

**Town of Starkey
Regular Meeting
December 8th, 2022**

Council Members Present: George Lawson, Supervisor Julie Dunkelberger, Councilperson
John Socha, Councilperson Caryl Sutterby, Councilperson

Council Members Absent: Jeremy Hall, Councilperson

In-Person Attendees: Ralph Warren, Highway Superintendent Steven Fulkerson, Planning Board Chair

Attended Virtually via Zoom: None

Recording Secretary: Candace Iszard, Town Clerk

The regular Town of Starkey Board meeting was called to order at 7:00 PM by George Lawson, Supervisor.

Pledge of Allegiance- John Socha led the pledge of allegiance.

Approval of Minutes

Minutes of the November 10th, 2022, regular meeting of the Town Board, were approved as written.

A motion was made by Caryl Sutterby, councilperson, seconded by Julie Dunkelberger, councilperson.

*All in favor; none opposed- Motion carried.

Open Public Hearing for Proposed Veterans Exemption Increase Local Law

The advertised public hearing to consider the adoption of the Local Law to repeal Local Law 1 of 1995 of the Town of Starkey and enact "Increase Alternative Veterans' Exemption from Real Property Taxation" for residential property of the Town of Starkey war veterans was opened at 7:02 PM by George Lawson, Supervisor. At this time George Lawson, Supervisor, opened the public hearing for discussion to the residents attending this meeting.

Open Public Hearing for the proposed NYS Uniform Fire Prevention and Building Code Local Law

The advertised public hearing to hear all interested parties on a proposed Local Law entitled "A Local Law Repealing Local Law 2 of 2007, Entitled, "A Local Law Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code" and Adopting a New Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code", was opened at 7:02 PM by George Lawson, Supervisor. At this time George Lawson, Supervisor, opened the public hearing for discussion to the residents attending this meeting.

NYMIR Insurance

- George Lawson, Supervisor discussed saving on premium cost if deductibles were increased. The board reviewed the schedule provided and agreed to change the deductibles to the tier 2 option presented, for an annually savings of \$1882.00.

Assessor Position (Real Property Appraisal Aide)

- George Lawson, Supervisor discussed that Yates County Personnel Department has created a new position that will allow for minimum education requirement of a high school diploma or equivalent, with 2 years of clerical experience.
- John Socha voiced concern, stating that the applicant will need to be a proficient writer, as their position requires a substantial amount of written correspondences.

PLANNING BOARD

Cluster Subdivision

- Steven Fulkerson stated that the Planning Board would like to obtain feedback regarding the proposed cluster subdivision local law submitted to the Town Board. He states that the purpose behind this proposed local law is to preserve the maximum amount of land for natural resources.

Code

- Steven also discussed the creation of overlay districts to target growth in specific areas, while minimizing the number of special use permits that need to be seen by the Planning Board.

- George Lawson, Supervisor suggests reviewing the list of allowable uses could cut down the number of planning board applications.
- Steven goes on to state that the planning board would like to begin work on the creation of an energy generation section to add to the existing code book, specifically addressing large scale solar farms and wind farms.

Close Public Hearing for Proposed Veterans Exemption Increase Local Law

George Lawson made a motion to close the public hearing for Proposed Veterans Exemption Increase Local Law at 7:26PM, seconded by Caryl Sutterby, councilperson.

*All in favor; none opposed- Motion carried.

Close Public Hearing for the proposed NYS Uniform Fire Prevention and Building Code Local Law

George Lawson made a motion to close the public hearing for the proposed NYS Uniform Fire Prevention and Building Code Local Law at 7:26PM, seconded by Julie Dunkelberger, councilperson.

*All in favor; none opposed- Motion carried.

Veteran Exemption Local Law Board Action

- George Lawson reviewed the proposed Local Law which would increase the maximum exemption limits for the Alternative Veteran's Exemption to twenty-four thousand (\$24,000), sixteen thousand (\$16,000), and eighty thousand dollars (\$80,000), respectively.

NYS Uniform Fire Prevention and Building Code Local Law Board

- George Lawson reviewed the proposed Local Law which will Repeal Local Law 2 of 2007, Entitled, "A Local Law Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code" and Adopt a New Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code.

