

**TOWN OF HANNIBAL
REGULAR BOARD MEETING
JUNE 14, 2017
7:00 PM**

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

Others Present: Bob Dilts, Planning Board Chairman; Gregg Stupp, Sr., Planning Board Member; Dog Control Officer Theresa Penfield; County Legislature Terry Wilbur; Town Justice Jack Beckwith, Jr.; Town Justice Eugene Hafner; Kelly LaRock, Planning Board Member; Code Enforcement Officer Wayne Newton; Highway Superintendent George Ritchie; Chris Emmons; Bob LaRock; Larry & Cindy Flint; Ellen Killicutt; Mike Pereira; Cynthia Fowler; Ken & Darlene Malone; Barbara Bogacz; Jake Malcott; Chris Harris; Elaina Sanford; Mike Chrisman; Floyd Calkins; Barry Kline; Shawn Malone; Adam Malone; Sam Malone; Mr. & Mrs. Doug Hall; Duane & Peggy Shepard; Mr. & Mrs. Harold Hopkins; Doug Bower; 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:

- Doug Bower reported that the Comprehensive Plan needed to be retyped and that it is about half finished.
- Larry Flint stated that changes made to the Comprehensive Plan would need to be addressed in any changes made to Hannibal's Zoning Laws. Councilwoman Virginia Wilbur explained that the changes to the Comprehensive Plan were changes in the population number and the number of special districts, such as Water Districts. The changes would not affect the Zoning Laws.
- Ellen Killicutt expressed concern that the Board has a tendency to create a sense of intimidation which then prevents some of the public to speak at the Board meetings or to ask questions. She was also concerned with recent posts on social media by a Board Member and reminded the Board that as Town Officials elected and hired by the people, there is an expectation that they exhibit a professional attitude. Ellen also asked Code Enforcement Officer Wayne Newton whether the pictures of the property on Route 34 had been given to Dave Gray, the Town's Tax Assessor. Code Enforcement Officer Wayne Newton responded that they were submitted to Dave Gray.
- Doug Hall asked if there was any further discussion on the proposition for commercial zoning. Supervisor Ron Greenleaf stated that at the present time, it had been dropped. Doug Hall also questioned the accuracy of the work being done on Pellet Road when no surveying of the area had been done.

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 Rick Shoults seconded the motion.

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

Nays: 0

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

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

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

Nays: 0

Approval of the Financial Report: Councilwoman Virginia Wilbur made a motion to accept the Financial Report; Councilman Rick Shoults seconded.

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

Nays: 0

Correspondence and Notifications: Supervisor Ron Greenleaf shared correspondence from the Department of Taxation & Finance stating that the Equalization Rate for the Town of Hannibal is 100%; a letter from the Teamsters (Union for the Highway Department) notifying the Town that the agreement will expire on 12/31/17; and a letter about the Town's Charter.

At 7:15pm Supervisor Ron Greenleaf closed the Regular Board Meeting and opened the Public Hearing on the updates to the Town of Hannibal Zoning Laws.

**PUBLIC HEARING ON THE UPDATES TO THE TOWN OF HANNIBAL ZONING LAWS
7:15PM**

Supervisor Ron Greenleaf presented the changes to the Town of Hannibal Zoning Laws using the projector. After the presentation, Planning Board Chairman Bob Dilts explained the changes and then allowed the Public to speak and ask questions.

At 7:35pm Councilwoman Virginia Wilbur opened the Public Hearing on the Proposed Increase to the Water Rates.

The public continued to discuss the zoning law updates.

- Councilman Gary Thompson questioned the statement that the zoning laws are to benefit the entire community and its residents and he shared some facts about mining in NYS. He stated that restricting the hours of operation for mining would actually be harmful to those who own and operate mines and he disagrees with restricting the hours of operation.
- Gregg Stupp, Sr. stated that the goal of the committee was to make the zoning laws more equal and representative of both views.
- Ken Malone pointed out that when he applied for a mining permit there were two Public Hearings held and his surrounding neighbors were notified. No one appeared to the Public Hearings which was a statement that the neighbors were not opposed. He also stated that miners have work around the weather and that should be taken

into consideration when discussing the hours of operation. He questioned the reason for the increase from the 50 foot restriction to a 100 foot restriction from any neighboring property.

- Doug Bower asked when the Zoning Laws had been updated last and whether there had been any changes to the laws for trailer parks. Supervisor Ron Greenleaf responded that the laws had been updated in 2010 and that NYS had recently revised the requirements for manufactured home foundations which need to be followed when either a change is made to an established manufactured home or a new one placed.
- Doug Hall questioned whether boats were included in the number of vehicles allowed in a junkyard. Supervisor Ron Greenleaf stated that both boats and campers are included in the number allowed.
- Larry Flint pointed out that some residents do not wish to have a mine operating in their community. He provided a letter from the DEC, a Zoning Enforcement document and the Town of Sterling's Land Use Regulations. He also stated that the Board may not overrule the Zoning Board of Appeals, Code Enforcement or the Planning Board.
- Ellen Killicutt reminded everyone that those who operate a mine are part of our community and should not be penalized, especially when a Public Hearing is held to approve or disapprove a mining permit and none of the surrounding neighbors attends the hearing.
- Bob Dilts stated that the recommendations the committee made to update the Zoning Laws were not meant to be hurtful.

