

**MINUTES OF TOWN BOARD MEETING OF OCTOBER 11, 2016  
HELD AT THE TOWN HALL, 8529 MAIN ST., CAMPBELL, NEW YORK**

**PRESENT: Town Board Members:** Michael D. Austin John R. Tschantre; Jeffrey P. Horton, Terry E. Wheat and James F. Drumm; **Town Clerk:** Sandra M. Austin; and **Highway Supt:** Thomas A. Austin.

**ABSENT:** None.

**GUESTS:** Mickey Sonner and Daniel Miller of E. Campbell Fire Dept.; Fran Sherwood, Deb Baldwin, Barb Sorge, Joe McUmbur, Glenn Vogel, Karen Miller, Chris Baird & Linda Baird of Campbell Fire Dept.; Todd Hall of Coopers Plains Long Acres Fire Dept.; Wayne, Cosier, Lorinda Tyler, Leonard Cotter, Laura Sutphen, Polly Morley, Steve Morley, Gordon Hakes, Larry Ketchum, Marcy Ketchum, Tim Steed & Jennifer Vaughn of Hunt Engineers; Tom Klaseus of NYS Health Dept., John DeGraw and Brenda DeGraw.

**Call To Order/Pledge /Roll Call/ Prior Minutes.**

Mr. Austin called the regular monthly meeting to order at 6 p.m. at the meeting room of the Campbell Town Hall and led the pledge of allegiance. The Town Clerk then took roll call. The minutes of September 12th were noted.

RESOLUTION #1 was offered by Horton and seconded by Wheat to accept the minutes referenced above as written. Adopted by vote: Horton-Aye; Drumm-Aye; Wheat-Aye; Tschantre-Aye; and Austin-Aye.

**Water District # 1 Extension--Public Informational Session.**

Jennifer Vaughn of Hunt Engineers—explained that currently the Town of Campbell has three water districts. Water District #1 is in the Town's hamlet area extending from the railroad tracks down to the Campbell-Savona High School; and across the Cohocton River on County Route 333 and Tannery Road to the hill. Water Districts 2 and 3 are located in E. Campbell.

She noted that the Town of Campbell received a grant through New York State Community Development Block Grant program to do an engineering study for the extension of Water District #1. The proposed study area is located east of the railroad tracks along County Route 333 to NYS Route 415, south on NYS Route 415 to the Seager Court and north on Route 415 to the Colonial Coach Park, and back down Clawson Drive to complete the loop to the railroad tracks. A map of the study area was displayed and a copy was given to the Town for referral and future use.

Tim Steed of Hunt Engineers—Noted that many of the wells in this area are located on small lots in close proximity to aging septic systems, and may have contamination. Because we received a grant to do a study, we are working in collaboration with the Department of Health. We will be soliciting participation of residents in the study area to agree to drinking water sample collection and analysis, at no cost to the resident. The sampling is anticipated to take place by a sampling team consisting of a DOH representative and a community representative; they will present identification and collect a sample from the tap.

Results of the sampling will only be used for this study, to identify if there is a compelling need to extend the water supply and to solicit future grant funding for a water service area extension.

Tom Klaseus of the Department of Health—explained that for this project the Department of Health is looking for residents to participate in the free water testing and plan to collect samples on October 31<sup>st</sup> and November 1<sup>st</sup>. The sampling team will be a person from the Health Department and a person from the Town of Campbell personnel. There is also a survey that we would like to get from each household to collect more information for the study.

Mr. Klaseus went on to say that the samples will be sent to the DOH lab in Albany. Individual sample results will be shared confidentially with residents. Anonymous results from the water sampling and engineers report will be shared at a future public meeting. As a courtesy, residents will be notified immediately if there are results above the acceptable range, and the DOH will explain ways the residents might be able to

make their drinking water safer. The DOH does not have jurisdiction over private drinking water so residents are not required to take any action as a result of this testing. The individualized information will be provided for the particular resident's use only. The DOH will not share the individual water test results with the Town or others. They will however, provide a combined summary of the results for the Town for use in the study for this proposed water district #1 extension for use in trying to get grant funding.

It was noted that arrangements would be made at the Town Hall to schedule the water testing as explained.

**Highway Dept. & Water Districts.**

Tom Austin noted that the construction season is wrapping up in the Highway Department. Regarding water, there has been 1 new hook up in WD#1 and he has found the leak. It was at a vacant house on Knox Street where there was no heat over the winter and the bottom of the meter blew out.

**Building Codes & Dog Control.**

The report of Marvin Rethmel was read.

**Assessor.**

Holley Smalt's report was read.

**Town Clerk & Historian.**

Sandy Austin noted that she had been working on the items on the agenda for this meeting and also helped out the historian and put a new display in the showcase called "Campbell is a Picturesque Town".

**Sewer District For Care First & Rio Vista.**

A Public Hearing notice was printed in The Leader on September 30th regarding the Sewer District for Care First and Rio Vista and said notice was also posted on the Town Clerk's sign board and on the Town's web site.

PUBLIC HEARING: At 6:45 p.m. Mr. Austin declared the public hearing open with regard to the said Sewer District Established For Care First & Rio Vista.

