

Minutes of the Franklinville Town Board Meeting held on August 10, 2021, at 7:00 P.M., at the Town Hall, 11 Park Square, Franklinville, NY.

**ROLL CALL:**

Robert Breton.....Supervisor  
Kimberly Palmatier.....Councilwoman  
Heather Stevens.....Councilwoman  
John Tinelli.....Councilman  
Joseph Weaver.....Councilman  
Terry McClory.....Highway Supt.  
Andrea Stanbro .....Town Clerk  
Tim Chase.....Constable

The meeting was called to order by Supervisor Breton at 7:00 P.M. The Pledge of Allegiance was recited. Roll Call was taken. Also, present were Lorretta Close, Barb Holden, Wayne Holden, Kay Farrington, Lonnie Farrington, Steve Gorecki, Peter Sorgi, Ginger Schroder, Mike Brisky, Keith Gildner, Richard Hall, and other Town residents.

**Approval of Minutes**

Mr. Tinelli made a motion to accept the July 13, 2021, minutes, seconded by Mr. Weaver. Motion carried Ayes-5 Breton, Tinelli, Palmatier, Weaver, Stevens  
Nays-0

**Public Hearing**

Local Law 1-2021

Proof of Notice having been furnished, the Public Hearing on a Local Law abolishing the town of Franklinville Planning Board and Repealing Local Law 1-2010, Transferring Duties of the Planning Board to Franklinville Town Board was called to order at 7:03 P.M. by Robert Breton, Supervisor.

The following persons spoke in favor of Local Law 1-2021:  
Keith Gildner

All persons desiring to be heard, having been heard, the Hearing was terminated at 7:04 P.M.

Local Law 2-2021

Proof of Notice having been furnished, the Public Hearing on a Local Law Amending Local Law 1-1999; referring Proposed Local Law to County Planning Board; Establishing Date of Public Hearing; Declaring Lead Agency Status was called to order at 7:05 P.M. by Robert Breton, Supervisor.

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The following persons spoke in favor of Local Law 2-2021:

Richard Hall

James McCauly

Keith Gildner

All persons desiring to be heard, having been heard, the Hearing was terminated at 7:20 P.M.

#### **Approval of Abstracts**

Mr. Weaver made a motion to pay Abstract #8 General vouchers # 127-152 in the amount of \$8,784.75, Highway vouchers # 98-109 in the amount of \$122,762.86 seconded by Mr. Tinelli. Motion carried Ayes- 5 Breton, Tinelli, Palmatier, Weaver, Stevens

Nays-0

#### **Petitions and requests from the floor**

Attorney James McCauley representing Mr. Davis is requesting the Town Board to change the zoning in the area concerning South of Civic Auto to the intersection of 98 South and Rt. 16 for financing purposes.

Mrs. Schroder replied with at the end of the meeting the Board may have a resolution for the start to resolve this matter.

#### **Highway Superintendent**

Mr. McClory reported they have finished the gravel on Hillibrandt Rd.

Sealed Cemetery and Trowbridge Rd.

Stated that Healy Rd and the Lower end of Bryant Hill is to be sealed around/after the Labor Day Holiday.

Mr. McClory reported that the truck repaired at Portville Truck was a sizeable bill and is requesting a money transfer of \$10,000 to cover the bill.

#### **Cemetery Sexton**

None

#### **Code Enforcement Officer**

Mr. Farrington reported he has been very busy with issuing building permits.

#### **Dog Control Officer**

Mrs. Farrington reported she has been very busy issuing tickets.

#### **Town Clerk**

Mrs. Stanbro reported the Hunting Licenses Sales date began on August 2, 2021 and is doing well with minor printer issues happening again this year.

Mrs. Stanbro also reported that there are still issues with interruption in service coming from Hemisphere.

#### **Justices**

Ms. Close reported there are many new changes to the Eviction laws.

Also, court is now open to Criminal and Eviction Cases with Traffic Cases still being taken care of by mail.

**Assessor**

None

**Supervisor**

None

**Reports from Board members**

Mr. Weaver spoke with a contractor regarding the Cemetery Roads with them willing to do the job just that the Town Board should place a bid in the papers first.

**Old Business**

None

**New Business**

None

**Outside Communications**

Mrs. Schroder reported that the Cattaraugus County IDA would like to be designated as Lead Agency on the Great Lakes Cheese project. This will save the Town of Franklinville money and less work.

On a motion of Mrs. Stevens, seconded by Mr. Tinelli, the Cattaraugus IDA will take on Lead Agency was

ADOPTED Ayes- 5 Breton, Tinelli, Weaver, Palmatier, Stevens  
Nays- 0

Mrs. Schroder also stated that Local Law 1-2021 was sent to the County Planning Board and they came back with positive results and the Town of Franklinville is all set on the issue.

**Resolutions**

**Resolution # 38-2021**

On a motion of Mrs. Stevens, seconded by Mr. Weaver, the following resolution was  
ADOPTED Ayes- 5 Breton, Tinelli, Weaver, Palmatier, Stevens  
Nays- 0

Resolution introducing Local Law 3-2021 entitled "A Local law Amending Current Zoning Law to Permit a New Use; Referring Proposed Local Law to County Planning Board; Establishing Date of Public Hearing; Declaring lead Agency Status

**Resolution # 39-2021**

On a motion of Mr. Tinelli seconded by Mrs. Palmatier, the following resolution was  
ADOPTED Ayes- 5 Breton, Tinelli, Weaver, Palmatier, Stevens  
Nays- 0

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Resolution issuing a Negative Declaration for Local Law Number 1 of 2021 Entitled "A Local Law Abolishing the Town of Franklinville Planning Board and Repealing Local law 1-2010, Transferring Duties of the Planning Board to Franklinville Town Board.

**Resolution # 40-2021**

On a motion of Mr. Tinelli seconded by Mrs. Palmatier, the following resolution was ADOPTED Ayes- 5 Breton, Tinelli, Weaver, Palmatier, Stevens  
Nays- 0

Resolution Adopting Local Law 1-2021 as Amended "A Local Law Abolishing the Town of Franklinville Planning Board and Repealing Local Law 1-2010, Transferring Duties of the Planning Board to Franklinville Town Board" (the "Action")

**Resolution # 41-2021**

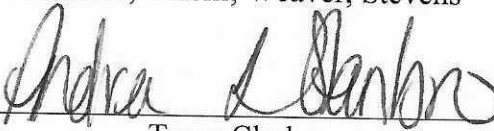
On a motion of Mr. Tinelli, seconded by Mrs. Palmatier, the following resolution was ADOPTED Ayes- 5 Breton, Tinelli, Weaver, Palmatier, Stevens  
Nays- 0

Resolution Introducing Local Law 4 – 2021 entitled "A Local Law Amending Local Law 1-1999"; Referring Proposed Local Law to County Planning Board; Establishing Date of Public Hearing; Declaring Lead Agency Status.

**Adjournment**

Mr. Tinelli made a motion to go into Executive Session at 7:42PM for discussions regarding proposed, pending, or current litigation, the medical, financial, credit or employment history of a particular person or corporation, or matters leading the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation; and then adjourn and was seconded by Mrs. Palmatier.

Motion carried Ayes-5 Breton, Palmatier, Tinelli, Weaver, Stevens  
Nays-0

  
Town Clerk