

**TOWN OF HANNIBAL
REGULAR BOARD MEETING
NOVEMBER 16, 2016
7:00 PM**

Present: Supervisor Ronald Greenleaf
Councilman Randy Hendricks
Councilman Richard Shoults
Councilman Gary Thompson
Councilwoman Virginia Wilbur
Town Clerk Denise Hafner
Highway Superintendent George Ritchie

Others Present: Planning Board Chairman Bob Dilts; Gregg Stupp, Sr., Planning Board Member; Josh Bomgren, Planning Board Member; Oswego County Legislator Terry Wilbur; Dog Control Officer Theresa Penfield; Justice Eugene Hafner; James Polk, Hannibal Free Library Board President; Kelly LaRock, Planning Board Member; Bob LaRock; Gregg Stupp, Jr.; Larry & Cindy Flint; Ellen Killicutt; Tim Harmon; Doug Bower; Cynthia Fowler; Trish Scruton; Joe Taylor; Andy & Gail McFarland; Tracy Pedder; Harold & Bonnie Hopkins; Reporter for The Valley News; and several other members of the community.

Supervisor Ronald Greenleaf called the meeting to order at 7:00pm with the Pledge of Allegiance to the Flag followed by an opening prayer led by Gregg Stupp, Sr.

Public Session:

- Ellen Killicutt expressed disappointment that none of the Board Members attended the last Planning Board Meeting. She stated that due to the conflict and controversy occurring over the Kelly Road situation with Infinity Enterprises and with the outrage at the last Board meeting, support from the Board at the meeting would have been helpful.
- Tracy Pedder inquired what the status with the Kelly Road and Infinity Enterprises was at this time. Supervisor Ron Greenleaf stated that there would be an update later in the meeting.
- Oswego County Legislator Terry Wilbur gave an update stating that there would be no tax increase for the 2017 County Budget and that the Transfer Station would remain open. However, there would be a \$10 increase to use the Transfer Station.

Approval of the October Minutes:

Supervisor Ron Greenleaf requested a motion be made to approve the October Regular Board Minutes.

- Councilman Rick Shoults made a motion to accept the October Regular Minutes; Councilwoman Virginia Wilbur seconded the motion.

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

Approval of the October Financial Report:

Supervisor Ron Greenleaf requested a motion be made to approve the September and October Financial Reports.

- Councilman Gary Thompson made a motion to accept the September and October Financial Reports; Councilwoman Virginia Wilbur seconded the motion.

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

Nays: 0

Correspondence and Notifications:

The following correspondence was read:

- A letter from Insurance Services Office, Inc. (ISO) informed Code Enforcement Officer Wayne Newton that after their analysis of the Town's building codes and the effort put forth to enforce those codes the resulting Building Code Effectiveness Grading Classification is 4 for 1 and 2 family residential property and 4 for commercial and industrial property.
- A letter from the Oswego County Health Department informing Code Enforcement Officer Wayne Newton of a complaint filed with their office relative to a residence on Martville Road.
- A letter addressed to Bob Dilts, Planning Board Chairman from Attorney Dennis Hawthorne, Jr. informing the Planning Board of his resignation as the Planning Board Attorney.
- Another letter from Attorney Dennis Hawthorne, Jr. gave an update on the litigation involving CJ Ferlito Aggregates, Inc.

PUBLIC HEARING ON COMMERCIAL ZONING 7:15 PM

Supervisor Ron Greenleaf opened the Public Hearing by asking Councilman Gary Thompson to give an overview of the proposal to increase the commercially zoned areas. Councilman Thompson pointed out that the Town's taxes are the highest in the area, children are living in poverty, job opportunities are limited and that the buildings and equipment are aging. All these factors are leading to a decreasing population and higher taxes. Hannibal is centrally located and by enlarging the commercial zoning area, businesses may be encouraged to set up in the town. This would increase the town's revenue, decrease taxes and bring more job opportunities to the town.

The Public was encouraged at this time to offer their comments and questions.