Supervisor Report— George Lawson

- Building repair recommendation and schedule have not yet been received from Andy Harding, Architect of AJH Design
- George made the board aware of a procedural error that has created an issue for the Zoning Board of Appeals. Sean Socha submitted an application to the ZBA with a parcel number error, resulting in the 1000-foot notification letters being sent to the wrong group of residents, which has created a situation upsetting residents of Starkey Point Rd and Lakeview Road. The ZBA will rehear the area variance application on the 15th of this month.

Highway Report— Ralph Warren

- Brush- Ralph is working with the Village of Dundee to obtain an agreement for shared service.
- Ralph states that he and the crew has repaired the fence at the town hall.

Town Clerk — Candace Iszard

- The Clerks report for November was given to the board.
- Candace discussed purchasing a new computer for the clerk's office.
- Yates County has a new workers compensation provider. In discussion with the personnel office Kerry Brennan states that new hires require a pre-employment physical to be on file.

Resolutions

RESOLUTION- 54 -2022 Abolishing Typist Position

On a motion by Caryl Sutterby, councilperson, seconded by Julie Dunkelberger, councilperson, the following resolution was

ADOPTED Ayes 4 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha
 Nays 0

RESOLVED that the Town Board, Town of Starkey, does hereby abolish the typist position in the assessor's office.

RESOLUTION-55 -2022 Severance pay

On a motion by George Lawson, Supervisor, seconded by John Socha, councilperson, the following resolution was

ADOPTED Ayes 4 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha,
 Nays 0

RESOLVED that the Town Board, Town of Starkey, does hereby authorize a onetime severance payment for Jerri McDaniel in the amount equal to hours scheduled through the end of 2022.

RESOLUTION- 56 -2022 Real Property Appraisal Aide Position

On a motion by Julie Dunkelberger, councilperson, seconded by Caryl Sutterby, councilperson, the following resolution was

ADOPTED Ayes 4 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha
 Nays 0

RESOLVED that the Town Board, Town of Starkey, does hereby approve the Real Property Appraisal Aide Position as written.

RESOLUTION- 57 -2022**RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW NO. 3 OF 2022**

On a motion by George Lawson, Supervisor, seconded by Jeremy Hall, councilperson, the following resolution was

ADOPTED Ayes 4 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha Nays 0

RESOLUTION AUTHORIZING ADOPTION OF A LOCAL LAW REPEALING LOCAL LAW 2 OF 2007, ENTITLED, "A LOCAL LAW ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE" AND ADOPTING A NEW LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE AND THE STATE ENERGY CONSERVATION CONSTRUCTION CODE

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Starkey for a public hearing to be held by said Town Board on December 8th, 2022, at 7:00 p.m. at the Starkey Town Hall, 40 Seneca Street, Dundee, New York, to hear all interested parties on a proposed Local Law entitled "A Local Law Repealing Local Law 2 of 2007, Entitled, "A Local Law Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code" and Adopting a New Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Starkey, on November 30, 2022 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on December 8, 2022, at 7:00 p.m. at the Starkey Town Hall, 40 Seneca Street, Dundee, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

WHEREAS, the Town Board of the Town of Starkey, after due deliberation, finds it in the best interest of the Town of Starkey to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Starkey hereby adopts said Local Law No. 3 of 2022, entitled, "A Local Law Repealing Local Law 2 of 2007, Entitled, "A Local Law Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code" and Adopting a New Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code", a copy of which is attached hereto and made a part hereof, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the Local Law Book of the Town of Starkey and to give due notice of the adoption of this local law to the Secretary of State of New York, and be it further

I, Candace Iszard, Town Clerk of the Town of Starkey do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Starkey on December 8, 2022.

	<u>Aye</u>	<u>Nay</u>
George Lawson	X_____	_____
Caryl Sutterby	X_____	_____
Jeremy Hall	Absent	
John Socha	X_____	_____
Julie Dunkelberger	X_____	_____

RESOLUTION-58-2022

On a motion by George Lawson, Supervisor, seconded by Jeremy Hall, councilperson, the following resolution was

