

**MINUTES OF TOWN BOARD MEETING OF DECEMBER 09, 2019
HELD AT THE TOWN HALL, 8529 MAIN ST., CAMPBELL, NEW YORK**

PRESENT: Town Board Members: Jeffrey Horton John R. Tschantre; Glenn Vogel, Terry E. Wheat and James F. Drumm; **Town Clerk:** Michelle L. Seeley; and **Highway Supt:** Thomas A. Austin; **Code Enforcement Officer:** Thomas Hargrave; **Dog Control Officer:** Randy Akins

ABSENT:

GUESTS: Joe Hauryski, Ashley Knowles, Linda Baird, Joseph Seeley, Stanley Manning, Wayne Cosier, Ron Morse

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

Mr. Horton called the regular monthly meeting to order at 7 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 November 11, 2019 were noted.

A motion was offered by Terry Wheat and seconded by James Drumm to accept the minutes referenced above as written. Adopted by vote: AYE: 5 NAY: 0

REPORTS

Monthly Reports Filed.

It was noted that no monthly report was received from Holly Smalt the Tax Assessor, Town Supervisor's Report dated December 4, 2019 was filed with the Town Clerk.

County Legislator Report (Joe Hauryski)

Joe Hauryski brought the Board up to speed on what was happening at the County level.

- Commission of Public Works has completed 2019 construction and bridge work. Down to single digit roads in poor condition.
- The 2020 budget has been passed, new criminal reform mandates leave us with no indication of revenue predictions, as staffing new positions could cost between \$500k and \$1 Million dollars.
- Raise the Age mandates that juvenile offenders must be in dorm like housing. 11 counties in the Southern Tier have formed an LCD to save on costs associated with the mandate. State Office of Corrections gave permission to find a place in the Southern Tier to house juvenile offenders. A new building will be built, no definite plans on where but looking at the County owned property by the Department of Public Works in Bath.
- Mr. Hauryski will be retiring at the end of this term in December 2019. He said he would miss the position but that it was time for him to concentrate on other things but, was leaving us with a capable replacement in Jeffrey Horton. He wished Mr. Horton good luck. The board expressed their thanks to Mr. Hauryski for his many years of service.

Highway Report (Thomas Austin)

With the recent winter storms, Tom stated that the HWY department had been busy and that there were no major issues with the trucks or drivers. He complimented the drivers on a job well done.

Water Report (Thomas Austin)

One hose needed replaced on a pump. The pattern seems to be replacement is needed every 6 months, this is normal wear and tear and Tom will watch it.

Bookkeeper Report (Wendy Oman)

December 9, 2019 Board Meeting – Bookkeeper Report

Revenue Notes

Regular monthly revenues received from Town Clerk and Court Clerk. All accounts settled and Supervisor report given to Jeff for review, signature and submitted to the Town Clerk.

Revenue Received

\$6,750.00 from Steuben County USDA for 50% reimbursement of Crooker Trucking invoice for ice jam project.

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Budget Transfers

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Final budget transfers will be submitted at the final 2019 year end Board meeting in December.

Resolution #30-2019 Budget Modification

Resolution # 30- 2019: A resolution to modify the budget to include \$10,000 for Snow Removal funds was offered by Glenn Vogel and seconded by John Tschantre.

Adopted by vote: AYE: 5 NAY: 0

Other Notes:

Computer upgrades complete.

Dog Control (Randy Akins)

On 11/27/19 I received a call at 3:38 p.m. from a Shirley, did not leave a last name, about two dogs that had been abandoned at a residence that had been inhabited by a Cathy Drake at 8230 West wolf run rd. Apparently the home had been condemned and Mrs. Drake has left food for the two dogs. I called Shirley back at 5:15 p.m. when I returned home and left a message for her stating that abandonment was considered animal cruelty and advised her to contact the Steuben County animal cruelty officer and then if they needed my assistance they would contact me, I have not heard anything more about this situation.

On 12/2/19 I received a call at 12:49 pm from a Mrs. Mary Cornell who resides at Cty. Rte. 1 about a beagle that she had found on Cty. Rte. 1. I called her back and she told me that she had located the owner, via. Facebook and that he had retrieved his dog. I was at work at the time of the call so I called her when I returned home.

Codes (Thomas Hargrave)

There were 6 permits issued this period.

