

REGULAR MEETING, TOWN OF REDFIELD, May 14, 2019

The regular monthly meeting of the Redfield Town Board was held on May 14, 2019 at the Redfield Municipal Building starting at 7:33pm. Roll call was taken and the following board members were present:

- Tanya Yerdon - Supervisor
- Elaine Yerdon - Councilwoman
- Erwin Webb - Councilman
- Matthew Tompkins - Councilman
- Absent: Carla Bauer - Councilwoman

In addition, Susan Hough -Town Clerk, Paul Pratt -Highway Superintendent, Michael Yerdon - Code Enforcement Officer, Marc Christmas - Christmas & Associates, Tom Jones, Angela Kimball - Tug Hill Commission, and Michael Lasell - MBL Engineering, PLLC

Pledge of the Allegiance was said.

Resolution 19-43

Motion was made by Elaine Yerdon and seconded by Erwin Webb that the General Fund Bills - Abstract #05 Vouchers 167-189 Totaling \$ 10,955.85 Be paid.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
Nays 0

Resolution 19-44

Motion was made by Matthew Tompkins and seconded by Elaine Yerdon that the Highway Fund Bills - Abstract # 05 Vouchers 188, 190-200 Totaling \$ 23,982.58 Be paid.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
Nays 0

Resolution 19-45

Motion was made by Erwin Webb and seconded by Matthew Tompkins that the Supervisor's Report and Payroll Sheets be accepted as presented.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
Nays 0

SUPERVISOR - TANYA YERDON

Supervisor Tanya Yerdon - we have received the Preliminary Map, Application and SEQR for new Subdivision River Bend on the O'Hara road. Any questions the board has, we've all had time to look at this. CW E. Yerdon - there's enough room to put a camp on this area? Marc - yes when you look at the size of the overall parcel of twenty (20) acres that buildable site on that parcel is approximately four (4) acres. CM M. Tompkins - that is actually what he was going to bring up on the Subdivision Law is he wondered if we should have add a thing to our preliminary plat requirements for buildable area, cause it's hard to look at this without a scale and say this is the buildable area on this site - how big is it, they looked at some of the parcels and buildable areas on the map. He thinks it looks pretty good. Marc - if that's something the town ends up adding to

anything for future - would you consider both of them buildable areas or just the one portion off the road? CM M. Tompkins - that's what he thinks on this particular lot you would have to build a driveway across the wetlands, so he would say it's not necessarily buildable. Marc -but that's something going forward if it makes it easier for the Town to review the plat that's a non-issue, and if you want they can add it to the map for the public hearing that way if there is any public comment or questions at least it's on there, it's really not a problem for them to add. CM M. Tompkins - thinks it wouldn't hurt. CW E. Yerdon - we're not use to the twenty (20) acres they're usually five (5) or so. There was discussion. Supervisor Tanya Yerdon - need to make a SEQR determination - it's unlisted, requires only a short EAF which he has provided, so if the board is happy with everything that has been provided in adequate time.

Resolution 19-46

Motion was made by Elaine Yerdon and seconded by Matthew Tompkins to accept the Preliminary Plat, SEQR and check #4202 in the amount of \$ 500.00 for new subdivision River Bend on the O'Hara road.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
 Nays 0

Tom Jones - when these parcels are sold to private individuals and they want to access them during January, February and March - where are they going to park their vehicles. Marc - ultimately it's no different than any of the other land owners on that road, they have a property disclosure, they used to go with a whole series of detailed covenants, over the years the town's didn't care for them, Code Officers didn't care for them so now they just do a disclosure form that has a whole bunch of information, part of which is the road verbage that he's provided to the Town before, even though the Town wouldn't be legally liable, it specifically states in there that it's a minimum maintenance road and the Town will never be required to improve the road to year around maintained standards and it's for non-residential use only. So it's in people's deed and they can't have any recourse on the Town, they do that by way of covenants so it's in the deed and it's not just the first transaction past them, it's in the deed for good. Michael Yerdon - CEO - when a structure is built on the property on the permit he issues for that, he specifically writes this is located on a minimum maintenance road which is not maintained by the Town of Redfield. Terry Harlander - has a question not on this lot but the one on Waterbury Road where the fishing parking area use to be, is that ever going to be re-opened. Marc - unfortunately not - when they did that parcel he reached out to the State on that to give them that parking area and he couldn't get them to call him back, he talked to someone that he was willing to give it over to them, he didn't want any money for it, they would survey it out it would be theirs, they only wanted to use the same driveway because that lot didn't have a ton of usable frontage so they would use a common driveway - they never responded to him.