- Joe Taylor, County Route 85, stated that he agreed with Councilman Thompson that the Town needs more businesses brought to the area which could increase revenue through sales tax and offer more job opportunities, especially jobs for the community kids.
- Ellen Killicutt, State Route 34, raised concern that residents already in the area outlined for commercial zoning need to be protected from a business suddenly opening next door. Susan Sullivan shared the same concern. Supervisor Ron Greenleaf stated that there would need to be some restrictions placed on where a business could build near residential areas.
- Gregg Stupp, Sr., County Route 3, pointed out that zoning property as commercial does not necessarily increase revenue for the Town. The city of Fulton is a prime example that commercially zoned areas can actually decrease property value and tie the hands of the Planning Board when making decisions about the use of the property. More research should be done on the effects of zoning property commercial before making a decision.

- Bob Dilts, County Route 85, asked how commercial zoning would benefit the Town when it had previously been stated that any sales tax collected is sent to the County. Legislator Terry Wilbur clarified that all sales tax collected is first sent to the State and then a portion is distributed to the County, who then distributes a portion to the Town.
- Gregg Stupp, Sr., County Route 3, mentioned that if it is approved to zone these areas as commercial property any business could open, including businesses involving fracking.
- Gregg Stupp, Jr., Sixty Six Road, stated that it is very difficult to try to open a business in the Town and is a very slow process. It had taken over seven months before his property was approved to open his business. It might be beneficial to take a look at the restrictive regulations and procedures which make the process so difficult rather than just changing the zoning status.
- Andy McFarland, State Route 104, stated that he owns and operates a garage on State Route 104 and has not had any problems. However, one of the first things a person who is interested in opening a business checks, is where property is zoned commercial. The procedure is a much easier process than when a property is zoned residential.
- Legislator Terry Wilbur, Fowler Road, suggested that the Town create a committee with members from each of the different boards. This committee could then prepare a Step by Step packet outlining the procedures to follow when applying to open a business.
- Tim Harmon, State Route 3, expressed concern that while trying to draw more people and business into the Town, making it too easy to start a business could draw more gravel beds and trucking business which in turn, may cause people to leave the Town.
- Highway Superintendent George Ritchie, Wiltsieville Road, stated that there isn't any commercially zoned property in the Town. Instead, business owners operate on a Special Use Permit.
- Joe Taylor, County Route 85, clarified that when he opened his business on State Route 104, he had a difficult time obtaining commercial zoning even though the business across the road was commercially zoned. A disputable discussion ensued.
- Susan Sullivan, State Route 34, pointed out that many properties in the Town and Village have houses that need repair or garbage accumulated on the property which is not welcoming to either residents or businesses. She suggested that enforcement of the Town's zoning laws should be evaluated and that the Town's zoning laws should be working for the Town and residents, not against.
- Kelly LaRock, Harris Hill Road, stated that there are still procedures to follow to start a business in a commercially zoned area and that the owner would still need to apply to the Planning Board for approval. She also cautioned that once an area is commercially zoned, there is no allowance for building residential family homes in that area.
- A discussion continued on the pros and cons of changing zoning on State Route 3, State Route 34 and State Route 104 from residential to commercial between the Board and the Public. It was agreed that there are several variables to consider and that it needs to be researched further before the next Public Hearing to be held in January 2017.

Supervisor Ron Greenleaf closed the Public Hearing at 8:15pm.

Supervisor Ron Greenleaf asked that a motion be made to reconvene the Regular Board Meeting.

Councilman Rick Shoults made a motion to reconvene the Regular Board Meeting; Councilman Gary Thompson seconded.

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

Nays: 0

The Regular Board Meeting was reconvened at 8:25pm.

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**
- **Assessment Report - No Report**
- **Dog Control Report**
- **Planning Board Report – No Report**
- **Zoning Board of Appeals Report - No Report**
- **Water Department Report**

Councilman Randy Hendricks made a motion to accept the above reports; Councilwoman Virginia Wilbur seconded the motion.

