

MINUTES
TOWN OF WARSAW
REGULAR

PUBLIC HEARING TO RECONVENE FOR 2023 BUDGET
NOVEMBER 09, 2022

Supervisor Ryan calls the meeting to order at 6:00 p.m. at the Warsaw Town Office located at 83 Center Street Warsaw, NY 14569 at which time and place the following were:

PRESENT:

Supervisor:	Rebecca Ryan
Councilman:	Chris Lonneville
Councilman:	Dave Mateer
Councilman:	Steve Perkins
Councilman:	Travis Jones

ALSO, PRESENT:

Town Clerk:	Cathy Smith
Historian:	Sally Smith
Hwy. Super:	Jeff Royce
Zoning Officer:	Bob Martin

Pledge of Allegiance

Supervisor Ryan reconvened the Public Hearing for the 2023 budget.

A motion was made by Dave Mateer and seconded by Chris Lonneville to enter into executive session at 6:01 p.m. related to personnel.

A motion was made by Dave Mateer and seconded by Travis Jones to end executive session at 6:17 p.m.

A motion was made by Chris Lonneville and seconded by Travis Jones to close the Public Hearing. Ayes: 5, Nays: 0, AIF

A motion was made by Dave Mateer and seconded by Chris Lonneville to pay Town Clerk Cathy Smith \$150 annually as the registrar B4020.1 and \$500 annually as the tax collector A1330.1. Ayes: 5, Nays: 0, AIF

A motion was made by Chris Lonneville and seconded by Travis Jones to pay the new mileage rate of 62.5 cents per mile effective July 2022 for errands that were done using personal vehicle. Mileage sheet was handed out. Ayes: 5, Nays: 0, AIF

With these changes a motion was made by Steve Perkins and seconded by Travis Jones to adopt the 2023 budget. Ayes: 5, Nays: 0, AIF

ROLL CALL: 5 Ayes- Rebecca Ryan, Chris Lonneville, Dave Mateer, Steve Perkins, Travis Jones.

Don Roberts of Wyoming County Building and Codes was not present. Supervisor Ryan spoke to him previously and asked him to send a new proposal for those not participating in Wyoming Countywide Planning. Steve Perkins noted that some of the things in the proposal were part of Mr. Roberts job. Bob Martin added that referrals and inspections are a part of his job.

Library update was given by Travis Jones. Lyndsey Yoder is nearing completion on the plans and sketches and will be meeting with on December 06, 2022 at 4 p.m. to review.

No airport vouchers to approve as there was no meeting.

Airport report was given by Steve Perkins. Mr. Perkins noted that there was no meeting however the snow removal building is ready to close out.

A motion was made by Chris Lonneville and seconded by Travis Jones to approve the minutes of October 12, 2022. Ayes: 5, Nays: 0, AIF

A motion was made by Chris Lonneville and seconded by Dave Mateer to approve the public hearing minutes of October 26, 2022. Ayes: 5, Nays: 0, AIF

A motion was made by Chris Lonneville and seconded by Travis Jones to approve the monthly budget report. Ayes: 5, Nays: 0, AIF

A motion was made by Chris Lonneville and seconded by Steve Perkins to approve the supervisors report. Ayes: 5, Nays: 0, AIF

With the removal of General vouchers #180 = \$900.00 & #187 = \$83.52 and adding voucher #193 = \$16,000.00 for an adjusted total of \$21,092.28 a motion was made by Dave Mateer and seconded by Steve Perkins to approve the vouchers. Ayes: 5, Nays: 0, AIF

Historian report was given by Town Supervisor noted that there was a historical marker unveiling for the Wyoming County Political Equality Club Women's Suffrage on October 21st at the Warsaw Village Park from 2 p.m. until 3 p.m.

Cemetery report was given by Chris Lonneville. There are several items on the state form. Brush needs to be pushed back, there are leaning monuments, many with no foundation, several trees have been delineated. Gail Royce will submit the form and the state will decide what they choose to do.

Steve Perkins added that there was erosion along the bank and wondered if we could involve Soil & Water. There is a pipe along the SW side that is plugged. May possibly be able to run another pipe into the wetlands. 11 trees need to be cut down as well as stumps to be ground and holes to be filled in.

A motion was made by Dave Mateer and seconded by Steve Perkins to approve the clerks report. SAMS application has been renewed. Ayes: 5, Nays: 0, AIF

Zoning report was given by Bob Martin. Permits issued: 2 sheds, 1 special use for a food truck, 1 land separation, and a smoke shop in the Tops Plaza.

Real Property updated with Waste Management and Bob Martin signed off. The United Church is changing out the wi-fi antennas.