(4) Roofs, (1) carport, (1) addition,

There were 13 building permit inspections completed. There was (1) violation inspection

4310 Tannery Rd. Home preservation recovered roof area,

Will be reviewing all 2018 and 2019 building permits for status and issuing Certificates of completion and occupancy as required. Road trip property inspections during the months of November and December for Tannery Rd, County Rte. 17, County Rte. 333, County Rte. 4, County Rte. 1 and Wolf Run Rd.

Currently there are (47) property maintenance issues. Due to the holidays and the inclement weather, I will issue courtesy letters in January in hopes to start a positive approach to resolving these issues. The balance of the roads in the town will be completed in Jan, Feb, and March.

There will be (1) Floodplain Permit Application and (1) Site Plan for the January Planning Board meeting.

Assisted CPS with home at 8230 West Wolf Run Rd. The home is currently listed as an unsafe structure and all occupants are placed elsewhere.

Investigated fire at 8832 St Rte. 415. Follow up issues required is to repair the electrical damage , install emergency lighting with exit signs, and to provide the fire dept. with an interior drawing of the floorplan and location of electrical and gas services for the structure. This will be completed by 12/31/2019. A follow up inspection is required.

Assessor Report (Holly Smalt)

Supervisor Report (Jeffrey Horton)

Town Clerk Report (Michelle Seeley)

Tom Hargraves and I have been discussing a project that will combine all of the history for properties located in Campbell such as:

- Subdivisions
- Site plans
- Building permits
- Flood plain development permits
- Zoning permits
- Certificates of Occupancy
- Inspection reports
- Violations
- Elevation certificates
- Etc.

This project will be extensive but in the long run will save time and money.

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With the files all digitized and stored in one place, research time for new projects at the property will be cut by ¾, saving not only time but money for the Town and ultimately the tax payers. As it is now, we have to look back in old files and trace back to the originals, which takes hours and can be done only in between clients. These files are permanent and take up an enormous amount of storage space and the files are stored in 3 different locations separately. While we will need to keep the paper records, this will allow us to have a digital backup in case they are destroyed.

This will help when it comes time to train a new CEO and Town Clerk, and will place all of the files at the fingertips of the Code Officer for follow ups, FOIL requests, and research purposes. This system will also help track the progress of any complaint and building project on each property.

Tom and I have decided to work on this project in the conference room for sorting the information, and I will scan the information into a shared drive folder for Tom, when it has been sorted. We would like to do the project on Tuesdays in January and February, when I have Terri to cover my office, and Tom should have more time to dedicate to the project. We hope to have the project done by March as far as sorting the information and May for building the data base.

Fire Department Report (Linda Baird)

Linda Baird of Campbell Fire Dept., reported on fire calls; 28 medical, 7 Fire, 3 MVA, 11 Misc. November total 49 YTD Total 431.

NEW Business

Park – Review & Resolution #31-2019 to Accept Professional Design Company

Town of Campbell
8529 Main St.
Campbell, NY 14821
607-527-8244
Fax: 607-527-8280
November 22, 2019

RE: Town of Campbell Solicitation of Professional Services for Enhancing the Existing East Campbell Town Park Project

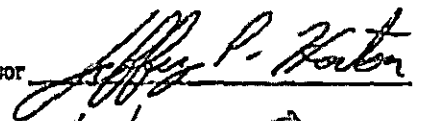
Per the Legal Notification in the Corning Leader (affidavit attached) posted November 8, 2019, the bids for the above referenced solicitation was closed on November 21, 2019 at 3:00 pm. There were no persons present at 3:00 pm to view the opening as described in the Notice therefore opening of the bid will be at the convenience of the Town Supervisor.

There was one (1) bid packet received and opened November 22, 2019 by the Town Supervisor, Jeffrey Horton with the Town Bookkeeper, Wendy Oman present Contract documents were reviewed and in accordance with the RFP Bidding and Contract Documents. The bid received from:

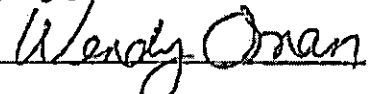
HUNT Engineers for Professional Design Services
100 Hunt Center Horseheads, NY 14845-1019

This letter will become part of the official minutes of the next Town Board meeting, December 9, 2019 and the HUNT submission will be further reviewed and voted upon at said meeting.

Jeffrey Horton, Town Supervisor



Wendy Oman, Town Bookkeeper



Discussion was had about the bid process and the information contained in the bid packet received on November 22, 2019.

Resolution #31-2019 Park Bid

Resolution #31-2019 was offered by Terry Wheat and seconded by John Tschantre to accept the bid put forth by Hunt Engineering for Services for Enhancing the Existing East Campbell Town Park Project.