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

Nays: 0

Old Business:

- Supervisor Ron Greenleaf requested reports from the committees previously formed. The following reports were presented:
 - Councilman Rick Shoults informed the Board that the committee reviewing the town zoning laws is still continuing to review the materials. The next meeting is scheduled for November 21st at 6:30pm.
 - Councilman Gary Thompson and Bob Dilts will set a future date for a meeting to discuss alternate energy options once the committee reviewing the zoning laws and codes has finished.
- Supervisor Ron Greenleaf explained that Attorney Dennis Hawthorne, Jr. resigned as the attorney for the Planning Board and that a new attorney will be hired to fill the position.
- Supervisor Ron Greenleaf reported that a new water district is being considered for the southern end of the town.

New Business:

- A. Supervisor Ron Greenleaf asked Councilwoman Virginia Wilbur to read the following proposed resolution:

Resolution 27-2016

RESOLUTION SETTING STATUS UNDER SEQR AND ASSUMING LEAD AGENCY STATUS

Town of Hannibal – Water District No. 3, Extension No. 1

WHEREAS, the Town of Hannibal, hereinafter referred to as the “Town”, is proposing to install a municipal water system, Water District No. 3, Extension No. 1 for the Town of Hannibal; and

WHEREAS, the Town of Hannibal Town Board must evaluate all proposed actions submitted for its consideration that may affect the environment in light of the State Environmental Quality Review Act (SEQR) and the regulations promulgated thereunder; and

WHEREAS, the involved agencies [as that term is defined in 6 NYCRR 617.2(s)] include the New York State Department of Health and the New York State Department of Environmental Conservation, and the required environmental review will be conducted solely by the Town of Hannibal Town Board; and

WHEREAS, the Town of Hannibal Town Board desires to serve and act as the lead agency for the purposes of SEQR; and

WHEREAS, to aid the Town of Hannibal Town Board in determining whether the Action may have a significant impact on the environment, a Full Environmental Assessment Form dated November 16, 2016 has been prepared by the Town and a copy of which has been filed with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Town of Hannibal Town Board that:

The Town of Hannibal Town Board makes the following findings and determinations with respect to the proposed project:

The project constitutes an “Type I Action” as that is defined in Section 6 NYCRR Section 617.2(ai) and 617.4;

The Town of Hannibal Town Board desires to serve as lead agency for the purposes of SEQR.

The Town Clerk shall cause the New York State Department of Environmental Conservation, New York State Department of Health, and Army Corps of Engineers as the other “involved agencies” to be notified of this resolution.

This resolution shall take effect immediately.

Supervisor Ron Greenleaf asked for a vote to adopt the above resolution.

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

Nays: 0

- B. The Board members signed the Environmental Assessment Form (EAF) for Water District #3, Extension #1
- C. Councilman Randy Hendricks made a motion to hire Attorney Scott Chatfield as the attorney for the Planning Board; seconded by Councilwoman Virginia Wilbur.

Resolution 28-2016

Be it resolved that the Hannibal Town Board approves the hiring of Attorney Scott Chatfield as the attorney for the Hannibal Town Planning Board.

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

D. Supervisor Ron Greenleaf suggested that ALL appointed positions be advertised in the paper.

Councilwoman Virginia Wilbur made the motion that ALL appointed positions be advertised in the paper; Councilman Rick Shoults seconded.

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

E. Supervisor Ron Greenleaf suggested that the December Board Meeting and the End of the Year Meeting be combined and held on December 28th, 2016 in place of the regularly scheduled Board Meeting for December 21st, 2016 and that all bills be turned on December 14th, 2016.

Councilwoman Virginia Wilbur made the motion to hold the End of Year Meeting and December Board Meeting on December 28th, 2016 at 7:00pm and that ALL bills be turned in by December 14th, 2016; Councilman Rick Shoults seconded.

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

Approval to Pay Town Bills:

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

Councilwoman Virginia Wilbur made a motion to approve the payment of the Town Bills; Councilman Randy Hendricks seconded.

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

Other Business: Councilman Gary Thompson wished everyone a Happy Thanksgiving.

A motion was made by Supervisor Ron Greenleaf to adjourn the meeting; Councilman Rick Shoults seconded.

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

The meeting was adjourned at 8:45pm.

Respectfully submitted,

Denise J. Hafner

Denise J. Hafner
Hannibal Town Clerk