ADOPTED Ayes 4 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha Nays 0

RESOLUTION AUTHORIZING ADOPTION OF LOCAL LAW NO. 4 OF 2022

WHEREAS a resolution was duly adopted by the Town Board of the Town of Starkey for a public hearing to be held by said Town Board on December 8, 2022, at 7:00 p.m. at Starkey Town Hall, 40 Seneca Street, Dundee, New York, to hear all interested parties on a proposed Local Law entitled, "A Local Law Repealing Local Law 1 of 1995, Entitled, "A Local Law to repeal Local Law No. 1 of the year 1985 of the Town of Starkey and enact a Veterans Real Property Tax Exemption" and Adopting a New Local Law" and

WHEREAS notice of said public hearing was duly advertised in the official newspaper of the Town of Starkey, on November 23, 2022, and November 30, 2022 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on December 8, 2022, at 7:00 p.m. at the Starkey Town Hall, 40 Seneca Street, Dundee, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Starkey, after due deliberation, finds it in the best interest of the Town of Starkey to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Starkey hereby adopts said Local Law No. 4 of 2022, entitled "A Local Law Repealing Local Law 1 of 1995, Entitled, "A Local Law to repeal Local Law No. 1 of the year 1985 of the Town of Starkey and enact a Veterans Real Property Tax Exemption" and Adopting a New Local Law", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be, and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Starkey, to publish an abstract of this local law in the Town's official newspaper and to give due notice of the adoption of said local law to the Secretary of State of New York.

I, Candace Iszard, Town Clerk of the Town of Starkey do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Starkey on December 8, 2022, by the following vote:

	<u>Aye</u>	<u>Nay</u>
George Lawson	X_____	_____
Caryl Sutterby	X_____	_____
Jeremy Hall	Absent	
John Socha	X_____	_____
Julie Dunkelberger	X_____	_____

RESOLUTION-59-2022**Insurance deductible change**

On a motion by George Lawson, Supervisor, seconded by Jeremy Hall, councilperson, the following resolution was

ADOPTED Ayes 4 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha

Nays 0

RESOLVED that the Town Board, Town of Starkey, does hereby adopt

Budget Amendments

On a motion by John Socha, councilperson, seconded by Caryl Sutterby, councilperson, the following budget amendments were

ADOPTED Ayes 4 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha

Nays 0

RESOLVED that the Town Board, Town of Starkey, does hereby approve the following budget amendments

General Funds

Increase Account A599N for the Appropriated Fund Balance by \$64,435.00
 Increase Account A5130.2 for Equipment Purchases by \$64,435.00

Increase Account A1355.2 for Assessor Equipment by \$720.00
 Decrease Account A1355.4 for Assessor Contractual Expenses by \$720.00

Decrease Account A1440.4 for Engineering Expenses by \$25.00
 Increase Account A1420.4 for Attorney Expenses by \$25.00

Increase Account A1620.4 for Town Hall Expenses by \$238.00
 Decrease Account A1620.2 for Town Hall Improvements by \$238.00

Increase Account A9055.8 for the Disability Insurance Expense by \$239.00
 Increase Account A9060.8 for the Health Insurance Expense by \$1,000.00
 Totaling \$1,239.00
 Increase Account A3040 for the Administrative Aid Revenue by \$1,239.00

Increase Account B8010.2 for Zoning Equipment by \$950.00
 Decrease Account B8010.4 for Zoning Expenses by \$950.00

Increase Account B2750 for Per Capita – AIM Revenue by \$587.00
 Increase Account B8020.4 for Planning Contractual by \$587.00

Highway Funds

Increase Account DA599N for the Appropriated Fund Balance by \$59,850.00
 Increase Account DA2302 for Snow Removal Revenue by \$6,615.00
 Totaling \$66,465.00
 Increase Account DA5130.2 for the Machinery Purchases by \$66,465.00

Audit of Claims

On a motion by George Lawson, Supervisor and seconded by Caryl Sutterby, councilperson the bills contained in the November 8th, 2022, abstracts have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	Vouchers Number: 240-G through 254-G	\$3,775.03
Highway Fund	Vouchers Number: 149-H through 158-H	\$44,086.55
Ayes 4	George Lawson, Julie Dunkelberger, John Socha, Caryl Sutterby	Nays 0

The minutes of this meeting will be offered for approval at the next regular Town Board meeting, December 8th, 2022, at 7:00 PM. The meeting adjourned at 8:15 PM by George Lawson.



Candace J. Iszard, Starkey Town Clerk