Resolution 19-47

Motion was made by Matthew Tompkins and seconded by Erwin Webb to authorize Town Clerk Susan Hough to advertise for a Public Hearing on June 11, 2019 at 7:30pm on new subdivision River Bend on the O'Hara road.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
 Nays 0

HIGHWAY SUPERINTENDENT - PAUL PRATT

Paul - the NYS DEC contacted the Town and would like to make an agreement to use the property across the road that the Town owns across the road from the old fishing parking area.

They told Paul they didn't want to do it on the property Marc was talking about because of the slope of the land getting to the creek, they would have to go on private property to get to down in there, if they put it on the other side of the road then the slope is better and fisherman could get to right to the river. Marc - it makes more sense because when he spoke to them they did mention going on the other side of the road, he wondered why when he was going to give them the property. Paul's main concern was that they're going to build it and maintain it, so they wrote up an agreement. Terry Harlander - how did that (DEC parking area) become part of the property that Marc sold. Marc - they put their parking area over the line, apparently they didn't realize it. Paul - apparently there was a typo instead of 2.5 it was .25 that they owned, so that's what happened with that, this property that they want an agreement with the Town from what he was told, before him, is where they moved that road over for the bridge years ago, so that's the old road way. Marc - it makes more sense now.

Resolution 19-48

Motion was made by Erwin Webb and seconded by Elaine Yerdon to authorize Supervisor Tanya Yerdon to send the NYS DEC agreement with the Town of Redfield for a fishing parking lot on the Waterbury road to Attorney Robert Genant for review.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
Nays 0

Paul - the Town was contacted by Spectrum, they are looking for a right of way use agreement basically for an area that covers forty-nine (49) customers. They were looking for east and west Noble Shores, Kay Road and Macaroni Drive. He told them the only thing that involves the Town is the Kay road the others are private roads, they said that was fine but in order to work in this area they have to have a right of way, eventually they would be looking for what they called was a Franchise agreement, that would make it so they could bring cable television and stuff in, this is just for the internet. After thinking about it he re-contacted them and said as long as you're going to this end of the Kay road why don't you go three (3) more miles down County Route 2 and pick up a possibility of forty-five to fifty (45-50) more customers, and then a right onto County Route 17 into the hamlet and possibly pick up another fifty or sixty (50-60) in the hamlet say nothing about going out into the other areas, so they asked him to , he's under no fantasy that they will go up to Jess Drive, they sent this agreement, it's his suggestion that we send this to our Attorney also. CM M. Tompkins - did they say if they have talked to the County also. Paul - he told them that County Route 2 also didn't have anything to do with the Town and they told him they also do agreements with the County. CM M. Tompkins - as long as they weren't confused and thought you were speaking for the County. Paul - no they knew ahead of time on that, he asked why they were only doing that area, basically they didn't realize where the Town line was and this is part of the build from last year. There was discussion.

Resolution 19-49

Motion was made by Matthew Tompkins and seconded by Erwin Webb to authorize Supervisor Tanya Yerdon to send the Spectrum agreement with the Town of Redfield for a right of way to Town Attorney Robert Genant for review.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
Nays 0

SUPERVISOR - TANYA YERDON

Regarding the new cold storage building, she's to understand that Mr. Yerdon- our Code Enforcement Officer gave this to the board at the special meeting, and it's from Mr. Lasell.

