

**TOWN OF HANNIBAL
REGULAR BOARD MEETING
JULY 12, 2017
7:00 PM**

Present: Supervisor Ron Greenleaf
Councilman Randy Hendricks
Councilman Gary Thompson
Councilwoman Virginia Wilbur
Town Clerk Denise Hafner

Absent: Councilman Rick Shoults

Others Present: Bob Dilts, Planning Board Chairman; Gregg Stupp, Sr., Planning Board Member; Town Justice Jack Beckwith, Jr.; Town Justice Eugene Hafner; Kelly LaRock, Planning Board Member; Code Enforcement Officer Wayne Newton; Highway Superintendent George Ritchie; Bob LaRock; Larry & Cindy Flint; Ellen Killicutt; Kim Malone; Mike Pereira; Cynthia Fowler; Darlene Malone; Barbara Bogacz; Chris Harris; Elaina Sanford; Nelson Hawkins; Dan Mahaney; Keith Stock; Dan Hoffmann; Joe Taylor; Katie Taylor; Floyd Calkins; Doug Bower; Gregg Stupp, Jr.; Matthew Reitz, reporter; and several other members of the community.

Supervisor Ron Greenleaf called the meeting to order at 7:00pm with the Pledge of Allegiance to the Flag. Gregg Stupp, Sr. opened with a prayer.

Public Session:

- Bob Dilts gave an explanation of the reasons the Committee reviewing the Zoning Laws made the suggested changes presented at the Public Hearing last month. He also explained that any changes passed would only affect new permits or when a change occurs to an existing permit. A letter from the DEC was presented which stated that the hours of operation for mining, excavating, grading, processing operations, stockpiling operations, haulage operations and maintenance operations shall be limited to Monday through Friday from 7:00am to 5:00pm and Saturdays from 8:00am to 2:00pm (prohibited operation on Sundays and legal holidays). He questioned the need to form a second committee proposed by the Town Supervisor to review the proposed changes the volunteer committee had made.
- Kim Malone reprimanded the board members and officials who had made negative comments about the committee who worked on the review of the Zoning Laws.
- Larry Flint distributed a copy of Town Law Statue 271 to support his argument that the Committee to Review the Town Zoning Laws containing Planning Board members was not illegal as alleged by some board members.
- Kelly LaRock reminded the Board that the proposed changes to the Zoning Laws are only recommendations and the Board has the final approval authority. She expressed concern that the Committee Chairman was not supportive of the committee during the discussion at the last Board Workshop. She also expressed disappointment that the Supervisor created dissention by supporting the process while the committee was in progress but then expressed disapproval of the final product at the last Board Workshop.
- Ellen Killicutt commended the committee for their hard work and dedication as they made the recommendations for changes to the Zoning Laws. She also stated that it is difficult for members of the public to attend the Board Workshops due to the meetings being held at 3:30pm.

At 7:22pm Supervisor Ron Greenleaf opened the Public Hearing on Fracking.

**PUBLIC HEARING ON PROPOSED AMENDMENTS TO BAN HYDRO-FRACKING
7:22PM**

Gregg Stupp, Sr. gave an overview of the effects Hydro-Fracking can have on the community both economically and financially. He stated that there were a lot of myths about the safety of Hydro-Fracking and that there still isn't any confirmation of exactly what chemicals may be put in the ground as a result. He stressed the importance of passing a local law now to ban Hydro-Fracking in the town of Hannibal.

