

Regular Town Board Meeting

February 20th, 2020

The regular meeting of the Prattsburgh Town Board was called to order on February 20th, 2020 at 6:30 P.M. at the Prattsburgh Town Hall Prattsburgh, NY. Supervisor McConnell led the Pledge of Allegiance.

PRESENT: Leonard McConnell Supervisor

Peter Scheid Councilman

Angela Einwachter Councilwoman

Anthony Byington Councilman

Edward Brockman Legal Counsel

Kim Sobolewski Town Clerk

Michelle Schuck Deputy Town Clerk

**MINUTES OF JANUARY 23RD 2020**

A motion made by Councilman Byington and seconded by Councilman Scheid to accept the meeting minutes as presented by the Town Clerk for the January 23rd, 2020 meeting, Supervisor McConnell agreed.

**SPECIAL MEETING MINUTES JANUARY 30TH, 2020**

A motion made by Councilwoman Einwachter and seconded by Councilman Byington to accept the meeting minutes as presented by the Town Clerk for the January 30th, 2020 special meeting, Supervisor McConnell agreed.

**FINANCIAL REPORT**

On a motion made by Councilman Byington and seconded by Councilman Scheid with all board members in agreement the monthly financial report was accepted as submitted by the Town Supervisor.

**AUDIT OF BILLS**

On a motion made by Councilman Byington and seconded by Councilwoman Einwachter, with all board members in favor, the board approved payment of the following bills as amended on ABSTRACT #2 to be paid as presented. The total amount to be paid on ABSTRACT #2 is \$62,120.28. (VOUCHER # 70-116)

**HIGHWAY (JOHN)**

Since our last meeting we have plowed and sanded 22 times and sanded only 7 times. We worked our way through a couple snow events, and one freezing rain issue. In between plowing, the men have been hauling sand to the barn for a total of 1072 tons this month. Spallinas are now out of sand, so we must make do with what we have. The men have also, hauled in 1a's stone 149.55 ton, cut brush twice on Hotchin Road, and one tree down on Burke Road. We have boom mowed on 4 separate occasions and have cleaned up snow piles around town. I had SJ Kula haul in 609 ton of misc. crushed gravel during the warm spell to get ready for pothole season. I have spoken with Suite Kote to start

getting figures around for the summer season. Regular maintenance, and all trucks had some kind of light issue that needed fixing.

T-203 - replaced motor mount and a u-joint

T-304 - dump gate cylinder, fixed bed chain

### **SUPERVISOR (LEN)**

Supervisor McConnell spoke with politicians regarding the sewer system and all is looking good. A meeting will be held February 25th 2020 at the fire house with Terra-Gen representatives for a Q and A .Supervisor McConnell would like to thank Councilman Scheid for handling the bike race, which will be held April 11th along with special events in the park.

### **PRIVILEGE OF THE FLOOR**

### **NEW BUSINESS OWNER**

Baraq Amin came to speak to the Board regarding her new business on Rosy Hill, she will be tuning a barn into an Event Center for the public. She needs to expand the driveway and add light fixtures.

### **SPECIAL MEETING**

On a motion made by Councilman Scheid and seconded by Councilman Byington with all board members in agreement, a special meeting will be held Thursday February 27th, 2020 at 7:00 P.M. to interview potential Ad Hock members.

### **DOG KENNEL CONTRACT**

On a motion made by Councilman Scheid and seconded by Councilman Byington with all board members in agreement, the town will be utilizing the Wayland dog shelter.

## **TOWN OF PRATTSBURGH**

### **Resolution No. 1 -2020**

### **Approval of Agreement with The Town of Wayland for Use of Kennel**

Motion made by Councilman Scheid, seconded by Councilman Byington with all Board Members in favor the Board agreed to adopt the following resolution;

**WHEREAS**, the Town of Prattsburgh has and employs an Animal Control Officer (ACO) as part of its governmental structure; and

**WHEREAS**, as part of the duties and responsibilities of the ACO is the seizure of dogs when such dogs are in violation of local and/or state las and such seizure is prescribed by law; and

**WHEREAS**, upon seizure of any dog by the ACO it is mandated by law that such dog(s) be housed in a kennel facility which conforms to standards set by the State of New York; and

