

**REGULAR MEETING OF THE TOWN BOARD
APRIL 20,2021**

PRESENT:

Supervisor Richard A. Purol
Councilman Robert Penharlow
Councilman Henry Walldorff
Councilman Juan Pagan
Councilman Jay Bishop (via zoom)

OTHERS PRESENT: Town Clerk, Rebecca Yacklon, Attorney Jeffrey Passafaro, Deputy Clerk, Kyle Coughlin, Shari Miller, Chairperson of the Town of Dunkirk Planning Board, Richard Schechter.

Supervisor Purol opened the regular meeting at 6:33 p.m. and began with the pledge to the flag.

APPROVAL OF REGULAR MEETING MINUTES

Councilman Pagan made a motion to approve the Regular meeting minutes of March 16, 2021. The motion was seconded by Councilman Walldorff and carried.

APPROVAL OF SPECIAL MEETING MINUTES

Councilman Penharlow made a motion to approve the special meeting minutes of April 16, 2021. The motion was seconded by Councilman Pagan and carried.

ABSTRACT OF AUDITED VOUCHERS

Councilman Penharlow made a motion to approve the abstract of audited vouchers as presented by the Town Clerk on the April 20, 2021. The motion was seconded by Councilman Walldorff and carried.

General Fund	\$32,095.33
Highway Fund	\$5,271.72
Justice Fund	\$14,857.75
Vineyard Light	\$224.86
Plaza 59	\$957.75
ELRS District	\$14,110.00
East Town Industrial	\$748.62
Bennett Improvement	\$212,706.35
Water Area #1	\$122.00

OPEN COMMENTS

No open comments to report

TOWN CLERK REPORT (March)

Clerk Fees	\$480.00
Zoning Fees	\$770.00
Dog Licenses	\$16.00

Total amount transferred to Supervisor Purol \$1,266.00

JUSTICE REPORT (March)

Total number of cases **203**

TOTAL FINES and surcharges submitted to the Town Supervisor **\$21,542.00**

DOG CONTROL OFFICER REPORT (March)

- There were **7** calls for service during the month of March regarding animal complaints.
- There was a total of **1** impound during March. Invoice submitted to Town, payable to City of Dunkirk for a 5 day stay for a male terrier located at large at 3711 E. Lake Rd. Dunkirk, NY for a total of \$125.00.
- **0** Dog at large citations issued.
- **0** unlicensed dog citations issued.
- Still working on a contract between the City and Town of Dunkirk for a shelter usage. Email was left with City attorney for a proposed contract for review by the Town Board.

EAST LAKE ROAD SEWER DISTRICT REPORT (Richard Purol)

- One pump was replaced in the month of April. (Kahabka)
- Sewer Maintenance employee submitted a wish list that included a 6 foot step ladder and 2-inch curb box.

STEGELSKE (Richard Purol)

- Not operational since 12/22/20.
- Key was given to City of Dunkirk. (Randy Woodbury)
- Still working with the City of Dunkirk about what is to come in the future.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Jeffrey Fienen

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ZONING/CODE ENFORCEMENT OFFICER

Ryan Mourer (absent)

No Report Submitted

ATTORNEY REPORT

Attorney Passafaro stated he had some matters to discuss in executive session concerning a matter of litigation and Article 78.

SUPERVISORS REPORT

- Representatives of the Freezer Warehouse Facility inquired about tapping into the water line. Supervisor Purol wrote a letter on behalf of the Town Board and Chadwick Bay Intermunicipal Works about the water tapping process and the fees associated with that. In his letter he stated "North County Water does not charge a fee to tap into the water line. However, he informed them that the maintenance crew would have to be there at the time of the hook up. The only fee that they would have is the road cut fee of \$1,000 and it would be refundable after one year and the road is deemed satisfactory."
- A flow test was done on the three hydrants located in the prospective area of the proposed Freezer Warehouse Facility.
- Still waiting on bids for the Phase 2 of the Roberts Rd. water project. Did not accept a bid yet.

CORRESPONDENCE

- Supervisor Purol read a letter from a town resident who resides at 4678 Willow Rd., Bill Jakubowski. regarding keeping our roads safe. Mr. Jakubowski was concerned about the accident that happened on April 6, 2021 on Willow Rd under the bridge due to the clearance height. The resident is concerned regarding the lack of signage about the height clearance. They feel that there is a need for more or better warning signs for this bridge. Supervisor Purol stated that the Highway Superintendent is looking into a flashing light =, that is solar operated. If this is an affordable option, this is the route Supervisor Purol would like to go.
- Supervisor Purol also received a report for the month of March from Allstar. They handled a total of 47 calls between the Town of Dunkirk and the Town of Sheridan. 29 were for East Town, 7 were for West Town and 11 were for Sheridan.
- Out of that East Town missed 5 calls, 0 missed from West Town.