Mike Yerdon - thought it would be a good idea to invite Mike Lasell to the meeting for him to better explain what duties he would be performing.

MBL ENGINEERING, PLLC - MICHAEL LASELL

Michael - obviously you are planning to construct a new cold storage building up to the Town Barn site. Any commercial building like that obviously requires a tech code review and structural design, the proposal real outlines just the building package, and as a Town it really makes it nice to have the full building package that includes all the structural and architectural code review and all the specifications you need to put it out to bid, that's the main thing you need drawings for in his opinion, is to have a clean set of drawings that you can get bids on, that are comparable, there's always a little bit different things that the contractors do, but it's to get the contractor in the door. There are two costs - The first cost - includes the meeting on-site - they went through what the wants are of the building, and then you would prepare a drawing package that just shows the layout, the doors, the overheads, the design and the structural and then building code review for mainly egress is your biggest thing there for cold storage, then it goes into bid phase, this is coming out of your pocket no grants, any questions that come in formalize it and send it out to everyone, if there's questions that come in and we change anything then we send it out to everybody, most of it will fall on the Code Enforcement Officer once the construction begins, make sure it's being put in per spec, very simplistic, we are going to do an alternate, we will show a concrete pad, which the just did this for the Carthage School District, so we will price it both ways, that's included as well. CM E.

Webb - the floor is going to be crushed stone - correct. Supervisor Tanya Yerdon - correct.

Supervisor Tanya Yerdon - any questions. CM M. Tompkins - he likes the idea of someone kind of representing our interests in the project. Originally he was thinking design building might be the way the way to attack this because it is so simple but we lose that representation he guesses at that point. Mike Lasell - you guys have to get pricing, he thinks you still have to bid it. CM M.

Tompkins - yes we have to bid it. Mike Lasell - when you get the design build pricing it could be very different, you're still going to want someone to look at that, we've done that, we do that a lot with contract only building systems in DC, Carthage School is that, where they perform a spec and we go from there, but this being so uncomplicated it's not going to change prices, design build usually is intended to help streamline and save money, because people are going to value engineer it, and not just say here's the price and that's what your spec says, he thinks with this there's not a lot of flexibility. Supervisor Tanya Yerdon - concerns - questions? Tanya talked to Mitch about this - he said we could either go either way, with the Engineer or he talked design build. He did offer that he would be here to read any of the contracts and to help the board and overlook the actual site work, the building part of it, but when she was talking to him about the price he didn't think that was bad. She doesn't know what to say about the prices because she doesn't have any other numbers in front of her, she knows she has one number the big number, she doesn't know how much it's going to cost to take to old barn down, she just wants to make sure we are within that \$ 150,000.00. She does have a question, say we go ahead with this, do you think this is actually saves us money when we put it out, would this amount probably be worked in if we went design build and we put it out for bid, is this going to show up in there. Mike Lasell - it has too, the only thing you gain potentially is that they come up with some engineering way to save money when they're doing that, but typically there isn't a lot you can change in this building, it's not like there's a bunch of mechanical or one guys has an idea that works and it's half the price of this guys but they both work, there's not a lot of flexibility, the poles are going to be set what they're going to be set, there's a couple things we can do originating strength, not a lot of changes, we're going to represent the Town and do what the Town wants not what the contractor wants to do, so that's the idea, he's had some conversations with Mike Yerdon. CW E. Yerdon - what's the price again. Supervisor Tanya Yerdon - it's \$ 3,200 for the building/drawing package, and then an additional \$ 950 for the