**WHEREAS**, the Town of Prattsburgh does not possess such a kennel facility; and

**WHEREAS**, the Town of Wayland owns an operates a kennel facility which conforms to state standards; and

**WHEREAS**, the Town of Wayland has offered the use of space in its kennel to the Town of Prattsburgh for the housing of dogs seized by Prattsburgh’s ACO, subject to the terms of an Agreement which has been tendered to the Town of Prattsburgh by the Town of Wayland; and

**WHEREAS**, the Town Board members have had an opportunity to review the terms and conditions of said proposed Agreement and

**WHEREAS**, the Town Board intends to act as Lead Agency for any SEQRA issues related to this action.

**NOW THEREFORE BE IT RESOLVED, THAT:**

1. The Town Board of the Town of Prattsburgh, for SEQRA purposes, designates itself as “Lead Agency” with respect to this action, determines that there will be no detrimental environmental impacts by this action, and therefore declares this to be a “Type II” action and accordingly no environmental review of this action will be undertaken.
2. The Town Board approves the proposed Agreement with the Town of Wayland with respect to use of the Wayland kennel and further authorizes and directs the Town Supervisor to execute such agreement and to comply with the financial requirements of the Agreement.

**TOWN CLERK’S CERTIFICATION**

STATE OF NEW YORK )  
COUNTY OF STUEBEN )  
TOWN OF PRATTSBURGH)

I, Kim Sobolewski, Clerk for the Town of Prattsburgh, County of Steuben and State of New York, do hereby certify that the before mentioned RESOLUTION - 2020 was adopted at the regular meeting the Town of Prattsburgh Board of Trustees held on February 20, 2020, at which a quorum was

present and participated in throughout, and that the same has not been in any way rescinded or annulled but is still in full force and effect and is duly entered in the minutes of said meeting.

IN WITNESS WHEREOF I have hereunto set my hand and the seal of the said Town the 21st day of February, 2020.

(SEAL)

Kimberly Sobolewski

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Kim Sobolewski, Town Clerk

Town of Prattsburgh

**EES**

On a motion made by Councilwoman Einwachter and seconded by Councilman Byington with all board members in agreement, a \$500.00 donation will be made to Environmental Emergency Services.

**EMINENT DOMAIN**

On a motion made by Councilman Byington and seconded by Councilwoman Einwachter with all board members in agreement, they determined not to use Eminent Domain for any purpose related to private enterprise.

**Town of Prattsburgh**

**Resolution No. 2 -2020**

**Determination Not To Use Eminent Domain for Any Purpose Related to Private Enterprises**

Motion by Councilperson Byington, seconded by

Councilperson Einwachter to adopt the

Following resolution:

**WHEREAS**, the Town Board of the Town of Prattsburgh is a municipal corporation of the State of New York, with the authority to use the power of eminent domain for public purpose; and

**WHEREAS**, certain projects proposed within the Town of Prattsburgh by private enterprise could possibly request that the Town Board utilize the power of eminent domain for a pseudo public purpose related to their proposed project, including wind energy projects; and

**WHEREAS**, the Town Board of the Town of Prattsburgh wishes to announce its opposition to such use of eminent domain by establishing a policy applicable thereto.

**Now Therefore, Be It RESOLVED THAT,**

The Town Board of the Town of Prattsburgh determines that it will not utilize the power of eminent domain for any purpose related to any private enterprise project, particularly any wind energy proposal, in the Town of Prattsburgh or surrounding areas, nor will the Town Board consider any requests that the Town Board consider using the power of eminent domain for any such pseudo public purpose.

#### CERTIFICATION OF CLERK

STATE OF NEW YORK)

COUNTY OF STEUBEN)

TOWN OF PRATTSBURGH)

I, Kim Sobolewski, Town Clerk for the Town of Prattsburgh, County of Steuben and State of New York, do hereby certify that the before mentioned RESOLUTION - 2020 was adopted at the regular meeting the Town Board of the Town of Prattsburgh held on February 20, 2020, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Dated: February 21, 2020

Kim Sobolewski, Town Clerk

#### ADJOURNMENT

On a motion made by Councilman Scheid and seconded by Councilman Byington with all Board members in agreement, the regular town board meeting was adjourned at 8:05 P.M.

Respectfully submitted,

Kim Sobolewski

Town Clerk