Gordon Hakes asked if we had approvals from DEC and the Army Corps of Engineers. Tim Steed explained about SEQR and that these two parcels would be hooking on to the Erwin Sewer and that SEQR had already been done; that this was merely a formality for the Care First and Rio Vista properties, which are in the Town of Campbell, to be hooked up to their district.

There was no one else who wished to speak for or against the project, and the public hearing was declared closed at 6:54 p.m.

It is noted that we have received the petitions of Care First and Rio Vista; they are both signed and acknowledged or proved as required by law and are otherwise sufficient; all the property and property owners within the proposed district extension are benefited hereby; all of the property and property owners benefited are included within the limits of the proposed district extension; and it is in the public interest to grant in whole or in part the relief sought.

**SEQR-- Sewer District For Care First & Rio Vista.**

Mr. Austin, reviewed through SEQR short Form EAF Part 2 with the Board, and concluded with the determination that there is no impact to the environment regarding the sewer district extension project [Care First & Rio Vista]. RESOLUTION #2 was then offered by Horton and seconded by Tschantre that the Town hereby makes a negative declaration of environmental significance with regard to the formation of the Town Sewer District. Adopted by vote: Horton-Aye; Drumm-Aye; Tschantre-Aye; Wheat-Aye; and Austin-Aye. Mr. Austin then signed the SEQR Negative Declaration, the original of which is annexed hereto.

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**In the Matter of:  
The Establishment of the Town of Campbell Sewer  
District  
in the Town of Campbell, in the  
County of Steuben, New York**

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**ORDER  
ESTABLISHING  
SEWER DISTRICT**

RESOLUTION #3 was offered by Councilman Tschantre, and seconded by Councilman Wheat, as follows:

WHEREAS, a map, plan and report relating to the establishment of a proposed Town of Campbell Sewer District, prepared by HUNT EAS, duly licensed civil engineers of the State of New York, in a manner and in such detail as has been determined by this Town Board, has been duly filed with the Town Clerk, in accordance with the requirements of article 12 of the Town Law; and

WHEREAS, an order was duly adopted by this Town Board on September 12, 2016, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the proposed method of financing, the fact that the map, plan and report describing the same were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying October 11<sup>th</sup>, 2016 as the date, at 6:45 p.m. on said day as the time, at the Campbell Town Hall, 8529 Main Street, Campbell, New York as the place where this Town Board would meet and consider said map, plan and report, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, such order was duly published and posted as required by law; and

WHEREAS, a hearing on said matter was duly held by said Town Board on October 11, 2016 at 6:45 p.m. in the afternoon on said day, in the Campbell Town Hall, 8529 Main Street, Campbell, New York, and no person appearing in opposition to and the petitioner appearing in favor of the petition; and

WHEREAS, pursuant to said petition, it is the intention of the petitioner, as sole owner of all the taxable property in said sewer district, to construct said sewer lines solely at its own expense, now, after due deliberation, it is

RESOLVED AND DETERMINED: (a.) That the notice of hearing was published and posted as required by law, and is otherwise sufficient; (b) That all property and property owners within the proposed district are benefited thereby; (c) That all property and property owners benefited are included within the limits of the proposed district; (d) That it is in the public interest to establish said district; and be it further

RESOLVED AND DETERMINED: That the establishment of the proposed district as set forth in said map, plan and report, be approved; that the improvements herein mentioned be constructed by the petitioner; and such district shall be known and designated as "Town of Campbell Sewer District" and shall be bounded and described as set forth in Exhibit A attached hereto and made a part hereof; and be it further

RESOLVED AND DETERMINED: That the sewer line for said sewer district is to be constructed by petitioner, owner of the Exhibit A premises, wholly at its own expense; that the cost of connecting the same with the Town of Erwin sewer system shall be borne by the properties benefited thereby; and be it further

RESOLVED AND DETERMINED: That the Town Clerk be, and hereby is, authorized and directed to file a certificate copy of this Resolution in the Office of the Clerk of the County of Steuben, which is the County in which the said Town of Campbell is located, and in the Office of the State Comptroller, within ten days after the adoption of this Resolution, pursuant to the provision of section 195 of the Town Law.

Dated: October 11, 2016.

Exhibit A

Boundaries of Proposed Extension

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Campbell, County of Steuben, and State of New York bounded and described as follows:

BEING all of those parcels of real property specified as Tax Map Nos. 280.00-03-021.000, and 279.00-03-010.000, as listed and set forth in the Tax Maps of the Town of Campbell.

John R. Tschantre - Voting Aye; Jeffrey P. Horton- Voting Aye; James F. Drumm-- Voting Aye; Terry E. Wheat- Voting Aye; and Michael D. Austin-Voting Aye. The resolution was thereupon declared duly adopted.

**Inter-Municipal Agreement With Town of Erwin RE: Sewer District:**

Discussion was had concerning the Inter-Municipal Agreement concerning the Care First and Rio Vista Sewer District Extension.

RESOLUTION #4, was offered by Horton and seconded by Drumm to authorize the Town Supervisor to sign the Inter-Municipal Agreement with the Town of Erwin subject to Attorney review and approval of the agreement. Adopted by vote: Horton-Aye; Drumm-Aye; Wheat-Aye; Tschantre-Aye; and Austin-Aye.

