget Reports.

Supervisor Snow asked if there were any questions on the bills. *Councilman Walker made a motion, seconded by Councilman Hatfield to pay General Vouchers (295-334) totaling \$20,071.24 (which includes Paul Webb Jr.'s salary), Highway Vouchers (136-142) totaling \$13,097.57, Light District #1 Voucher (9) in the amount of \$666.01, Light District #2 Voucher (9) in the amount of \$184.61 and Justice Court Voucher (8-9) in the amount of \$8,738.00.*

Ayes: Snow, Swanson, Hatfield, Gustafson, Walker

Motion carried.

The next Board Meeting will be Tuesday, October 12, 2021 at 7:00 p.m. in the Town Hall.

Other meetings:

At 8:42 p.m. Supervisor Snow made a motion, seconded by Councilman Hatfield to adjourn the meeting.

Ayes: Snow, Hatfield, Gustafson, Walker

Motion Carried.

Respectfully submitted,

Bonnita R Wallace, Town Clerk