bid /construction phase services. Mike Lasell - that's an allowance - you might not need him at all. Supervisor Tanya Yerdon - she also sees reproduction fees and mileage will be reimburse at direct costs and federal rate, so that's on top of these figures. Mike Lasell - yes if you asked him for 20 sets to put out for bid - he would just charge you direct. What he would do is have two (2) sets here - they can come look at it, if they are interested, you don't want to give a set to everyone that might be interested, let them come here and get a set and sometimes you can charge them \$ 10.00 for a set to take. Supervisor Tanya Yerdon - how many did we end up with for the Salt Shed. Paul - well we ended up with two (2) engineering bids, we ended up with Bernier and Carr with that salt shed for them it cost us \$ 15,000.00 and everything was already engineered, the prefab blocks and the upper structure were already engineered, basically all they did was the bore test and the compaction test because of the floor. CM M. Tompkins - he doesn't think it's a bad idea, it's certainly well below our procurement policy to hire this as professional service, do we want to see another number, he doesn't know if we're going to get any better it's a pretty reasonable. Supervisor Tanya Yerdon - this is part of your expertise Matt. CM M. Tompkins - he thinks the firms he has worked with in the past would charge quite a bit more for this scope. Mike if we decide to hire you how soon can we have drawings that we can send out for bid. Mike Lasell - he thinks he put in there two (2) weeks, one (1) week after the meeting on site which we've already had, he can get the concept plan to you for your comments, that was on May 1st now it's May 14th. Supervisor Tanya Yerdon - yes we understand. CM E. Webb - we need to get going. CW E. Yerdon - it would probably work the best, we'd have the things to pass out and Sue would be ready to advertise for bids, it's not her expertise. Paul - has meet with this gentleman and he likes the way he works and stuff so far, he likes the idea of someone representing us and someone being available if Paul has a problem, he thinks it's reasonable.

Resolution 19-50

Motion was made by Erwin Webb and seconded by Matthew Tompkins to accept the quote from Michael Lasell, MBL Engineering PLLC, Mannsville, NY for the design package and bid services on a new Pole Barn / cold storage building for \$ 3,200.00 and \$ 950.00.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
Nays 0

There was discussion, Mitch will want to inspect the contract and the trusses and make sure everything is the way we want it, he does it every day, and it will be an extra set of eyes. Hopefully we will put it out to bid at the July meeting.

Supervisor Tanya Yerdon - what about putting the bids out to advertise to take the old one down, should we start advertising that. CW E. Yerdon - wondered if Tanya had any ideas on that, she saw that our garbage man does demolition. We need numbers. Angie - you can get the bids so you know. Supervisor Tanya Yerdon - so to write this up to advertise it where do we start? CM M. Tompkins - basically the size and maybe a general idea of the construction, is that just a pole barn basically - he's never been in it. CW E. Yerdon - it was a school before it was a highway garage. CM M. Tompkins - we will need a general idea of the construction type, the size, maybe the roofing material, we can indicate in there that all the utilities have been turned off, basically demolition and proper disposal of all the materials is the responsibility of the contractor, probably a thing in there about the environmental concerns because that would be a question he would have. Supervisor Tanya Yerdon - but that was looked at before right. CW E. Yerdon - as far as the tanks, we paid thousands of dollars to have those, so that should not be a problem, there might be some inside the building itself that might be a problem. CM M. Tompkins - there will probably be an asbestos screening before it's torn down. Supervisor Tanya Yerdon - ok so who wants to write