- Ellen Killicut asked if NYS had already passed legislation to ban Hydro-Fracking. Supervisor Ron Greenleaf confirmed that NYS passed legislation in 2015 to ban Hydro-Fracking.
- Larry Flint presented the Board with a map showing the increased amount of natural gas wells in Chautauqua County, PA. The number had increased from 315 in 1962 to 4,403 presently.
- Gregg Stupp, Sr. pointed out that the proposed Zoning Laws to ban Hydro-Fracking are the same laws that were passed in the Town of Dryden, which were challenged by a gas company and were upheld in a court of law.
- Councilman Gary Thompson stated that he and his family vacationed in Pennsylvania and they were unable to drink the water due to contamination from Hydro-Fracking.
- Kelly LaRock stated that she supports a ban on Hydro-Fracking to protect the community's water.
- Jack Beckwith, Jr. asked the Board if the Town Attorney had reviewed the proposed amendments; Supervisor Ron Greenleaf stated that the Town Attorney had not yet reviewed it.

Councilman Gary Thompson made a motion to accept the proposed amendments to the Town of Hannibal Zoning Laws banning Hydro-Fracking in the Town of Hannibal; seconded by Councilman Randy Hendricks.

Ayes: 5 [Hendricks, Thompson, Wilbur, Greenleaf]

Nays: 0

- Mike Pereira asked what will happen if the Town Attorney doesn't approve of the amendment; Supervisor Ron Greenleaf stated that the Board would then revisit the idea.

Councilman Gary Thompson made a motion at 7:40pm to close the Public Hearing on the Proposed Amendments to the Zoning Laws banning Hydro-Fracking; seconded by Councilwoman Virginia Wilbur.

Ayes: 5 [Hendricks, Thompson, Wilbur, Greenleaf]

Nays: 0

The Public Hearing on the Proposed Amendments to the Zoning Laws banning Hydro-Fracking was closed at 7:40pm.

- Kim Malone asked Supervisor Ron Greenleaf for the results of the Arbitration held on July 18th. Supervisor Greenleaf stated that the Attorney still needed to prepare the paperwork and that the decision would be announced at the next board meeting.

Approval of the June Minutes: Supervisor Ron Greenleaf requested a motion be made to approve the June Regular Board Minutes.

- Councilwoman Virginia Wilbur made a motion to accept the June Board Minutes; Councilman Gary Thompson seconded the motion.

Ayes: 5 [Hendricks, Thompson, Wilbur, Greenleaf]

Nays: 0

Approval of the Financial Report: No report

Department Reports: Written reports for the following departments were provided to and reviewed by all board members.

- **Town Clerk Report**
- **Highway Department Report**
- **Code Enforcement Report**
- **Assessor's Report - No Report**
- **Dog Control Report**
- **Planning Board Report**
- **Zoning Board of Appeals Report – No Report**
- **Water Department Report**

Councilwoman Virginia Wilbur made a motion to accept the above reports; Councilman Gary Thompson seconded the motion.

Ayes: 5 [Hendricks, Thompson, Wilbur, Greenleaf]

Nays: 0

- Supervisor Ron Greenleaf shared that the Summer Recreation Program had a total of 19 children in attendance today and that the program was doing very well.

Correspondence and Notifications: Supervisor Ron Greenleaf asked Councilwoman Virginia Wilbur to read a letter received from the Town Attorney.

Old Business:

- Supervisor Ron Greenleaf stated that there were no reports from the Committee on Alternate Energy Options.
- Supervisor Ron Greenleaf asked Doug Bower to give an update from the Committee on the Comprehensive Plan. He informed the Board that the Plan has been retyped and will be ready for discussion next week.
- Supervisor Ron Greenleaf informed the Board that he had spoken with the Town Attorney about implementing a Tax/Fee on mass gatherings and she will be submitting a draft to be discussed at the Workshop.
- Supervisor Ron Greenleaf stated that the suggestion of proposing a Local Law to prevent Elected Officials or Appointed Officials from obtaining health insurance through the Town will be discussed further at the next Workshop.
- The Franchise agreement with Spectrum will be need to be reviewed and updated according to Supervisor Ron Greenleaf.
- Supervisor Ron Greenleaf stated that at the next Workshop the Board will discuss the possibility of presenting five sites for commercial zoning.
- Councilman Gary Thompson suggested that the Board and the Committee that reviewed the Zoning Laws schedule a meeting to discuss the results of the review.