Adopted by vote: AYE: 5 NAY: 0

Old Business

Kraft Lawsuit update

Resolution #32-2019 Discontinuing an action brought by UNC Real Estate I, LLC

A Resolution of the Town Of Campbell Town Council Regarding Discontinuing an Action Brought By UNC Real Estate I, LLC Challenging the Tax Assessment for Tax Year 2019

At a regularly scheduled meeting of the Town of Campbell Town Council held on December 9, 2019, the following resolution #32-2019 was unanimously adopted: WHEREAS, the Town of Campbell is the respondent in litigation commenced by and on behalf of petitioner UNC REAL ESTATE I, LLC, under Index No.: E2019-0916CV, challenging the tax assessment pertaining to the premises commonly known as 8600 Main Street, Campbell, New York, for the tax year of 2019; and WHEREAS, petitioner UNC REAL EST A TE I, LLC, has provided a Stipulation discontinuing the above referenced action, with prejudice; it is hereby RESOLVED, that Davidson Fink, LLP, is hereby authorized to execute the proposed Stipulation of Discontinuance and file the same with the Steuben County Clerk's Office. ADOPTED this 9th day of December 2019 by roll call vote: Jeffrey Horton (Aye), James Drumm (Aye), John Tschantre (Aye), Glenn Vogel (Aye) and Terry Wheat (Aye)

Resolution #33-2019 Ongoing Litigation Relating to Tax Assessments

A Resolution of the Town Of Campbell Town Council Regarding Ongoing Litigation Relating To Certain Tax Assessment Challenges

At a regularly scheduled meeting of the Town of Campbell Town Council held on December 9, 2019, the following resolution #33-2019 was unanimously adopted: WHEREAS, the Town of Campbell is the respondent in litigation commenced by and on behalf of Kraft General Foods, Inc., under Index No(s) 2015-0932CV, 2016-0758CV and 2017-0781CV, challenging the tax assessments pertaining to the premises commonly known as 8600 Main Street, Campbell, New York, for the tax years 2015-2016 and 2017-2018; and WHEREAS, the law firm of Davidson Fink, LLP has in the past represented the Town of Campbell in connection with tax assessment challenges brought by and on behalf Kraft General Foods Inc. for prior years involving the same premises; it is hereby RESOLVED, that the Town of Campbell Town Board is hereby authorized to retain Davidson Fink, LLP to continue to represent it in connection with the above-referenced litigation, at an hourly rate of \$300.00 per hour.

ADOPTED this 9th day of December 2019 by roll call vote: Jeffrey Horton (Aye), James Drumm (Aye), John Tschantre (Aye), Glenn Vogel (Aye) and Terry Wheat (Aye)

Resolution #34-2019 Assistance Paying for Legal Fees related to Kraft Foods

Following discussion the following resolution # 34 of 2019 was introduced by Terry Wheat, who moved its adoption, and seconded by James Drumm, to ask the County of Steuben and the Campbell Savona School District to help with funding any expenses related to the Kraft Lawsuit for tax reasons.

Following discussion the foregoing resolution was called to a vote which resulted as follows:

ADOPTED this 9th day of December 2019 by roll call vote: Jeffrey Horton (Aye), James Drumm (Aye), John Tschantre (Aye), Glenn Vogel (Aye) and Terry Wheat (Aye)

Resolution #35-2019 Proposed Dog Law Revisions

At a regular meeting of the Town Board of the Town of Campbell, County of Steuben, State of New York, held at the Town Hall, 8529 Main Street, Campbell,, New York, on December 9, 2019 at 7P.M.

A draft of proposed Introductory Local Law No. 3 of 2019 entitled "A Local Law Repealing and Replacing Town of Campbell Local Law No. 2 Of 2010 Relating to the Control, Confining, Leashing and Licensing of Dogs." was presented by the Town Supervisor. The proposed Introductory Local Law was prepared by the Town Attorney, Richard M. Buck, Jr., at the request of the Town Supervisor. It was explained that this local law is necessary for the purpose of providing for the licensing and identification of dogs, the control and protection of the dog population, and the protection of persons, property, domestic animals and deer from dog attack and damage within The Town of Campbell. It was also explained that the law was being revised to make it more convenient for dog owners to obtain licenses and to offer greater protection for dogs. Following discussion the following

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resolution # 35 of 2019 was introduced by James Drumm, who moved its adoption, and seconded by John Tschantre, to wit:

BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Campbell accepts and proposes to adopt a local law to be designated as Introductory Local Law No. 3 of 2019 entitled "A Local Law Repealing and Replacing Town of Campbell Local Law No. 2 of 2010 Relating to the Control, Confining, Leashing and Licensing of Dogs," and to provide for the licensing and identification of dogs, the control and protection of the dog population, and the protection of persons, property, domestic animals and deer from dog attack and damage within the Town of Campbell, and that a copy of the proposed introductory local law is annexed hereto and incorporated into this resolution as though set out in full.
2. That a public hearing be held on December 19, 2019 at 12 P.M. at the Town Hall, 8529 Main Street, in the Town of Campbell, New York.
3. That the Town Clerk, with the assistance of the Town Attorney, is directed to prepare the legal notice required to be published and to provide such notice for timely publication in the Official newspaper.
4. That a copy of such legal notice be posted upon the Town Clerk's bulletin board as required by law.

Following discussion the foregoing resolution was called to a vote which resulted as follows:

AYES: 5

NOES: 0

The Supervisor then declared the resolution to be adopted and directed the Town Clerk to proceed to contact the Town Attorney and to complete the publishing and posting as required by law.

Hometown Hero Banner votes

Surveys with examples of 5 Hometown Hero Banners were placed at The Robert N. Austin Legion, The Stone House Cafe, Campbell Building Supply and the Town Hall. There were 88 total responses received from the survey:

- #1. 18 votes
- #2. 36 votes
- #3. 18 votes
- #4. 11 votes
- #5. 5 votes

The overwhelming majority chose example 2. The sample will be posted on the website along with purchase information.

Discussion was had with Thomas Austin about the project. Thomas Austin publicly thanked Ashley Knowles for her assistance in getting the information for funding through C-Vets at Corning Incorporated. Tom has reached out to James McCormick to find out how to initiate a donation request, he needs more information to complete the request such as the number of brackets, when the campaign is running and the total monetary request. Tom was thinking that the banners would be displayed from May through Veterans Day.

Jeffrey Horton reached out to NYSEG to get permission to place the hardware on the poles and stated that NYSEG has an application that needs to be filled out for liability purposes, but that they had no issue with putting the banners up.

A suggestion was made that the town start by designating 100 poles throughout the Town and E. Campbell. The first 100 people (depending on donations received) would pay the \$100 for the banner but would not have to pay the additional \$79.00 for the hardware, as that would be covered by the donated funds. A timeframe to get initial

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donations was proposed to begin present day ending February 7, 2020 and Initial orders taken beginning in March 2020 lasting until May 1, 2020 when the first order would be placed.

Jeffrey Horton asked the Board what they thought about letting people from out of town purchase banners for their loved ones, he has already had interest from people who live in the surrounding towns. The Board had no objection.

2019 Annual Court Report Resolution #36-2019

The annual Justice Financial Report was submitted to the board for review. The budgeted revenue for 2019 was exceeded and all is accounted for. Jeffrey Horton called for a Resolution #36-2019 to approve the report.

A motion made by James Drumm to accept the report was seconded by Terry Wheat. A roll call vote was taken.

Jeffrey Horton (Recused), James Drumm (Aye), John Tschantre (Aye), Glenn Vogel (Aye) and Terry Wheat (Aye)

Announcements

EOY meeting set for December 19, 2019 at 12:00 pm

Voucher Audit - 8:30 p.m.

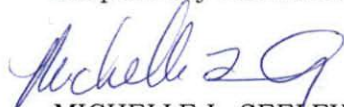
Vouchers were submitted and approved as follows:

General Fund Vouchers #387-411	\$ 34,938.39
Highway Vouchers #195-203	\$ 9,916.18
Water District 1 SW- Vouchers #73-77	\$ 1,235.60
Water District 2 SW2-Vouchers # 22	\$ 20.00
Water District 3 SW3-Vouchers #29	\$ 20.00
Street Lighting SL Voucher # 388	\$ 967.41
Trust & Agency TA Voucher #	\$
Fire District 1 Voucher #	\$
Fire District 2 Voucher #	\$
For a grand total of	\$ 47,097.58

Adjournment.

There being no further business before the Board, the meeting was, upon motion by Jeffrey Horton and seconded by Glenn Vogel, adjourned at 8:20 p.m.

Respectfully submitted,



MICHELLE L. SEELEY
Campbell Town Clerk

DATED: December 13, 2019.

ATTACHMENTS: