

TOWN OF WAYNE  
BOARD MEETING MINUTES  
August 8, 2017

PUBLIC HEARING – Proposed Local Law #3 of 2017 – A Local Law to Amend the Town of Wayne Land Use Regulations to Add Regulations Pertaining to Solar Energy Systems. Mr. Witkowski and Mr. Mooney of the Planning Board described the law, and the reasoning for the law. A few questions of clarification were asked from the public. Otherwise no other discussion.

Supervisor Butchko called the Board Meeting to order at 6:40 pm, with roll call and Pledge of Allegiance.

A moment of silence was held for long time Town of Wayne resident Ruby Cook who died on July 14 at the age of 98.

Present: Supervisor Butchko  
Councilperson Haar  
Councilperson Haff  
Councilperson Carlson  
Councilperson Freeman  
Clerk Mooney

Also present:

Bob Canfield  
Tom Freeman  
David Bauer  
Stan Witkowski  
Chris Mooney  
Jeff & Nancy Zimar  
Rose Hancock

Jeff & Lulu Martin  
John Ervin  
Dana & Leslie Benore  
Bill Mahr  
Autumn & John Serdula  
Les Reimsnyder III  
Dan Lodico  
Donna Sue Kerrick

Kathy & Chris Graham  
Scott & Victoria Patterson  
Barry Linchuck,  
Denny & Denisa Patterson  
Dave & Barb Root  
Gary Gray

**Approval of Minutes**

Minutes from the Town Board meeting of July 11, 2017, were reviewed. Motion to approve meeting minutes was made by Councilperson Haff, seconded by Councilperson Haar, all in favor.

**Supervisors Report**

The supervisor's report and fund transfer were presented and reviewed. A motion to approve the report and fund transfer was made by Councilperson Freeman, seconded by Councilperson Carlson, and all in favor.

Supervisor Butchko then presented an overview of the proposed tax rate and levy of the Town of Wayne and 2018 budget considerations.

### **Clerks Report**

The clerk's report was presented and reviewed. No discussion.

Vouchers of Abstract 8 of were submitted and discussed. Motion to approve vouchers was made by Councilperson Carlson, seconded by Councilperson Freeman, and all in favor.

Abstract 7 Vouchers were broken down by:

- General Account
  - Vouchers 191 - 221
  - Total \$14,122.44
- Highway Account
  - Vouchers 79 - 92
  - Total \$41,704.28
- TA Account
  - Vouchers 33 - 38
  - Total \$8,520.30
- SL Account
  - Voucher 8
  - Total \$199.33

### **Justice Report**

Justices reports were reviewed. No discussion.

Justice Prawel and Court Clerk Candice King completed last year's audit as required by Section 2019-a of the Uniform Justice Court Act. It will be reviewed at the September board meeting.

### **Highway Superintendent Report**

The highway journal was presented and discussed.

The town parking lot will need to be re-caulked before the end of the year. In addition, the compost area will need some earth moving for erosion control.

### **Code & Zoning Officer**

Review of monthly reports were presented. No discussion.

The planning board originally had an optional second scheduled meeting each month originally to deal with some of the backlogged issues. At this time, there is no backlog. Therefore, the scheduled second meeting will be canceled. If needed, the board can call a second meeting anytime, but only with the consensus of the planning board members, and with a standard 10 day notice.

Prior to the submission of Local Law #3, a State Environmental Quality Review (SEQR) was completed by Supervisor Butchko, with input from the Planning Board. The Town of Wayne is to be the Lead Agency. A motion to complete the SEQR, and to make the Town of Wayne the

Lead Agency was made by Councilperson Carlson, seconded by Councilperson Haff, and all in favor.

A motion to adopt Town Law #3, "The Solar Law" - A Local Law to Amend the Town of Wayne Land Use Regulations to Add Regulations Pertaining to Solar Energy Systems, was made by Councilperson Haff, seconded by Councilperson Haar, and roll call vote was taken.

Supervisor Butchko	Yes
Councilperson Carlson	Yes
Councilperson Haar	Yes
Councilperson Haff	Yes
Councilperson Freeman	Yes

The new town law will be sent to the Department of State for filing.