SCHEDULE PUBLIC HEARING FOR FREEZER WAREHOUSE FACILITY

Supervisor Purol informed the Board that a new date was needed for the public hearing for the Freezer Warehouse Facility. The Board discussed potential dates and chose May 4, 2021 at 6:15 P.M. for the public hearing. They choose to schedule a special meeting to follow that meeting at 6:30 P.M. A motion was made to schedule a Public Hearing for the Freezer Warehouse Facility on May 4, 2021 at 6:15 P.M. by Councilman Penharlow. The motion was seconded by Councilman Pagan and carried unanimously.

SCHEDULE SPECIAL MEETING

A motion was made to schedule a Special Meeting of the Town Board at 6:30 P.M. May 4, 2021 by Councilman Penharlow. The motion was seconded by Councilman Walldorff and carried unanimously.

DETAILED OPERATIONS PLAN

A motion was made by Councilman Pagan to adopt the Public Employer Health Emergency Plan for the Town of Dunkirk. The motion was seconded by Councilman Walldorff and carried.

WORKSHOP FOR SOLAR LAW

Supervisor Purol stated he has been in touch with Justin Steinbach from CPL regarding setting up a meeting to help update the Town's Solar Law. Justin had sent over an email with a list of dates that he was available to meet. The Solar Law workshop was scheduled for May 28th at 5:00 P.M. and it was open to the Town Board, Planning Board, and Zoning Board Member's.

SHARED SERVICES AGREEMENT FOR ANIMAL SHELTER

A contract was presented to the Town of Dunkirk from the City of Dunkirk for a shared service agreement, for the Animal Shelter. The proposed amount per day, per dog would be \$40.00. Upon review of this contract Councilman Penharlow felt that \$40.00 was high and could become very costly to the Town. Councilman Bishop was concerned over the cost as well.

Supervisor informed the board that though this is higher than before, the cost included food for the dogs and for the dogs to be fed three times a day by the Dog Control Officers.

Direction was given to Supervisor Purol for a counter proposal and negotiation of \$30.00 a day.

A motion was made by Councilman Penharlow to let the Supervisor negotiate the terms of this agreement for a lesser amount and table the contract as presented. The motion was seconded by Councilman Walldorff and carried.

SHOREWOOD WATER PROJECT INFORMATION

A map plan of review for the Shorewood Dr. water project was presented to each board member. Lucas Manning from RD forwarded a letter that stated the Town Board had 30 days from the date of the meeting (4/13/21) to accept the funding offer or the application would be withdrawn. Supervisor Purol informed the Board that this would be to just to secure the loan. If the Board decided to accept the offer, Lucas Manning stated a letter must be submitted of the Towns approval or disapproval. Councilman Penharlow had concerns on page 5 of the Final Map, Plan and Report under the Revenues section. Supervisor Purol informed Councilman Penharlow, that they must show what they are currently using for the current rate. Purol also stated this is an improvement of what is currently there, which was why this figure was presented the way it was. Attorney Passafaro clarified that they must show this on the map plan.

A motion was made by Councilman Pagan to accept the offer from RD for the Shorewood Water project. The motion was seconded by Councilman Bishop and carried by Councilman Walldorff. Councilman Penharlow was opposed.

Attorney Passafaro gave direction to the Town Board that the Town Board would need to accept the final map plan. (As the funding is set for the final map plan that was presented.) The Town Board wanted to see what other options were available for the Map Plan before approving it. Councilman Bishop asked Supervisor Purol to look into looping the project from East Shorewood Drive and Route 5. While Board Members discussed this option, it was explained that by doing this the funding could change that was offered by USRDA.

CONCERNS REGARDING ZONING MATTERS

Councilman Bishop was concerned with the Code Enforcement Officer being absent and not submitting a report.

Councilman Penharlow had a couple of suggestions about the current Zoning Book. He stated that he would like to amend a page at a time instead of going through the whole procedure. Councilman Penharlow would like to change the square footage of accessory buildings immediately rather than waiting to finish the entire zoning book.

Attorney Passafaro informed Councilman Penharlow it would be a local law and would have to go through the process associated with creating a local law.

EXECUTIVE SESSION

In taking advice from the Town Attorney, the Town Board closed the Regular meeting at 7:42 P.M. and went into an executive session. A motion was made by Councilman Walldorff to go into executive session. The motion was seconded by Councilman Pagan and carried.

OPEN REGULAR MEETING

A motion was made by Councilman Pagan to close the executive session and re-open the Regular session. The motion was seconded by Councilman Penharlow and carried.

Supervisor Purol opened the regular meeting back up at 8:16 p.m.

EMPLOYEE HANDBOOK

Supervisor stated he would like to get together to work on the Employee Handbook. He suggested scheduling a workshop on a Saturday so all Board Members could attend.

APPOINT SHARI MILLER TO PLANNING BOARD

A motion was made by Councilman Walldorff to reappoint Shari Miller to the Planning Board for a five-year term. The motion was seconded by Councilman Pagan and carried unanimously.

ADJOURNMENT

With no further business, a motion was made by Councilman Pagan and seconded by Councilman Bishop. The motion was carried unanimously, and the meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Rebecca Yacklon
Town Clerk