There was a brief discussion amongst the board regarding the dissolution of the Joint Planning and Zoning Board of Appeals. Resolutions for a Public Hearing were reviewed. With a change in the wording of the 5th WHEREAS to read "at the request of the Village of Warsaw the Town Board of the Town of Warsaw agrees to exit the intermunicipal agreement and dissolve the Joint Planning Board and Zoning Board of Appeals with the Village of Warsaw". Chris Lonneville noted that it was not the Towns instigation. Notice of Public Hearing to be advertised in the Country Courier

**TOWN OF WARSAW
NOTICE OF PUBLIC HEARING**

PROPOSED LOCAL LAWS ENTITLED, "DISSOLVING THE JOINT PLANNING BOARD WITH THE VILLAGE OF WARSAW" AND "DISSOLVING THE JOINT ZONING BOARD OF APPEALS WITH THE VILLAGE OF WARSAW"

NOTICE IS HEREBY GIVEN, that a public hearing regarding the proposed local laws will be held on the 14th day of December 2022 at 6:00 p.m. at the Town Offices located at 83 Center Street in the Town of Warsaw.

The intent of the proposed local laws are to dissolve the joint Planning Board and the joint Zoning Board of Appeals between the Town and Village of Warsaw, which were previously established by local law in 2012 and by Intermunicipal Agreement in 2013. The Town and Village believe it to be in the best interest of each municipality to re-establish their own Planning Board and Zoning Board of Appeals.

THIS PUBLIC HEARING IS BEING HELD TO HEAR ALL INTERESTED PARTIES AND CITIZENS FOR OR AGAINST THE ADOPTION OF SAID LOCAL LAWS.

Copies of the proposed local laws are also available for review at the Town Clerk's Office during regular office hours.

By order of the Town Board,

CATHY SMITH, CLERK
TOWN OF WARSAW

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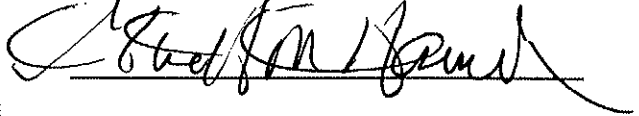
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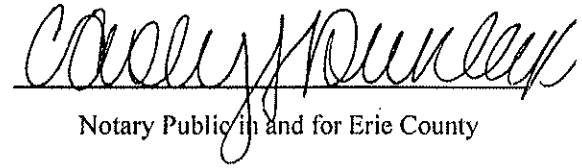
Copies of the proposed local laws are also available for review at the Town Clerk's Office during regular office hours.

By order of the Town Board,
CATHY SMITH, CLERK
TOWN OF WARSAW

Grant M. Hamilton, of the Town of Warsaw, New York, being duly sworn, deposes and says that he is the publisher of the Warsaw's Country Courier, a public newspaper published weekly in said town; that the notice, of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein 1 weeks, commencing on the 24th day of November 2022 and ending on the 24th day of November 2022 making 1 insertions.



Sworn before me this 24th day of November 2022


Notary Public in and for Erie County

CASEY J DUNLAP
Notary Public, State of New York
No. 01DU6356625
Qualified in Wyoming County
Commission Expires 03-31-2025

TOWN OF WARSAW
RESOLUTION FOR A PUBLIC HEARING
ON THE DISSOLUTION OF THE JOINT PLANNING BOARD
Adopted: November 09, 2022

The Town Board of the Town of Warsaw met at a regular board meeting at the Town Hall located at 83 Center Street, Warsaw, New York, on the 9th day of November, 2022 commencing at 6:00 p.m. and the following members were:

Present:	Supervisor	Rebecca Ryan
	Council Member	Chris Lonneville
	Council Member	Dave Mateer
	Council Member	Steve Perkins
	Council Member	Travis Jones

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, in 2012, the Town of Warsaw adopted a local law to create a joint Planning Board with the Village of Warsaw pursuant to Town Law §284; and

WHEREAS, in 2013, the Town of Warsaw and Village of Warsaw had entered into an intermunicipal agreement relative to the creation of a joint Planning Board; and

WHEREAS, on August 5, 2022, the Village of Warsaw expressed their intention to exit the intermunicipal agreement and dissolve the joint Planning Board; and

WHEREAS, at the request of the Village of Warsaw the Town Board of the Town of Warsaw agrees to exit the intermunicipal agreement and dissolve the joint Planning Board with the Village of Warsaw;

WHEREAS, the Town Board of the Town of Warsaw is considering a local law entitled, "Dissolving the Joint Planning Board with the Village of Warsaw"; and

WHEREAS, the Town Board of the Town of Warsaw finds it in the best interest of the Town to hold a public hearing to consider the adoption of said local law.

