

MEETING MINUTES – September 23,2024
of the
TOWN BOARD OF HANOVER – 7:30PM

Present:

Louis Pelletter, Supervisor, Bernard Feldmann Deputy Supervisor,
James Feldmann, Councilperson , Aimee Rogers, Councilperson,
Edward Schintzius, Councilperson
Elizabeth VanCheri, Town Clerk, John Grennell, Town Attorney,
Elmar Kiefer, Town Bookkeeper, Braden Carmen, Dunkirk Observer
and 5 other interested people

The meeting opened with the Pledge of Allegiance.

FLOOR OPENED TO PUBLIC

Welcome to the public comment portion of our agenda. This is a time we afford the opportunity for the public to address the Town Board. Please state your name and address for the record and limit your comments to no more than 3 minutes. Please remember you are addressing the Town Board on matters of concern to the Town of Hanover. This is not a question-and-answer session nor is it a time to engage in a debate with other members of the audience. It is the policy of the Town of Hanover to discuss all public issues in a civil issue-oriented manner. Personal comments directed at members of the board or other Town officials or other members of the public will not be tolerated. With that being stated, does anyone have any comments under Open Public Comments?

Martha Boutet, Hanford Bay – Would like to draw attention to the large pothole on Hanford Rd, near the deli, and the road condition between the upper and lower tracks. Deputy Supervisor Feldmann explained that that portion of the road is maintained by the railroad. Ms. Boutet also provided Board copies of an emergency plan from 2009 and inquired as to any plans to update. Supervisor Pelletter stated that Disaster Coordinator Weiskerger is currently working on updating the plan. She also complimented the Town Clerk's office for their willingness to help residents and the pleasant atmosphere in the clerks office.

Carol Woodward (as read into record by Councilperson Rogers) would like to remind everyone of the Imagine Forestville meeting this Thursday, 9/26, beginning at 6pm with the unveiling of the clock, mural, and horse trough. Forestville Fall Festival is this weekend.

RESOLUTION 221-2024 – tabled at last meeting for quorum

Upon a motion by Mr. Schintzius seconded by Mrs. Rogers, with Councilperson J Feldmann, and Deputy Supervisor B Feldmann, abstaining, therefore unanimously carried by all other members, the minutes from the August 26, 2024 meeting were accepted and approved.

RESOLUTION 222 –2024

Upon a motion by Mrs. Rogers seconded by Mr. J Feldmann, with Councilman Schintzius abstaining, therefore unanimously carried by all other members, the minutes from the September 9, 2024 meeting were accepted and approved.

RESOLUTION 223-2024

Upon a motion by Mr. B. Feldmann seconded by Mr. Schintzius, and unanimously carried, the minutes from the Special Meeting on September 16, 2024 meeting were accepted and approved.

7:35pm PUBLIC HEARING

Public hearing for Proposed Local Law # 2 of the year 2024, a local law to override the limit on the amount of real property taxes that may be levied by the Town of Hanover, County of Chautauqua, pursuant to General Municipal Law, Section 3-c, and allow the Town to adopt a budget for general Town expenses, fire protection districts, and any other special or improvement district governed by the Town Board for the fiscal year 2025 that requires a real property tax levy in excess of the levy limit as defined in General Municipal Law, Section 3-c. Upon a motion by Mr. B Feldmann, seconded by Mr. Schintzius and unanimously carried, the Town Board approved to recess the regular meeting and open the public hearing. Mrs. VanCheri, Town Clerk, certified that the notice was posted on the Town Clerk bulletin board and the Notice of Public Hearing was duly published.

Discussion regarding proposed law was had. Mr. Timothy Crino of Sunset Bay questioned the need for the 2% increase. this year. Bookkeeper Kiefer explained that it is standard to pass the law, but needs to have the law in place in case of a situation where exceeding the tax cap

should occur. Mr. Crino then stated that the sales tax figure is being “low balled” and the he does not believe a 2% tax cap law is necessary. Bookkeeper Kiefer reiterated that it is standard practice to adopt the law for protection purposes, and he does not believe the Town will need to raise taxes at all. Kathy Burmaster of Sunset Bay stated that the residents of the Bay were in agreement with Mr. Crino.

With everyone wishing to be heard and having been heard, Mr. B. Feldmann declared the public hearing closed at 7:52pm and approved to re-enter into regular session. The motion was seconded by Mrs. Rogers and unanimously carried.