up the specs? Mike Yerdon - he certainly would work with Matt on them. CM M. Tompkins - when do you want them by? Mike Yerdon - hasn't been in the building, he has downstairs but hasn't been upstairs. Supervisor Tanya Yerdon - you don't need to go upstairs. Paul - doesn't believe there is anything upstairs, when he took over they took everything out of there, you need a big ladder to get up there. Angie - it doesn't have to be complicate. Supervisor Tanya Yerdon - you don't need to do that, just write the specs up that we were talking about. Terry Harlander - as long as you're doing it, can you lump it together with the church demolition. Supervisor Tanya Yerdon - she had thought of that but doesn't think we can do that, we set this money aside for the highway department, and the church would have to come out of a different fund. Also, since we did the research on it there is still a question as to who actually owns the building, so what we are doing, she talked to out Attorney and we're sending a quick claim deed to the church and they are going to sign off on it. CW E. Yerdon - what church. Supervisor Tanya Yerdon - the Wesleyan. CW E. Yerdon - she means who is going to sign off. Angie - the Redfield Grace Church is going to sign off. Supervisor Tanya Yerdon - because that is who it was turned over to in some of the paperwork. CM M. Tompkins - you might want to converse with other parties who may be interested in the future of the church before this building gets torn down, to see if maybe they want to contact the right contractor depending on if an agreement is made between the town and someone else, on the church, it would be one mobilization charge and have both buildings taken care of but the town only pay for one. The Fire Department came to us interested in the property to extent there lease. Supervisor Tanya Yerdon - the thing is we have to have time to take the windows out and crate them, there's a lot of things that need to be done, in the meantime which can be planned on to be done this summer, but our handyman is only home six (6) weeks out of the year. Paul - well like you said it would have to come out of a different fund, it probably should be done next year, or maybe you could get a contractor that could give you a price on both. Supervisor Tanya Yerdon - well if someone would give us a price on the windows and whatever else and then took the whole building, but that's probably wishful thinking. CW E. Yerdon - what are you going to do with the windows if you get them out of there? Supervisor Tanya Yerdon - she's contacted a couple different people, she does know some people that would like to purchase them, she just has to get a price on them, yes some are going to say they are worth millions, well that's all find and dandy but if you can't get millions they are not worth it. CM M. Tompkins - they are only worth what you can get out of them. CW E. Yerdon - they are all about the same in that church aren't they, they're not like the Catholic or Grace church windows. Supervisor Tanya Yerdon- the front ones are slade glass and the side ones are different, there are four (4) big ones, they are in panels we should be able to hoist them out of there and crate them- her and Mitch looked at them, we should be able to put them on Auction International and that's how Osceola sold a lot of their stuff, and that's sometimes the only way you can get rid of stuff, inside they also have the architectural rafters in there, those usually you can get money for, any dollar we can get to take it down will help the Town. There's no pews or chairs in there. Tanya thanked Paul for buying locks and putting them on the church, Tanya has the keys, it was pretty much wide open.

HIGHWAY SUPERINTENDENT - PAUL PRATT

Paul - had mentioned before that we might want to buy some sand this year, rumors around that the County is going to cut back some more, his idea is to buy fifty (50) loads that there are talking about cutting back again this year, he has talked to Osceola because they have the agreement with the salt with us and asked about riding on their bid, they said no problems, they are getting their sand for \$ 4.50 a yard so fifty (50) loads should be around \$ 3,150.00. The County charged Orwell and Parish basically \$ 4,000.00 each to haul sand to them because they ran short this winter. The County told them they were not charging them to for the sand but they were charging to haul the

sand. So this would be cheaper than having the County haul it and you get more sand. This year he doesn't know where the sand from the County is coming from it's not going to be Farmers, we're going to have to haul it a longer distance. Osceola is getting theirs from Platt's on the Nicui road. The bridge by the Ryan road has been red flagged, they didn't shut it down because it's actually got more beams under it than what they have to have, so the State didn't shut it down, when he talked to the County Engineer, he wants to get it done as soon as they get the materials in.

CM M. Tompkins - that's what he's heard and they are just going to re-deck it so it should be a lot quicker than the bridge they did last year.

TOWN CLERK – SUSAN HOUGH

Resolution 19-51

Motion was made by Elaine Yerdon and seconded by Matthew Tompkins to authorize Supervisor Tanya Yerdon to sign the Town Clerk Software agreement with Williamson Law.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
Nays 0

She has been having a problem advertising with the Salmon River News - the email she had was just bouncing back and she was having a problem getting a hold of anyone, but they had a cyber-attack - they didn't print any news on a Sunday, so that's why it wasn't in that paper but it should be hopefully this week.

CODE ENFORCMENT OFFICER - MICHAEL YERDON

Mike - everyone has his report, he had eight (8) permits, it's starting to get pretty active. CM E. Yerdon - have you had a lot of RV permits. Mike - not yet, he's had a lot of people coming in with questions. Terry Harlander - what about all the little houses and trailers are on County Route 17 up by the town barn. Mike - those building are less than 144 square feet. Terry Harlander - so that's their answer. Mike - if it's less than 144 square feet they don't need a building permit. CM M. Tompkins - even if it's a dwelling? Mike - it's not a dwelling.