New Business:

- Supervisor Ron Greenleaf suggested that a Committee should be formed with at least one member from the community from each of the following areas to review and discuss the proposed changes to the Zoning Laws:
 - a) Community Member
 - b) Building Contractor
 - c) Excavation Contractor
 - d) Farmer
 - e) Realtor
 - f) Planning Board Member
 - g) Town Board Member

After some discussion, Councilman Randy Hendricks made a motion to advertise the creation of a new committee with a Community Member, Building Contractor, Excavation Contractor, Farmer, Realtor, Planning Board Member and Town Member to review the proposed changes to the Zoning Laws; seconded by Councilman Gary Thompson.

Ayes: 5 [Hendricks, Thompson, Wilbur, Greenleaf]
Nays: 0

- Supervisor Ron Greenleaf shared the following highlights from the County meeting about Shared Services:
 - a) Create a Purchasing Agreement between the County and the Towns
 - b) Create a Healthcare Plan between the County and the Towns
 - c) Discuss possible Court mergers

Other Business: None

Approval to Pay Town Bills:

Supervisor Ron Greenleaf asked that a motion be made to approve the payment of the Town Bills.

Councilman Randy Hendricks made a motion to approve the payment of the following Town bills-Abstract #7:

- a. General Fund Vouchers # 198-#230; Pre-Paid Vouchers #1033-#1034; Total Claims of \$14,918.82
- b. DA Highway Fund Vouchers #103-#112; Total Claims of \$3,571.34
- c. DB Highway Fund Vouchers #14; Pre-Paid Vouchers #1005; Total Claims of \$65.02
- d. Water District SW-2 Vouchers #29-#32; Pre-Paid Voucher #1008; Total Claims of \$169.20
- e. Water District SW-3 Vouchers #25-#28; Total Claims of \$231.20
- f. Water District SW-4 Vouchers #23-#25; Total Claims of \$8.89
 - Grand Total of Claims: \$18,964.47

Councilwoman Virginia Wilbur seconded.

Ayes: 5 [Hendricks, Thompson, Wilbur, Greenleaf]
Nays: 0

At 8:05pm, Councilman Gary Thompson made a motion to close the Regular Board Meeting and to enter into Executive Session to discuss legal matters with the Union.

Ayes: 5 [Hendricks, Thompson, Wilbur, Greenleaf]
Nays: 0

At 8:26pm, Councilman Gary Thompson made a motion to close the Executive Session and reconvene the Regular Board Meeting; seconded by Councilwoman Virginia Wilbur.

Ayes: 5 [Hendricks, Thompson, Wilbur, Greenleaf]

Nays: 0

Other Business:

- Kelly LaRock questioned if the Board was discussing enacting a new Local Law to prevent Elected and Appointed Officials from obtaining health insurance through the Town; Supervisor Ron Greenleaf responded that it would be discussed at the next Workshop.
- Gregg Stupp, Sr.; Gregg Stupp, Jr. and Joe Taylor volunteered to be part of the new Committee to review the proposed changes to the Zoning Laws.
- Ellen Killicutt stated that some of the ideas discussed at the County meeting about Shared Services could be hurtful to the community. She also asked if a Go Cart Track was being built at the Fireman's Field; Supervisor Ron Greenleaf replied that it was true.
- Councilman Gary Thompson stated that sharing services between the Towns makes sense and it would be a good idea for Towns to share their Highway equipment; Councilwoman Virginia Wilbur informed Councilman Thompson that the Towns already share their equipment.

A motion was made by Councilwoman Virginia Wilbur to adjourn the meeting; Councilman Gary Thompson seconded.

Ayes: 5 [Hendricks, Thompson, Wilbur, Greenleaf]

Nays: 0

The meeting was adjourned at 8:31pm.

Respectfully submitted,

Denise J. Hafner

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Hannibal Town Clerk