Mr. B Feldmann moved to adopt Local Law # 2 of the year 2024, a local law to override the limit on the amount of real property taxes that may be levied by the Town of Hanover. The motion was seconded by Mr. Schintzius with a roll call as follows:

AYES 5: Schintzius, B Feldmann, J. Feldmann, Rogers, Pelletter, NAYS: 0

RESOLUTION 224-2024

Upon a motion by Mrs. Rogers, seconded by Mr. B Feldmann, and unanimously carried, Notice is Hereby given that a public hearing will be held by the Town Board of the Town of Hanover, Chautauqua County, NY at the Hanover Town Hall, 68 Hanover St., Silver Creek, NY, in said Town, on **October 15, 2024 at 7:35pm**, for the purpose of considering the contracting with the following for the respective Fire Protection Districts; Forestville District #1, Hanover Fire Protection District #2- Hanover Hose Co., No. 1, Perrysburg Vol. Fire #1, Forestville, Silver Creek and Sunset Bay Vol. Fire Co; Hanover Fire Protection District #3 - Sunset Bay Vol. Fire Co., and also Fire District: Irving Fire Dist., upon the following terms, to wit:

- (a) The fire companies shall answer and attend upon all calls in said district.
- (b) For such service said fire companies shall receive the following sums in 2024:
 - D#1 – Forestville - \$ 35,908.00
 - D#2 – Hanover Hose Co. No. 1 - \$tbd
 - Perrysburg Vol. Fire #1 - \$ 2500.00
 - Sunset Bay Vol. Fire Co. - \$tbd
 - Forestville - \$tbd
 - Silver Creek - \$tbd
 - Irving - \$tbd
 - D#3 – Sunset Bay Vol. Fire Co. - \$63,718.00
- (c) Each company shall be responsible for any loss or damage to the fire apparatus of said fire company sustained in answering any such calls.
- (d) The fire company shall also be responsible for payment of all claims for injuries to or death of fire personnel in connection with such calls.
- (e) The contract for each respective fire company/fire district shall continue from Jan. 1, 2025 to Dec. 31, 2025.
- (f) Such other incidental terms as may be necessary or proper in connection with such contracting.

All persons interested in the matter will be heard at such time and place.

AYES 5: Schintzius, B Feldmann, J. Feldmann, Rogers, Pelletter, NAYS: 0

RESOLUTION 225-2024

NOTICE IS HEREBY GIVEN that the Town of Hanover Preliminary Budget, for the fiscal year beginning January 1st, 2025, has been completed and filed in the office of the Town Clerk, 68 Hanover St., Silver Creek, NY where it is available for inspection by any interested person during regular business hours.

NOW, THEREFORE, upon a motion by Mr. Schintzius, seconded by Mrs. Rogers, the Town Board authorizes the Town Clerk to schedule a Public Hearing for the Purpose of reviewing and approving the preliminary budget, and publish the following:

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Hanover will meet and review said Preliminary Budget and hold a public hearing thereon, at the Town Hall, **7:45 PM**, on the **15th day of October, 2024** and that at such hearing any person may be in favor of or against the Preliminary Budget as compiled for or against any item or items therein contained.

PURSUANT to Section 108 of the Town Law, proposed salaries of the following Town Officers are hereby specified as follows: Town Supervisor-\$17,500, Town Justice -\$18,000 (2)(each); Councilperson- \$8,200 (4)(each); Highway Superintendent-\$72,000; Town Clerk-\$59,750.

AYES 5: Schintzius, B Feldmann, J. Feldmann, Rogers, Pelletter, NAYS: 0

RESOLUTION 226-2024

Upon a motion by Mr. Feldmann, seconded by Mrs. Rogers, the town hereby accepts the WNY Teamsters Welfare Fund new 2025 Dental & Vision Benefits Monthly rate increase to \$71.47 per month for employees who wish to participate. Memorandum of Understanding will be forthcoming from the Teamsters Union to update the Hanover Collective Bargaining Agreement. AYES 5: Schintzius, B Feldmann, J. Feldmann, Rogers, Pelletter, NAYS: 0

RESOLUTION 227-2024

Upon a motion by Mr B. Feldmann, seconded by Mr. J Feldmann, the town hereby authorizes Supervisor Pelletter to sign the following documents pertaining to the Rt 5 &20 Water Project: The Additional Funding Request letter addressed to Rural Development, the Rural Development SF 424, and the Interim Finance Letter. AYES 5: Schintzius, B Feldmann, J. Feldmann, Rogers, Pelletter, NAYS: 0

RESOLUTION NEEDED – *tabled until future meeting for more information and quotes*

Upon a motion by _____, seconded by _____, the town hereby approves the purchase of a “used” _____ year, _____ make, _____ model, flatbed truck for the highway department, at a cost of _____.

Vote: _____ Schintzius _____ B. Feldmann _____ J. Feldmann _____ Rogers _____ Pelletter

RESOLUTION NEEDED— *tabled until future meeting*

WHEREAS The Town of Hanover’s Comprehensive Plan has not been updated since 2000, and WHEREAS, every five (5) years it is recommended to have the comprehensive plan reviewed and or updated, and WHEREAS there is strong competition for various grant applications and there is no guarantee that the grant would be awarded to us, and the process to establish a comprehensive plan is a 12 to 14 months long endeavor.

THEREFORE, based on the current availability of the consultants, and the urgency of doing the comprehensive plan now to not only have a much needed town plan as soon as possible, but to also be able to begin the year long process without waiting for other grant approvals, it is HEREBY APPROVED to fund the cost of hiring a consultant for the purpose of authoring a revised Comprehensive Plan for the Town of Hanover at a cost of _____.