REDFIELD VOLUNTEER FIRE DEPARTMENT - ANGIE KIMBALL

Angie - she did ask Mike about JJ's old house on Yerdon Drive, she walked up around there, it's still opened up, so she asked him to take a look at that to make sure it gets closed up so no one gets in there and gets hurt, because it's not safe at this point.

Mike - down on County Route 2 where there was a fire in the garage, that's going to be addressed this weekend and get fixed properly. Supervisor Tanya Yerdon - thanked Mike for all his work, she sees all the work you are putting into this, it's appreciated, she hasn't had any complaints, people are saying it's been a pleasure working with you and they don't mind going through the process.

TUG HILL COMMISSION – ANGELA KIMBALL

REMINDER: Associate Circuit Rider Kay Chapman has announced her expected retirement at the end of 2019. The CTHC will be looking for someone to fill the contract for services that Kay now covers. Kay currently covers the board meetings for Harrisburg, Lorraine, Montague, Pinckney, Rodman, Worth and Adams in alternating months. The optimal candidate would be someone who

resides in this general area, so if anyone knows someone who might be interested in contracting with the CTHC have them contact Angie Kimball (info at top of page) for more information. We will begin advertising if necessary, for the position within the next couple months. **REMINDER:** New York State Archives Regional Advisory Officer Michael Martin will be doing to Records Management workshops in the area in upcoming months. The final workshop will be on “Managing Digital Born Records” and will be held at the Jefferson County Building (175 Arsenal St., Watertown) on Friday June 14th from 9:30 am to 1 pm. For more information or to register for the workshops visit <http://www.archives.nysed.gov/workshops/schedule>. **REMINDER:** The 2019 Consolidated Funding Applications (CFAs) opened May 1st. The Guidebook and the list of available resources are now available at <http://www.regionalcouncils.ny.gov> and this year’s deadline to apply is July 26th at 4 pm. The grant opportunities include Main Street, Recreational Trails, Environmental Protection Fund, Local Government Efficiency, Climate Smart Communities, Water Quality Improvement Projects, DEC/EFC Wastewater Infrastructure Engineering Planning and Green Innovation grants. There are workshops available throughout May and June at which you can be register at <http://www.regionalcouncilsny.gov/resources>. The American Farmland Trust (AFT) is hosting a webinar on “Designing Solar Land Use Laws that Protect Productive Farmland” from noon to 1 pm on Monday June 17th. There will be speakers from AFT, Cornell CaRDI and the St. Lawrence Co. Planning Dept. who will help you learn how to design solar land use laws that permit development while protecting productive farmland in your community. They will share Smart Solar Siting laws from other communities in NY as well as tools you can use to support farm operations and keep land in farming in your community. To attend, register at <https://register.gotowebinar.com/register/7844589251551930881> by May 30th if possible or contact Samantha Levy at slevy@farmland.org with questions. The Local Government Education Committee’s “The Amish, the Uniform Fire Prevention and Building Code, and Your Local Regulations” workshop is coming up on June 20th from 6:30-8:30 pm. The class will be held at the Town of Trenton municipal building (8520 Old Poland Rd, Barneveld) and there is a \$10 fee to attend. The class will be conducted by representatives from the Dept of State, the Dept of Ag & Markets and the Dept. of State Codes Division. To register call NOCCOG Circuit Rider Jennifer Armstrong-Symonds at 315-371-7612 or go to www.LGEC.org. The latest training session conducted by THC’s Phil Street, which was held at JCC in April, and was on the topic of “The Process of Site Plan and Subdivision Review” was recorded for those interested but unable to attend. To view the video of Phil’s presentation and the handouts from the session visit the Commission’s website at <https://www.tughill.org/services/training/workshops/>. For all of the Commission’s videos you can go to the Commission’s You Tube channel at <https://www.youtube.com/channel/UCvolFp3AbYIQW0DNDSTNHww>. The NYS DEC Region 6 will host “Outdoors Day” on June 8th at its Lowville office (7327 State Rt. 812, Lowville) from 10 am to 3 pm. There will be family-friendly activities including fishing, paddling, archery, birdwatching and outdoor safety. The event coincides with the National Get Outdoors Day, an annual event to encourage healthy, active outdoor fun. Details including schedules and registration requirements can be found on the DEC’s website. The next meeting of the Tug Hill Commission will be Monday June 17th at 10 am in Lowville. More details will be available soon on the Commission website at www.tughill.org. This meeting is open to the public.

Supervisor Tanya Yerdon - she gave them all the information she received from Rebecca Trudell before you know if October will be here, she is very interested in being out sole Assessor, she attached her resume, so if you could please look at this and if you come up with any other ideas other avenues to take, they can contact the County, they have offered their assistance, we do need to act on this as soon as we can if we want Ms. Trudell so she can come in and work with Jane.

Town Clerk said they would need to adopt another local law because she doesn't live in Redfield. Angie will check on that, she knows there's one for the Code Enforcement Officer.

Supervisor Tanya Yerdon - since we had the public hearing on Local Law #1 of 2019 Town of Redfield Subdivision Law, is there any discussions or comments from the board, seeing's how we closed our public hearing. CM M. Tompkins - doesn't think there's a need to put the buildable area in the law, because technically they can ask for anything they want. They had quite a conversation on the cluster development clause, which he thinks it's a good idea - we don't have to require it - or even acknowledge that it exists but it allows us the avenue. Supervisor Tanya Yerdon - when you were working on the Zoning that was brought up, it was an idea he had for the area up north, they had started with 200 acre lots which was met with much friction - so an idea he had was what if we developed it at that density allowing for smaller lot sizes, it didn't make it into the Zoning law but this is kind of the same idea in Subdivision. On page 7 under the preliminary plat requirements - the last item number 13 any other specifications required by the town board, so if we want them put the buildable area on the map we can do that, and don't have to make another change to the law. CW E. Yerdon - we have to do adopt a fee schedule, so can we put that in the minutes at the same time. There was discussion on the changes.

Resolution 19-55

Motion was made by Elaine Yerdon and seconded by Matthew Tompkins to adopt Local Law #1 of 2019, Town of Redfield Subdivision Law, and to authorize the Town Clerk to send it to the State of New York, effective as soon as it's filed with New York State.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
Nays 0

Supervisor Tanya Yerdon was contacted by our Attorney Bob Genant - it looks like the attorney for Farm East, Woodwise, Salmon River Timber, he does not agree with the fact that they are having to wait, going through all these steps, even though he agreed with Mr. Genant on that day where we were coming from, in the meantime he does not agree with it and he has threaten to sue us with an Article 78 - we've talked to him, Mike has talked to him today, we told him this will be taken care of tonight, so the avenue is now set for them, so she doesn't know what's going to happen from their end she doesn't know if they are going to proceed with the Article 78 because they say we held it up, but according to Phil they don't have any grounds. CW E. Yerdon - who threatened us Matt or Mr. Brenner. Supervisor Tanya Yerdon - Mr. Brenner. CM M. Tompkins - when did we receive this? Supervisor Tanya Yerdon - April 1st 2019. CM M. Tompkins - so April 1st - no it had to be before then, didn't we start talking about the Subdivision Law in March? Supervisor Tanya Yerdon - that's the date stamped on here, it does seem longer. CM M. Tompkins - well it's pretty impressive he thinks turnaround on our part to get the Subdivision Law amended and accepted in that amount of time, not to mention, he would like it on records that the property description was drawn up on October 4, 2017, and the application they sent us is dated February 4, 2018.