NOW ON MOTION OF Travis Jones which has been duly seconded by Chris Lonneville, be it

RESOLVED, by the Town Board of the Town of Warsaw will hold a public hearing on the proposed adoption of said local law on the 14th day of December 2022 at 6:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish a notice in the official newspaper for the Town of Warsaw; and be it further

RESOLVED, the Town Clerk shall have copies of the proposed local law available for public review at the Town Clerk's Office

ROLL CALL: 5 AYES – Rebecca Ryan, Chris Lonneville, Dave Mateer, Steve Perkins, Travis Jones

Ayes: 5

Nays: 0

Quorum Present: X Yes No

Dated: November 09, 2022

Cathy Smith, Clerk
Cathy Smith
Town of Warsaw

[SEAL]

TOWN OF WARSAW
RESOLUTION FOR A PUBLIC HEARING
ON THE DISSOLUTION OF THE JOINT ZONING BOARD OF APPEALS
Adopted: November 09, 2022

The Town Board of the Town of Warsaw met at a regular board meeting at the Town Hall located at 83 Center Street, Warsaw, New York, on the 9th day of November, 2022, commencing at 6:00 p.m. and the following members were:

Present:	Supervisor	Rebecca Ryan
	Council Member	Chris Lonneville
	Council Member	Dave Mateer
	Council Member	Steve Perkins
	Council Member	Travis Jones

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, in 2012, the Town of Warsaw adopted a local law to create a joint Zoning Board of Appeals with the Village of Warsaw pursuant to Town Law §284; and

WHEREAS, in 2013, the Town of Warsaw and Village of Warsaw had entered into an intermunicipal agreement relative to the creation of a joint Zoning Board of Appeals; and

WHEREAS, on August 5, 2022, the Village of Warsaw expressed their intention to exit the intermunicipal agreement and dissolve the joint Zoning Board of Appeals; and

WHEREAS, at the request of the Village of Warsaw the Town Board of the Town of Warsaw agrees to exit the intermunicipal agreement and dissolve the joint Zoning Board of Appeals with the Village of Warsaw;

WHEREAS, the Town Board of the Town of Warsaw is considering a local law entitled, "Dissolving the Zoning Board of Appeals with the Village of Warsaw"; and

WHEREAS, the Town Board of the Town of Warsaw finds it in the best interest of the Town to hold a public hearing to consider the adoption of said local law.

NOW ON MOTION OF Dave Mateer which has been duly seconded by Steve Perkins, be it

RESOLVED, by the Town Board of the Town of Warsaw will hold a public hearing on the proposed adoption of said local law on the 14th day of December 2022 at 6:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard; and be it

RESOLVED, that the Town Clerk is hereby authorized to publish a notice in the official newspaper for the Town of Warsaw; and be it further

RESOLVED, the Town Clerk shall have copies of the proposed local law available for public review at the Town Clerk's Office.

ROLL CALL: 5 AYES – Rebecca Ryan, Chris Lonneville, Dave Mateer, Steve Perkins, Travis Jones

Ayes: 5
Nays: 0
Quorum Present: X Yes No
Dated: November 09, 2022

[SEAL]

Cathy Smith, Clerk
Cathy Smith
Town of Warsaw

Highway report was given by Jeff Royce. Have been busy hauling sand, mowing roadsides, fixing shoulders and mowed the cemetery. Truck 243 was taken to Marquarts to replace the fuel pump.

There was a request for a refund for the purchase of a culvert in the amount of \$400. This will be processed for next months meeting.

Supervisor Ryan, County Highway Superintendent Devon Blue and the County Attorney will be meeting with a woman from Burke Hill Road. There was discussion of abandonment of the road where it was straightened out. Jeff Royce noted that there was a driveway and mailbox but the property owners abandoned them and they will have to put in another driveway

Mr. Royce continues that the turn around is used by the Perry and Warsaw busses and we get nothing from the county for maintaining it.

At Mr. Royce's request a motion was made by Travis Jones and seconded by Steve Perkins to adopt the Resolution for "Healthcare Insurance Repudiation Payment of \$2,000 with no partial payment to the full-time elected Highway Superintendent" *to be paid the last pay period of November.* This wording is to be added to the resolution. Ayes: 5, Nays: 0, AIF

Community events: Moonlight Magic is December 2, 2022 from 4 p.m. until 8:00 p.m.

Supervisor Ryan will talk to Attorney DiMatteo about an MOU with the Village of Warsaw regarding the snow removal equipment.

The Town did not get the Saltvale Road grant. Steve Perkins feels in his opinion that we need to move forward. Travis Jones noted that he was not happy with MRB. We have paid them twice now; they have the numbers and have done the legwork. Chris Lonneville stated that the district has already paid and now asking them to pay again? Tavis Jones adds that we need to look at other options and request documentation from them as to why we were denied again. Supervisor Ryan notes that MRB has all of the specs. Steve Perkins states that the town owns the documents and we need a copy of the application. Bob Martin added that we also need a copy of the denial. A motion to adjourn at 7:33 was made by Steve Perkins and seconded by Dave Mateer.