Motion made by _____, seconded by _____.

Vote: _____ Schintzius _____ B. Feldmann _____ J. Feldmann _____ Rogers _____ Pelletter

RESOLUTION 228-2024

Upon a motion by Mrs. Rogers, seconded by Mr. Schintzius, the town hereby authorizes Town Clerk VanCheri, to purchase a historical Marker depicting the importance of the Elm Tree, from Catskill Castings, at a total cost of \$2110.00, to replace the sign damaged in an automobile accident on 8/20/2024. Insurance reimbursement from the driver’s automobile insurance company, New York Central, in the amount of \$1710.00 will be applied to the cost.

AYES 5: Schintzius, B Feldmann, J. Feldmann, Rogers, Pelletter, NAYS: 0

OLD BUSINESS

- Bullrock Renewables Expansion- will discuss in Executive Session
- Planning Board Rezoning – Will hold a Public Hearing Oct 28, 2024
- Planning Board Site Plan Review – Will hold a Public Hearing Oct 28, 2024

RESOLUTION 229-2024

Upon a motion by Mrs. Rogers, seconded by Mr. J Feldmann, and unanimously carried, the board hereby scheduled a PUBLIC HEARING for the purpose of a proposed change in the Zoning District for specific properties on Rt 5 &20, in Irving from Residential 3 and Recreation to B1 Business District on October 28, 2024 at 7:45pm.

AYES 5: Schintzius, B Feldmann, J. Feldmann, Rogers, Pelletter, NAYS: 0

RESOLUTION 230-2024

Upon a motion by Mrs. Rogers, seconded by Mr. B Feldmann, the Town Board hereby schedules a Public Hearing to accept the newly edited Site Plan Review, with changes on October 28, 2024 at 7:45pm.

AYES 5: Schintzius, B Feldmann, J. Feldmann, Rogers, Pelletter, NAYS: 0

OLD BUSINESS (CONTINUED)

New Wave Energy – will hold a special workshop to reexamine the potential energy cost savings
Freedom Energy- will hold a special workshop to reexamine the potential energy cost savings
Code Software- discussion tabled until next meeting
Highway Fence – Bid Specs are done. Project incl. bid process on hold until next year.
Water Dept Backup System- awaiting quotes from Water Superintendent Weiskerger

NEW BUSINESS

Cemetery Budget Requests – meeting with cemetery presidents on October 7, 2024 at 6:00pm
Sunset Bay Association Requests- Kathy Burmaster spoke about certain Sunset Bay items that need to be addressed. A letter was provided to each board member.
Local Emergency Management Plan – Update needed; Supervisor Pelletter stated that Disaster Coordinator Weiskerger is currently working on updating the emergency plan for the town.

Reminder that the October 14, 2024 is a State Holiday, so the regularly scheduled board meeting for that day will be held October 15, 2024 at 7:30pm, with the workshop beginning at 6:30pm.

TOWN BOARD REPORTS/COMMENTS

Supervisor Pelletter: Waterline Project letters will be signed, states Paul McGarvey said the town needs to wait one more board meeting to approve the contracts, Rural Development must approve before we can move forward. Murray Roofing has begun work on the highway building roof. Sewer Line extension zoom meeting October 15th at 11am, with grant write, Jody Faulkner. Very happy with Grape Festival. Good turnout for Bandstand rededication. Will be working with ride vendors for next year. Blacktop will be

Councilperson Bernard Feldmann- Continuing to meet with the 5 fire departments to work towards a fair distribution of funds. Awaiting overall reports. Waiting for bids for Forestville Water backup.

Councilperson Edward Schintzius- Closing Town Launch around 10/15/2024. In discussions with DEC about the possibility of stocking the creek with Brown Trout .

Councilperson Aimee Rogers – Rick and herself have been working on Comprehensive Plan. Working on historic district, information has been sent to SHIPO.
Councilperson James Feldmann- nothing at this time

Upon a motion by Mr. B Feldmann, seconded by Mr. Schintzius, the Town Board pauses the regular session at 8:20pm, and enters into executive session for the purpose of discussing a pending litigation matter.

AYES 5: Schintzius, B Feldmann, J. Feldmann, Rogers, Pelletter, NAYS: 0

Upon a motion by Mr. B Feldmann, seconded by Mr. Schintzius, the Town Board ends the executive session at 9:02pm and reenters regular session.

AYES 5: Schintzius, B Feldmann, J. Feldmann, Rogers, Pelletter, NAYS: 0

CORRESPONDENCE:

Silver Creek Cemetery Association – Insurance Receipts
Lucas Clarke- Employment Application – Highway
Arthur Lewandowski- Storm Sewer Buffalo St
Kathy Burmaster- Sunset Bay Requests

Meeting adjourned 9:03pm

Respectfully Submitted

Elizabeth VanCheri

Town Clerk

DRAFT