**Tax Cap Over-ride Local Law—Public Hearing.**

A Public Hearing notice was printed in The Leader on Friday, September 30th regarding the Tax Cap Override Local Law, and posted on the Town Clerk's sign board and on the Town's web site.

At 7:00 p.m. Supervisor Austin declared the public hearing open with regard to the said Local Law. Discussion was had regarding the tax cap local law as to the purpose and the tax cap regulations. There was no one speaking in favor or opposed and the public hearing was declared closed at 7:05 p.m.

**Tax Cap Override Local Law No. 1 of 2016.**

RESOLUTION #5 was offered by Tschantre and seconded by Wheat as follows:

WHEREAS, at the Town Board meeting held September 12, 2016, the Town Board members all received a full copy of the text of the proposed local law entitled "Tax Cap Over-Ride Law"; and

WHEREAS, at that meeting the Town Clerk was directed to set a public hearing on the tentative Local Law #1 of 2016 as a local law to override the tax levy limit established in General Municipal Law Section 3-c, for the next regular meeting, which would be October 11th at 7:00 p.m. to hear all interested parties on a proposed local law entitled "Tax Cap Override Law"; and

WHEREAS, a Notice of Public Hearing was duly advertised in The Leader on September 30, 2016, and notice was duly posted on the sign board in the Town Hall and on the Town web site; and

WHEREAS, said public hearing was duly held on October 11, 2016 at 7:00 p.m., with no public comment offered;

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts said Local Law No. 1 of the Year 2016 entitled "Tax Cap Override Law", a copy of which is attached hereto and made a part of this resolution, and

BE IT FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to file same as Local Law #1 of 2016, to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town, and to give due notice of the adoption of said local law to the Secretary of State of New York.

ADOPTED BY VOTE: John R. Tschantre -- Voting Aye; Jeffrey P. Horton--- Voting Aye; James F. Drumm--- Voting Aye; Terry E. Wheat--- Voting Aye; and Michael D. Austin---Voting Aye.

**Budget 2017.**

It was noted that we now have a preliminary budget for FY 2017 for review.

RESOLUTION #6 was offered by Horton and seconded by Drumm to accept the preliminary budget as revised and direct that the public hearing on the 2017 preliminary budget be set for the next regular meeting, Monday, November 14th at 6 p.m. Adopted by vote: John R. Tschantre -- Voting Aye; Jeffrey P. Horton--- Voting Aye; James F. Drumm--- Voting Aye; Terry E. Wheat--- Voting Aye; and Michael D. Austin--- Voting Aye.

**Halloween Hours & Patrols.**

Halloween hours were discussed. RESOLUTION #7 was offered by Horton and seconded by Wheat to designate Monday night, October 31 from 5-7 p.m. as trick or treat hours in the Town of Campbell. Adopted by vote: Horton-Aye; Drumm-Aye; Wheat-Aye; Tschantre-Aye; and Austin-Aye.

**E. Campbell Park.**

Board Member John Tschantre noted that we had accomplished some improvements at the E. Campbell Town Park on Meads Creek Road and that this past week Mike Austin had donated two truckloads of pea gravel and a big thank you is due to him. The BOCES students were then able to spread the pea gravel around in the play area.

**Dog Census.**

Board member Terry Wheat brought up the thought that we need to conduct a Town-wide dog census. Following discussion, the matter was tabled.

**E. Campbell Fire Dept. Contract.**

Discussion was had with the E. Campbell Fire Dept. officials, Mickey Sonner and Dan Miller. A meeting was set up with Mike Austin and James Drumm to meet Oct. 24<sup>th</sup> at 7 p.m. at the E. Campbell Fire Hall.

**Voucher Audit - 7:56 p.m.**

Vouchers were submitted and approved as follows:

General Fund Vouchers #328-355 totaling	\$37,158.09;
And Highway Vouchers #161-173 totaling	\$24,148.31;
Water District 1 SW Vchrs #58-63	\$ 2,015.20;
Water District 2 SW2-Vchr #21-22	\$ 1,007.10;
Water District 3 SW3-Vchr #20-21	\$ 2,475.75
For a grand total of	\$ 66,804.45.

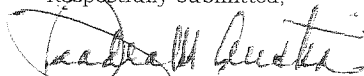
**Monthly Reports Filed.**

It was noted that a monthly report was received from Marvin Rethmel as per Codes and Dogs; Assessor's Report dated 10/11/2016; and Town Supervisor's Report dated September 12<sup>th</sup> and October 11<sup>th</sup>, 2016. Copies were filed with the Town Clerk.

**Adjournment.**

There being no further business before the Board, the meeting was, upon motion by Horton and seconded by Drumm, adjourned at 8:05 p.m.

Respectfully submitted,



SANDRA M. AUSTIN  
Campbell Town Clerk

**DATED:** October 24, 2016.

**ATTACHMENTS:** Copy of Local Law #1 of 2016 "Tax Cap Override"  
SEQR RE: Care First and Rio Vista Properties.