

Public Hearing
July 8, 2010

A Public Hearing was held July 8, 2010 at 7:30 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. The purpose of the meeting was to get public opinion on a Special Use Permit Application for a Kennel License for Kimberly Watkins, located at 1498 Four Rod Road in the Town of Marilla. The Town Clerk published the notice of the public hearing in the Alden Advertiser, the Elma Review and East Aurora Advertiser as well as posting it on the Official Bulletin Board pursuant to the provisions of the Town Law. Officials present were:

George Gertz, Supervisor
Barbara Spanitz, Councilman
Warren Handley, Councilman
Elizabeth Ackerman, Councilman
Donald Darrow, Councilman

Approximately (6) persons were in attendance. Supervisor Gertz asked if there was any interested person who desired to be heard.

Hearing no comment the Public hearing was closed at 7:32 pm.

Regular Meeting
July 8, 2010

The regular meeting of the Marilla Town Board was held on Thursday, June 10, 2010 at 7:33 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. Officials present were:

George Gertz, Supervisor
Barbara Spanitz, Councilman
Warren Handley, Councilman
Elizabeth Ackerman, Councilman
Donald Darrow, Councilman

Supervisor Gertz called the meeting to order and the Pledge of Allegiance to the Flag was given.

Communications

Communications were received and read from:

a. None

Committee Reports

Highway Superintendent Ronald Unverdorben had no report.

Councilman Spanitz reported that the next Planning Board Meeting will be held on July 15th at 7:00 pm.

Councilman Ackerman reported that the Historical Society will be hosting a flea market at the Community Center parking lot on July 17th, tables are \$15 to rent. The next Historical Society meeting will be on September 27th.

Councilman Handley stated that the next concert would be held on Wednesday, July 14th at 11:30 am with Glen Colton. They will be providing hot dogs, lemonade and popsicles for the kids. He reported that he wanted to give his hats off to the Re-enactors from the Civil War Encampment at the Town Park. He said it was perfectly laid out around the pond for the mood of the battle and the dance. He felt it would be even larger next year due to its success.

Supervisor Gertz stated that June was very busy with the Carnival and the Re-enactment and the Tractor pull.

Open Board Presentations From the Public

None

Old Business

Motion: Councilman Handley moved, seconded by Councilman Spanitz to approve the minutes of the Regular Board Meeting held on 6/10/2010. Motion Carried.

New Business

Motion: Councilman Handley moved, seconded by Councilman Ackerman to set the public hearing date on local law #6 pertaining to dog control law for 8/12/2010.

Roll Call Vote:

Councilman Spanitz ó Aye Councilman Handley ó Aye

Councilman Ackerman ó Aye Councilman Darrow ó Aye

Supervisor Gertz ó Aye

Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Darrow to approve the following resolution for a Special Use Permit:

WHEREAS, the Town Planning Board has previously recommended that the Town Board approve a Special Use Permit for a Kennel License for Kimberly Watkins for property located at 1498 Four Rod Road; and

WHEREAS, THE Town Board has duly held a public hearing on the request of Kimberly Watkins for a Special Use Permit for a Kennel License and heard all persons interested in said application.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. That the Town Board does hereby approve the granting of a Kennel License to allow Kimberly Watkins to have 4-6 dogs at property located at 1498 Four Road Road.
2. This Special Permit is granted with the understanding that the dogs are generally kept inside and will be generally supervised when they are outside.
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board held on July 8, 2010, the results of which were as follows:

Councilman Spanitz ó Aye Councilman Handley ó Aye

Councilman Ackerman ó Aye Councilman Darrow ó Aye

Supervisor Gertz ó Aye

Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Handley appoint Sharon Foersch as a part-time Clerk in the Town Clerk's Office and pay according to the adopted clerks pay scale. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Ackerman to authorize the Town Clerk to advertise bids for the roof on the Salt Shed and Cold Storage Buildings. Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilman Ackerman to appoint Fran Osborne as an Alternate to the Conservation Advisory Board for a term to expire on 12/31/2011. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to amend the agenda. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Ackerman to appoint Fran Osborne as Secretary to the Conservation Advisory Board for a term to expire on 12/31/2010. Motion Carried.

Report of Town Officials

Town Engineer Marie Nowak reported that they waiting for one approval from the New York State DEC and then they will be going out to bid for Water District 5. She reported that there are some trees that are in the right of way and the DOT is requesting they be removed, she said they will notify the residents.

Building Inspector Scott Rider submitted a written report with 16 building applications received with fees totaling \$1991.00, 16 building permits were issued with a total value of \$569,100, 11 inspections were made for the month of June. There were a total of 132 logged activities.

Town Attorney Nathan Neill reported that Alden is going through with up sizing the waterlines, they just need to finalize the paperwork. He said that the Town of Bennington had not moved forward yet to increase the size of the waterlines for their future use.

Town Assessor Kandace Wittmeyer reported that she had created a report that found 43 residents who would qualify for the STAR exemption but had not applied, so she sent out application to those residents. She updated the roll with the changes authorized by the Assessment Review Board, produced the final roll and certified it with the County and State. She produced and sent the certified copies of the School roll to the Schools. She also attended a 6 hour class on Affordable senior housing.

Supervisor Gertz said that the Planning Board minutes had been received and posted.

Supervisor Gertz recommend that during the hot summer heat the elderly should stay hydrated and be sure to eat.

Open Board Presentations

Councilman Spanitz wanted to remind residents of the Car Show at the end of the month.

Councilman Handley thanked Highway Superintendent Ron Unverdorben and his men for the great job they did at the Civil War Encampment.

Supervisor Gertz stated that the Car Show would be 2 days this year, Saturday, July 24th will have the flea market/swap meet, and entertainment and Sunday the roads will be closed for the car show. He also reported the County Legislature Dino Fudoli will be holding an open house on July 14th from 1-3 pm at the Marilla Library.

The Vouchers have been audited by all of the Town Board Members.

Motion: Councilman Handley moved, seconded by Councilman Ackerman to approve the claims as follows:

General Fund Claims, Vouchers 287-341	\$ 36,675.89
Highway Fund Claims, Vouchers 92-99	\$ 10,225.89
Special Districts	
Sanitation (SR), Vouchers 52-59	\$ 14,848.46
Special Fire Voucher 5	\$ 4,109.00
Water District #2, Vouchers 15-16	\$ 2,519.65
Water District #3 Voucher 9	\$ 1,353.40
Water District #4 Voucher 7	\$ 817.40
Water District #5 Vouchers	\$.00
Community Develp. PACE Vouchers	\$.00
Community Develp. HUD	\$.00
Cemetery Vouchers	\$.00

Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Ackerman to adjourn the meeting at 7:47 p.m. Motion Carried.

Respectfully submitted,

_____ Town Clerk _____ Supervisor
 _____ Councilman _____ Councilman
 _____ Councilman _____ Councilman