

**Organization Town of Champion**

**Board Town Board**

**Date and Time Monday, February 6 2006 at 7:00 PM**

**Place Town of Champion Offices Board Room (rear of building) 10 N Broad St, West Carthage NY**

**Contact [Chris Vargulick](#) Town Clerk Phone (315) 493-3240 Fax(315) 493-2900**

**Minutes**

The Champion Town Board met in regular monthly session on Monday, February 6, 2006. Present were Supervisor Buckley, Councilmen Stewart, Watkins(7:20pm), Buzzell(7:20pm), and Peck(7:20pm), Highway Superintendent Sech, and Attorney Farley.

Supervisor Buckley called the meeting to order at 7:20pm, at which time there was a quorum of members present, and opened the meeting for public comment. Robert Peck, Great Bend, addressed the Board regarding a tax bill he received for a parcel of property he purchased as of December 31, 2005. The tax bill for the original parcel, which was subdivided, included charges for the Great Bend Street Lighting and town Sewer Districts. Mr. Peck argued that those charges should not apply to his portion of the divided bill because his property is outside both district boundaries. Supervisor Buckley explained that parcels are assessed as of the taxable status date which is March 1<sup>st</sup> of the preceding year. Mr. Peck offered evidence of case law that he felt supported his position. Attorney Farley stated, that though the procedures for assigning the tax obligations for divided parcels may be antiquated, it is part of the NYS Real Property Tax law. Mr. Peck and board members discussed district boundaries and the possibility of redrawing them.

**Public Hearing**

Proof of notice having been furnished, the public hearing on the formation of Town of Champion Sewer District #2 was called to order at 7:39pm by Supervisor Buckley. The following persons spoke in favor of the formation of the district: James Uhlinger, Scott Britton, and Wilbur Thesier. The following person spoke against the formation of the district: George Sayre. Robert Peck offered comments regarding environmental review. All persons desiring to be heard, having been heard, the hearing was closed at 7:47pm.

**Monthly Reports**

- Councilmen - J. Peck expressed his concerns regarding the absence of the Zoning Enforcement Officer. Mr. Peck stated that in his opinion the Town needs year round enforcement. Motion by Mr. Peck, seconded by Mr. Watkins to terminate the appointment of Lawrence A. Hall, Jr. as town zoning officer. Ayes-5, Nays-0. Motion carried. Mr. Peck stated that he is concerned that violations of Section 150 of the Town Subdivision law are occurring as part of the proposed Patriot Estates development and urged that the developer be made to comply with the law. The developer, Mr. James Uhlinger, was present at the meeting and explained his intentions. Planning Board Chairman, Peter LaBarge, responded to Mr. Uhlinger, at the request of Supervisor Buckley, advising that it was in the best interest of the project to cease work pending review and approval of the project by the Town and County Planning Boards and receipt of all necessary state permits. Mr. Watkins informed members that Erie Boulevard Hydropower is requesting permission to amend its license and has scheduled two public hearings for March 7, 2006 in Great Bend to hear comment.
- Engineer - Kris Dimmick responded to Board queries regarding the environmental review of the proposed sewer district. Mr. Dimmick stated that the Town must complete the SEQR and prepare a federal environmental review upon application for federal financing through USDA-RUS. Supervisor Buckley asked if it was advisable to proceed with sewer district formation in advance of an agreement with the school district. Attorney Farley stated that no obligation to construct a district or provide service are assumed by adopting a resolution to form a district. Members discussed, for their own clarification, the procedure and timeline for district formation and financing, outside versus inside user, benefits to the school district, the proposed inter-municipal agreement between the Town and School District, future costs, and capital collection.
- Highway Superintendent - Superintendent Sech submitted his year end equipment expense report, equipment inventory, and monthly report. Mr. Sech recommended that the Board declare the Walters plow surplus equipment and advertise it for sale. Motion by S. Buzzell, seconded by J. Peck to declare the Walters plow excess equipment and authorize its advertisement for sale with a minimum bid of \$10,000. Ayes-5, Nays-0. The Board agreed to schedule a meeting to review state bids for a one ton pickup truck.