Supervisor Tanya Yerdon - when Mike sent the letter back, he did state that we are in receipt of your application for an Area Variance Appeal of the Zoning Law dated February 4th, and received on February 6th by FedEx. Mike Yerdon - he outlined the whole thing. Supervisor Tanya Yerdon, the April 1st receipt was a letter from Rob Brenner. CM M. Tompkins - he must have meant 2019 not 2018, either way his point is they had this much longer than the period of time they gave us to review it and figure out what to do with it, if they had this put together long before the Zoning Law was put into effect. Supervisor Tanya Yerdon - she talked to Mike, so now we are at the point where Mike can write the letter to refuse it. Angie - once there's a denial they have the opportunity to do that. CM M. Tompkins - so by the end of the week we should be able to deny it.

CW E. Yerdon - do they send a postcard when they receive it. TC S. Hough - no but she sent it the last time that they had to sign. Angie - Mike can't deny until they file now a Subdivision application, to go through this law, they have to file a Subdivision application, the Town Board has to review it and deny it. Supervisor Tanya Yerdon - it doesn't go to Mike first. Angie - no because you just passed this law, so now when they try to do what they are trying to do it's a subdivision, just like any other subdivision it comes before the board, then you make your determination, whatever the case maybe. CM M. Tompkins - so can we send them a subdivision application along with a letter explaining that we have passed it. Angie - you can check with Phil but she's pretty sure they would now have to file a subdivision application. Mike - with his conversation with Bob Genant, we couldn't address it before because we had a void between the subdivision and the zoning laws, the Town Board jumped through hoops to get this amended and approved the subdivision law so we could address their issue, Bob said their attorney Rob Brenner feels it's still a zoning issue, Mike told him no it's not, so Mike recommended that Bob Genant talk to Phil Street at the Tug Hill Commission tomorrow, he assumes we could send a letter and an application to Woodwise, they want to do an Article 78 because they feel that they are right, now Phil- who he feels is the most experienced and knowledgeable person on this whole issue, Phil said they have no grounds for an Article 78. CW E. Yerdon - what's an Article 78? Angie - it's a court case against a Municipality for not following proper procedure on something, not following it somehow, it could be in other ways, it's anything that tries to overturn an action taken by a municipality, that's an Article 78 hearing, believe me don't feel lonely most of their Towns have gotten an Article 78 on something, what is their argument going to be, the worst case if a Judge does say yep you didn't do this right, you know what they are going to do, they are going to say go back and do it, that's the only ramifications of an Article 78. There was discussion. CM M. Tompkins - it would make him feel good if we sent them the application and the new law, it would keep them advised of the process they are in.

Supervisor Tanya Yerdon - the sexual harassment policy, it has to be in place, we need someone to do training, she can't find something for everyone to just. Angie - she can send you the stuff on the State website. Supervisor Tanya Yerdon - went on the NYMIR website - it takes forever to download, how we are going to get everyone to the training. There was discussion. Supervisor Tanya Yerdon - not to volunteer the handyman again but he is a trainer and has to do the training for all his jobs, she is working on this trying to get us in compliance. Supervisor Tanya Yerdon - we need to discuss the fee schedule for the Subdivision Law. There was discussion.

Resolution 19-56

Motion was made by Matthew Tompkins and seconded by Elaine Yerdon to adopt the following fee schedule for the Subdivision Law. Preliminary Review 2-9 lots \$ 200 per Lot, Preliminary Review 10 and up lots \$ 2,000 plus \$ 25 per lot, Final Review 2-9 lots \$ 100 per lot, Final Review 10 and up lots \$ 700 plus \$ 25 per Lot.

ADOPTED Ayes 4 T. Yerdon, E. Yerdon, E. Webb, M. Tompkins
Nays 0

Motion was made by Erwin Webb seconded by Matthew Tompkins to adjourn the meeting at 9:15pm.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, E. Webb, C. Bauer, M. Tompkins
Nays 0

The next Town of Redfield Town Board meeting will be held Tuesday, June 11, 2019 at 7:30pm.

May 14, 2019

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Susan Hough, Town Clerk