

July29, 2010

Kniffen Annexation Public Hearing

**Present:** David Lewis, Jeff Logan, Kitty Brown, Jane Ann Williams, and Toni Hokanson

**Agenda:** Mayor advertised as Public Hearing. Agenda sent earlier was for Town Board agenda absent earlier was for Town Board – agenda says Joint not seen by Village before.

Supervisor Hokanson noticed error by secretary that only said Town – need joint for public Hearing. Need to declare SEQR in meeting.

Terry: joint meeting should be collaborative.

Shari only Board member told, rest of us asked.

Jeff Logan asked.

Supervisor Hokanson moved to adopt agenda as stands. Seconded by Councilman Logan, all aye votes from Town. Nay votes from Trustees Gallucci and O'Donnell.

Trustere O'Donnell recused himse lf -Kniffen's company doing work for him over past year.

Joe Moreiello sugested Boards should address petition itself. Also certification by Assessor

Any objections

Elect person to preside

Notices mailed to other property owners within territory to be annexed.

Testimony

Floyd Kniffen affirms everything he submitted is true

Terry moved Toni Hokanson to preside, seconded by Councilwoman Williams, all ayes votes

Petitioner Floyd Kniffen cover letter points his public interest views. Cluster developments on Harrington St – Village Board said he needed to pursue water /sewer through annexation only

First of three maps Village boundary and property Location drawing

Third page: detailed map of 4 parcels

Fourth drawing is overall concept map of Millbrook Preserve.

Drawing 5 no concrete plans; showing what clustering could do by pulling 5 lots together

Councilwoman Brown: building condos: Floyd more like town houses, she spoke with RUPCO – affordable Senior housing a possibility.

Public interest preserve land to be created and need for affordable housing.

Supervisor Hokanson: Village sewer lines to connect to Floyd down Harrington

Supervisor Hokanson water south side of intersection.

Annexation also prompted parking area for village trucks at pump station.

Kitty Brown questioned would wetland be subject to Town wetland law

Escrow documents would be better than handshake each of Boards should consider designate itself lead agency under SEQR because they take will some action.

Could be unlisted or type1 in the absence of a submitted plan, the SEQR is done with respect to annexation only

Toni Hokanson questioned what if each board made different determination

Jon S

Jon D judicial determination

Supervisor Hokanson made a motion that the Town declares itself lead agency. Seconded by Councilman Lewis.

Trustee Osborn made a motion for Village to declare itself Lead Agency for the Village; seconded Jean all ayes

Supervisor Hokanson stated if we close tonight if annexed properly ends up @less -need to hold another Public Hearing. Joe Moriello: it would be a change made by petitioner and file new petition

Recreation versus Parkland

The question before us type1 versus unlisted action. If type 1 could do a simple EAF no scoping EIS. EAF in short form available for each Board

Supervisor Hokanson stated instinct is to do EAF and type1 and explanation of impacts in Part3 not put serves at risk For article 78

Floyd feels this view is appropriate

Supervisor Hokanson made a motion to declare this Type 1 action and required EAF. Seconded by Councilwoman Williams, all aye votes cast, motion carried.

Mayor Dungan: each board should make determination and file with each clerk within 90 days.

Councilman Logan made a motion to close the Public Hearing. Seconded by Councilwoman Brown, all ayes votes cast, motion carried.

Mayor Dungan made a motion to close the public Hearing for the Village. Seconded by Trustee Gallucci, all ayes votes cast, motion carried.

The Village Board will address at their 8/11 meeting.

Question on road

Floyd will submit for August Meeting

**Public Comment:** Councilwoman Brown questioned Mayor of Village Planning Board has option where T shall ..... Check this out on disc.

Terry responded Millbrook Preserve

No records in Planning Board minutes Village code –

No action shown in Planning Board

Planning Board waivers were on small projects

#### **Fire District**

Trustees O'Donnell and Osborn at table for discussion.

Dave Weeks: e-mail sent on 20<sup>th</sup>; this is what I've dealt with -just string you along

Terry Hannigan is the attorney hired by department who is also a fire fighter.

Purpose to be here need decision at joint meeting to go forward- cannot go forward unless there are resolutions from both Boards at a joint meeting. Department is a Village fire district dysfunctional because Villages does not have resources as a city has. Overtime friction created the fire district model is most efficient simple mechanism in Town law (article 11A) create joint fire department remove Village leadership- relies on fire commission board. Not compensated. Have to be trained and prepare a budget – very efficient. Way to run fire department. Third Tuesday is their Public Hearing. Service award program award would dictate a referendum; Joint meeting needed of Village and Town – joint fire district might be in public interest. Public Hearing would happen in 30 days.

Another joint meeting decision to go on ballot. Referendum needed within next 40 days. Discussion on having something ready for the November election.

Councilwoman Brown said her biggest reservation embarked on shared service eviccommittee.

Supervisor Hokanson will be Village district needs to go to vote

Councilwoman Brown sees problems with Village Board as more recent Village. Trustees not equipped to do job of fire commissioners.

Councilman Logan not voting based on emotions – needs to be fiscally based.

Fred Van Nostrand thought this should have a fire district – get it going. Shared services does not affect it.

Supervisor: Dave Weeks made 3 points- 50 members drop in 5 years.

What will make NPFED better by staying in Village Government?

Fred Van Nostrand, Town resident, regarding Shared Services: asked how many board members sat on a committee 10-15 years ago.

Councilwoman Brown stated that they have not done due diligence as with the Police Department – Village combining with Town

Trustee Osborn made a motion to set joint meeting for 8/25.

Supervisor Hokanson made a motion for the Town Board agree to set a Joint Meeting on 8/25 at Village Hall at 7:30 Pm to discuss the fire department and set a Public Hearing.

Trustees Osborn and Kimbiz say take off Moriello pool, all aye votes cast, motion carried.

**Moriello Pool:** Supervisor Hokanson stated she has a list of items approving for payment.

**Announcements:** 8/15 Pancake Breakfast at Community Center

We owe half

Councilman Lewis asked how you would decide what each government pays.

Supervisor explained they were lead agency –everything stopped before finish work was done. She then got involved to get finish work done so the pool could open on time.

B Fund unexpended B fund contingency and parkland fees

Councilman Logan made a motion to approve supervisor to modify the budget by \$262,772.91. Seconded by

Councilwoman Williams, all ayes votes cast, motion carried. \$354,000in B fund unexpended fund

\$400 in B fund contingency. Possibly \$87,000 in Parkland Recreation

. Councilwoman Brown would authorize \$35,000 and remaining \$262,772.91 from unexpended fund balance. Seconded by Councilman Logan, all aye votes cast, motion carried.

10:33 p.m. Councilwoman Williams made a motion to adjourn. Seconded by Councilman Logan, all aye votes cast, motion carried.

Respectfully submitted,