Motion by Mr. Watkins, seconded by Mr. Stewart to approve the minutes of January 2, 2006 as presented. Ayes-5, Nays-0. Motion carried.

Motion by Mr. Stewart, seconded by Mr. Watkins to pay the following bills as presented:

General #16-61.....	\$144,571.20
Highway #8-37.....	\$83,968.04
RACOG #1-3.....	\$338.17

Consolidated WD#1 O&M #6-11.....\$8,672.28  
WD#4 O&M #4-5.....\$20,014.16

Ayes-5, Nays-0. Motion carried.

The Supervisor's monthly report was read and discussed. Motion by Mr. Stewart, seconded by Mr. Peck to approve the report as presented. Ayes-5, Nays-0. Motion carried.

Supervisor Buckley reviewed correspondence including a temporary permit issued by the Public Service Commission to Time Warner to continue operations in the absence of an agreement between the cable provider and the Town and minutes of various meetings.

### **New Business**

- The Board reviewed an application from Scott Britton to rezone parcel no. 85.08-1-21 as R-1 in its entirety. Mr. Britton stated that he intends to construct homes, to offer for sale, on the eastern side of Farney Pit Road. Motion by Mr. Buzzell, seconded by Mr. Stewart to schedule a public hearing on the application for March 6, 2006 at 7:15pm. Ayes-5, Nays-0. Motion carried.
- Attorney Farley advised the Board in regards to requirements for environmental review for the proposed sewer district and facilitated a thorough review of the environmental assessment form. Motion by Mr. Stewart, seconded by Mr. Watkins to make a declaration of negative environmental impact as a result of the proposed sewer district. Ayes-5, Nays-0. Motion carried.
- The Board resumed the discussion in regards to the formation of Town of Champion Sewer District #2. Members Watkins, Buzzell, and Peck expressed concern with forming the sewer district prior to an approved agreement with the school district. Mr. Dimmick reviewed the timeline for resolutions, publications, and financing applications. Attorney Farley clarified sections of the order for public hearing for members. Board members recognized that the level of cooperation between the Village, School District and Town as a milestone. Motion by Mr. Stewart, seconded by Supervisor Buckley to adopt a resolution for the formation of Town of Champion Sewer District #2 recognizing the benefits to the Town of Champion and all other involved parties. Roll call vote: S. Buzzell-nay, H. Watkins-aye, J. Peck-nay, T. Stewart-aye, and Supervisor Buckley-aye. Resolution adopted.
- Motion by Mr. Stewart, seconded by Mr. Peck to approve the 2005 annual reports of the Supervisor and Justice Freeman as presented and to indicate approval by attaching signatures of the Board. Ayes-5, Nays-0. Motion carried.
- The Board reviewed a proposal to purchase Kyocera Mita model KM-2050 digital copier at a cost of \$2,805.92 on state bid and a maintenance contract in the amount of \$450.00 from Advanced Business Systems, Inc. Motion by Mr. Peck, seconded by Mr. Stewart to purchase the equipment and contract as presented. Ayes-5, Nays-0. Motion carried.
- Motion by Mr. Stewart, seconded by Mr. Peck to appoint Helen L. Novak as part-time court clerk at a salary of \$10.00/hour. Ayes-5, Nays-0. Motion carried.
- Motion by Mr. Watkins, seconded by Mr. Stewart to go into executive session for the purpose of discussing negotiations. Ayes-5, Nays-0. Motion carried. Executive session began at 10:20pm.
- Motion by Mr. Watkins, seconded by Mr. Peck to return to open session. Ayes-5, Nays-0. Motion carried. Open session resumed at 10:47pm.
- Motion by Mr. Watkins, seconded by Mr. Peck to adjourn. The meeting adjourned at 10:47pm.

Christina Vargulick  
Town Clerk