Councilwoman Virginia Wilbur made a motion to close the Public Hearing on the Proposed Updates to the Zoning Laws; Councilman Gary Thompson seconded.

The Public Hearing on the Proposed Updates to the Zoning Laws was closed at 8:25pm.

The Public Hearing on the Water Rate Increases continued.

Supervisor Ron Greenleaf asked if there were any comments from the Public about the proposed increases to the Water Rates. There were no comments from the Public.

Old Business:

- Supervisor Ron Greenleaf stated that there were no reports from either the Committee on Alternate Energy Options or the Committee on the Comprehensive Plan.
- Supervisor Ron Greenleaf asked Councilwoman Virginia Wilbur to open and read the bids submitted for the mowing of McCausey Cemetery and Bethel Cemetery. The following bids were read:
 1. Donald Nihoff bid \$70 to mow McCausey Cemetery and \$90 to mow Bethel Cemetery.
 2. Steve Earle bid \$70 to mow McCausey Cemetery and \$250 to mow Bethel Cemetery.

After some discussion, Councilwoman made a motion to accept the following resolution; Councilman Randy Hendricks seconded.

Resolution 12-2017

BE IT RESOLVED THAT the Hannibal Town Board agrees to pay Steve Earle \$70 each time to mow McCausey Cemetery and to pay Donald Nihoff \$90 each time to mow Bethel Cemetery.

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

Nays: 0

New Business:

- Supervisor Ron Greenleaf stated that at the next Board Workshop the Board will discuss placing either a Sales Tax or Fee on tickets sold for mass gatherings such as the Sterling Stage Festivals.
- Supervisor Ron Greenleaf also stated that the Board will discuss the possibility of creating a law to prevent elected officials from obtaining health insurance through the Town.
- Councilman Gary Thompson made a motion to set a Public Hearing on July 12, 2017 at 7:30pm to discuss the Time Warner (Spectrum) franchise agreement; seconded by Councilman Randy Hendricks.

Resolution 13-2017

BE IT RESOLVED THAT the Hannibal Town Board approves to hold a Public Hearing to discuss the Time Warner (Spectrum) franchise agreement on July 12, 2017 at 7:30pm.

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

Nays: 0

Other Business:

- Ellen Killicutt asked whether the proposal to place a sales tax or fee on mass gatherings was included in the Zoning Laws. Supervisor Ron Greenleaf stated that it was not.
- Bob Dilts asked what the next step would be to adopt the updates to the Zoning Laws. Supervisor Ron Greenleaf stated that it would be discussed at the next Board Workshop.

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 following Town bills:

- a. General Fund Vouchers # 165-#197; Pre-Paid Vouchers #1029-#1032
- b. DA Highway Fund Vouchers #89-#102
- c. DB Highway Fund Vouchers #9-#13; Pre-Paid Vouchers #1003-#1004
- d. Water District SW-2 Vouchers #24-#28; Pre-Paid Voucher #1007
- e. Water District SW-3 Vouchers #20-#24; Pre-Paid Voucher #1005
- f. Water District SW-4 Vouchers #18-#22; Pre-Paid Voucher #1005

Councilman Gary Thompson seconded.

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

Nays: 0

Councilman Gary Thompson suggested closing the Highway Department for the week of July 4th. Supervisor Ron Greenleaf and Councilwoman Virginia Wilbur stated that there would not be enough notice to approve it this year.

Ken Malone asked if there had been any progress on creating the Community Garden proposed by Councilman Gary Thompson. Councilman Thompson stated that he has top soil and pine logs for the garden but that it is too wet at this time to plant.

Ellen Killicutt asked whether another Public Hearing would be set to further discuss the proposed updates to the Zoning Laws. Supervisor Ron Greenleaf stated that a second Public Hearing would be set at future date.

Councilwoman Virginia Wilbur made a motion to close the Public Hearing on the Increases to the Water Rates; seconded by Councilman Rick Shoults.

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

The Public Hearing on the Increases to the Water Rates was closed at 8:43pm

Councilman Gary Thompson made a motion to accept the following resolution; seconded by Councilwoman Virginia Wilbur.

Resolution 14-2017

BE IT RESOLVED THAT the Hannibal Town Board approves to increase the Basic Water Rate from \$27.50 a quarter to \$28.00 a quarter and the overage rate from \$1.90 to \$2.00.

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

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

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

The meeting was adjourned at 8:45pm.

Respectfully submitted,

Denise J. Hafner

Denise J. Hafner

Hannibal Town Clerk