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Regular Meeting of the Cohocton Town Board

David Miller, Esq., Supervisor Judith Hall, Councilmember Geraldine Deusenbery, Councilmember Patricia Johnson

Absent: Councilmember Jim McCart, Councilmember Peter Wallace

February 20, 2024

Supervisor Judith Hall called the meeting to order at 7:00 p.m.

Judith Hall added to the agenda, an update on the TJA Solar Project. Code Officer Chuck Cagle was in attendance and said he stopped by the site on Route 371. The solar company is not starting any site work until they meet with the Planning Board next month and get the project straightened out.

Patricia Johnson brought up the subject of changing the minutes from the December 19, 2023 Board Meeting, minutes former Councilmember Nancy Levesque wanted changed. She brought up Town Law 63 which states a request can be made to the Town Board, and if approved by the Town Board the statement can be included. Patricia also inquired as to whether an ad was placed in The Evening Tribune advertising the position of Code Enforcement Officer. Judith said yes, the ad was placed in the paper. Patricia wants to see the proof of publication and the bill for the ad. She asked Judith if she contacted the county for help getting a new Code Officer. Chuck Cagle said in the absence of a Code Officer the state steps in to assist a town.

Motion made by Geraldine Deusenbery and seconded by Judith Hall to accept the minutes from the January 16, 2024 board meeting. Ayes 1 Noes 2 (Geraldine Deusenbery, Patricia Johnson).

Chuck Cagle gave an oral report. He has issued 4 building permits so far this year and has received a FOIL request for a property on Beals Road. A Certificate of Compliance was issued for the Gilson trailer on Route 371. He received an application for a kitchen at 30 Main Street. He also received a call asking him to discontinue the water service on a vacant piece of property but he told the caller he has no authority to do that.

Highway Superintendent Richey Schumacher was in attendance but had nothing to report.

Motion made by Judith Hall and seconded by Patricia Johnson to accept the reports. Ayes 3 Noes 0.

There were a few notes on the abstract Judith addressed that primarily involved the vouchers that were for contracts and utilities. Patricia Johnson wondered why one of the highway workers received a clothing allowance when there is a weekly bill from Unifirst for uniforms. Judith explained the clothing allowance was part of the highway workers' union contract and they purchase boots, winter clothing, hats and gloves, then submit receipts to prove that is what they bought.

Motion made by Patricia Johnson and seconded by Judith Hall to accept the abstract. Ayes 3 Noes 0.

OLD BUSINESS

Zoning Amendments-Geraldine Deusenbery wondered if Planning Board member, Ted Wallace, was going to submit more changes to the Zoning Law, and Judith said just changes to Local Law 1-2010. She said they are far from putting that all together. What she would like to get started is the Lead Agency letters that need to be sent to interested parties. The plan is to combine all seven laws and interweave them into the whole zoning law titled, "Amendment to the Zoning Law". David Miller made the suggestion to the board to seriously consider hiring an outfit called Code Publishers. They keep track of a municipality's local laws. If the municipality adopts new amendments or new local laws, they get filed

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with Code Publishers once a year. Then, Code Publishers weaves the new local laws or amendments into the existing ones, so a municipality doesn't have multiple stand-alone laws that need checking and coordinating.

Motion made by Geraldine Deusenbery and seconded by Judith Hall to send out letters of intent to interested parties to make the Cohocton Town Board Lead Agency for the amendments to the zoning law. Ayes 3 Noes 0.

Pool and Park Building-A decision needs to be made about whether to fill in the pool. Barry thinks he could do a lot of the work. Chuck Cagle wants the fence kept up, but Judith said at least part of it needs to be taken down so the hole can be filled in. Different suggestions have been made as to what to do with the park, such as a spray water park or turn the pool house into a building that could be rented out for parties or receptions. Further discussion will be tabled until next month.

Prattsburgh Wind Meeting Reminder-Community members received a letter from the Prattsburgh Wind Project about a meeting that will take place Tuesday, February 27 at 6:00 pm at Hatch Hose. People can make public comments if they want to about the Prattsburgh Wind Project. The Town of Cohocton is getting six wind turbines from the project.

Code Officer Interviews-There is only one applicant for the position of Code Officer, Chuck Cagle. Patricia Johnson recused herself because she said she can't make an unbiased decision, and Geraldine Deusenbery recused herself because she thinks her name has been turned in to the New York State Ethics Board.

TJA Solar-The Planning Board declared TJA Solar's Special Building Permit has expired. They have been asked to attend the next Planning Board meeting and they will decide what they are going to do at that point.

Chuck Cagle wondered, as the sitting Code Officer for the town, if the position is still going to be listed in the paper since three members of the board have a conflict of interest with him. Chuck said the county does not look into code enforcement for local municipalities unless they opt out of code enforcement. David Miller explained what it means to have a position held over according to Public Officers Law Section 5, which says Mr. Cagle continues to hold the position of Code Officer until someone else is hired to fill the position or Mr. Cagle resigns.

NEW BUSINESS

Required Training Reminder: Sexual Harassment, Workplace Violence, Harassment and discrimination, Blood Borne Pathogens-Anyone who holds any position in the town needs to do each of these trainings every year.

Rabies Clinic-Judith received a letter from the county wondering if we will be holding a Rabies Clinic this year.

Motion made by Patricia Johnson and seconded by Judith Hall to have Deb Matthews schedule a Rabies Clinic. Ayes 3 Noes 0.

Cemeteries-Judith found while looking through the files that Maplevue Cemetery is the only cemetery that has a contract with the town. That was a year-to-year contract asking them to submit their financial statements every year. The amount that each cemetery will receive has doubled from last year's budget. Judith would like to ask Zion Cemetery and Clearview Cemetery to submit a financial statement also.

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Resignation-Judith received a resignation letter from Town of Cohocton Ethics Board member Cindy Levesque. The remaining members are Judy Graham, Lisa Gascon and Wendy Kesel. An alternate needs to be appointed.

Motion made by Patricia Johnson and seconded by Judith Hall that we advertise for a candidate for the Ethics Board. Ayes 3 Noes 0.

Privilege of the Floor- Marty Oehlbeck informed the board that Dave Pietrucha is Chair and Marty is Vice Chair of the Planning Board.

Board Concerns: Patricia Johnson asked about complaints made to the Ethics Board. Judith said the Ethics Board does an investigation they get a complaint, but they do not tell the board what those complaints are.

Motion made by Patricia Johnson and seconded by Geraldine Deusenbery to adjourn. Ayes 3 Noes 0.

The meeting was adjourned at 7:49 p.m.

Respectfully submitted,

Carol M. Allen
Town Clerk