Supervisor Butchko and Professor Franz of Cornell University will present LULA information at the Towns of Urbana and Jerusalem later this month. They will discuss the on-going mission of LULA, and at this time focus on critical 'gateway' views to Keuka Lake, such as State Route 54 in Hammondsport, and State Route 364 in the Guyanoga Valley.

There was a recent court decision underlining the importance of viewsheds. The County is taking a closer look at this and making it more of an issue. The DEC is looking into creating a more objective way of evaluating and rating viewsheds to make it less of a subjective process.

The Planning Board recently granted a special use permit for a home cidery on Keuka Hill Road.

### **Watershed**

Report was presented and no discussion.

KWIC received a grant for invasive species control, with the goal of keeping the starry stonewort organism in the outlet canal and prevent contamination of the rest of the lake. Harvesting of the species will begin the 3<sup>rd</sup> week of August at the Keuka Outlet areas. This invasive species cannot be eradicated, but it can be maintained. Councilperson Carlson mentioned that during a random check of propellers leaving Keuka Lake in the Penn Yan area, starry stonewort was found on 100% of them.

The Town Boat Launch Stewards had 45 hours of training, and 22 hours of educating boaters of invasive species at the boat launch. On July 4<sup>th</sup>, 45 boats went through. On July 15<sup>th</sup>, 12 boats used the launch. The boat launch stewards were a presence at 4 Keuka Lake launch sites, and 1 Seneca Lake launch site.

### **Dog Control Officer**

Dog License Report reviewed. No discussion.

## **History Group**

Report was presented and no discussion.

## **Other Business**

The town will be trying to sell off town surplus property, primarily 'paper roads.' This will be discussed more next month. Adjacent properties will have the first right to purchase them.

The board agreed to replace the 4 heat detectors that failed inspection from the Fire Safety Service.

## **Public Comments**

Mr. Jeff Martin stood and stated that at September 2016 board meeting, a number of residents from Keuka Village Road, made it clear that people did not want the hydro plant, and yet the town re-submitted a grant to acquire the plant. The people who live in close proximity to the project site object. Mr. Martin stated that this plan has been cloaked in secrecy, and that it has a large financial impact, in terms of annual maintenance and capital improvements. He feels the Highway Department will have to assume a large part of the work on the project. He feels the town budget will increase 30% more than it is today, that there will be increased traffic congestion, parking issues, and it will decrease the quality of life for those residents in the area. Mr. Martin stated there are 6 public access points to Keuka Lake and another is not needed. If someone wants to launch a kayak, they can use the boat launch. He wants the application rescinded and he wants the project canceled.

Mr. John Ervin stated that at that board meeting the public was told there was to be no new action without notification.

Ms. Rose Hancock expressed her concern that it will increase daily traffic.

Ms. Lulu Martin stated that there has been an increased use at the boat launch site, and people are not following the rules. She is concerned there has been no policing and no regulation, and that this increases the towns liability.

Currently NYSEG owns the property, and they do not police it.

Supervisor Butchko responded that he is willing to work with the community through a committee. He also noted that it will take years to do many of the things mentioned in the grant.

Councilperson Haar noted she wanted to understand the whole picture and asked what is the fear of the Town of Wayne owning that property. Which items is the group afraid of.

Mr. Reimsnyder wants no increased activity in that area.

Ms. Rose Hancock mentioned that the boat launch should be gated, and that 35 years ago the town collected 100 signatures to that effect.

Supervisor Butchko noted that NYS DOT considers the boat launch to be a road into the water, and gating it might present problems. Will have to check with the DOT.

Mr. Martin questioned whether access could be controlled at the hydro plant and on the trails. He is also concerned about spending money to make the trail ADA accessible.

Mr. Dan Lodico stated that there has been a lack of transparency with the whole process and wanted to know that if we get the grant, can we decide not to accept it.

Mr. Martin state that by signing the grant, the town is obligated to accept the money and must make the changes as stated in the grant.

Mr. Denny Paterson stated that he has been blindsided by this whole thing, and if we are to go forward, he wants better information and more clarification.

Supervisor Butchko will take names to set up a committee to discuss the project.

**Adjourn**

A motion to adjourn the Town Board meeting was made by Councilperson Carlson, seconded by Councilperson Haff, and all in favor.

Meeting adjourned at 8:10 pm

Respectfully Submitted,  
Beth Mooney, Town Clerk  
August 8, 2017