

Minutes of the Regular Monthly Meeting and Three Public Hearings of the Town Board of the Town of Fabius

Monday, November 15, 2021

Present:

Mrs. Melanie Vilardi – Supervisor
Mr. Warren Virgil – Highway Supervisor
Mr. James Conway – Councilmember
Mrs. Peggy Riker – Town Clerk
Mr. Peter Schlicht – Councilmember
Mr. Thomas Chartrand – Bookkeeper
Mrs. Deborah Foster – Councilmember
Mr. Paul Brown – Councilmember
Mr. Michael Decker – Zoning/Codes Officer (*Absent*)
Mr. Robert DeMore – Attorney for Town
Ms. Sandy Beglinger – Historical Society

FIRST PUBLIC HEARING open at 6:45 PM

Motion by Mr. Schlicht, seconded by Mrs. Foster, to open the Public Hearing at 6:45 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Schlicht, Foster, Brown.

Local Law #3 of 2021: Solar Energy System - There was a question about the zoning and how that would be handled so that there would not be solar panels all over the countryside. Mr. DeMore and Mrs. Vilardi explained how we will be implementing an “overlay” district to address that concern and keep the beauty of the landscape in the Town. Motion by Mrs. Foster, seconded by Mr. Schlicht, to adjourn this Public Hearing to Monday, December 20th at 6:45 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

SECOND PUBLIC HEARING open at 7:00 PM

Motion by Mr. Schlicht, seconded by Mr. Conway, to open the Public Hearing at 7:00 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Schlicht, Foster, Brown.

Local Law #4 of 2021: Solar Energy System Overlay Zone District – No comments. Motion by Mrs. Foster, seconded by Mr. Schlicht, to adjourn this Public Hearing to Monday, December 20th at 7:00 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

REGULAR TOWN BOARD MEETING

The Regular meeting was called to order by Mrs. Vilardi at 7:02 PM.

Mr. DeMore brought the SEQR form for Mrs. Vilardi to read and the Board to answer. Motion by Mrs. Foster, seconded by Mr. Conway, to appoint the Town Board as Lead Agency.

Motion by Mrs. Foster, seconded by Mr. Schlicht, to approve the minutes of the last meeting. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

FINANCIAL REPORT:

- Quiet month, but overall very good. General spending is at 58% and Highway spending is at 36%, revenue is at 110%.

- Budget transfer for \$1,000 from State Retirement to Workmens' Compensation (\$500) and Unemployment Insurance (\$500). Motion by Mr. Schlicht, seconded by Mr. Brown, to authorize the budget transfer. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

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- Motion by Mr. Schlicht, seconded by Mr. Brown, to set the general monthly payroll to December 20th. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

ZONING REPORT:

- No report.

HIGHWAY REPORT:

- Mr. Virgil submitted two checks from the Fire Department (\$105.33 and \$242.24) and one from the school district (\$397.82) for fuel reimbursement.
 - He received \$22,885.00 for the sale of the pick-up.

HISTORIAN:

- No report.

HISTORICAL SOCIETY:

- Ms. Beglinger announced we will not be merging with the Pompey Historical Society, but will have joint programs.
 - Last week she was asked to open the Pioneer Museum for the Boy Scouts and Girl Scouts spending the weekend at the Pines Camp. In all, there were 30 visitors.
 - Ms. Beglinger noticed the names of three County politicians in the guest book. Mrs. Vilardi was accompanying them at Highland Forest looking at the camps and they decided to visit the Museum.
 - Year to date, there have been 281 visitors.

NEW BUSINESS:

Toggenburg Mountain Sale: Mrs. Vilardi and Mr. DeMore met with someone interested in buying Toggenburg. They are interested in having a microbrewery, zipline and live outdoor concerts. It is currently zoned as non-conforming use and would need to be re-zoned as agricultural or residential.

Justice Court Audit:

RESOLUTION #2021-3
(Justice Court Audit)

Upon a motion by Mr. Brown, seconded by Mrs. Foster, the following resolution was

ADOPTED Ayes -5 Vilardi, Conway, Schlicht, Foster, Brown
Nays - 0

RESOLVED, that the Town Board of the Town of Fabius hereby acknowledges that the Town Justice's court records have been audited from the date of the last annual audit to the current date, in compliance with §2019-a of the Uniform Justice Court Act.

OLD BUSINESS:

Community Development: The County Executive approved the Fabius Main Street project grant for a total investment of \$222,551. He also approved the grant for the Highway Garage in the amount of \$100,000.

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Highway Garage Addition: The engineers gave a quote for a 10,000 sf building, at \$250/sf which would be about \$2.5 million to build a new Highway Garage. This doesn't seem feasible for a town our size. The Tully Highway Garage cost \$3.2 million and the Amish-built Highway "garage" in Otisco only cost \$650,000, but they have no ventilation, among other things. Mrs. Vilardi suggested everyone give it some more thought and see if there is a more affordable alternative.

Fabius Evergreen Cemetery: Ms. Beglinger reported their current bank balance is \$6,553.85.

THIRD PUBLIC HEARING open at 7:26 PM

Motion by Mrs. Foster, seconded by Mr. Brown, to open the Public Hearing at 7:26 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Schlicht, Foster, Brown.

Local Law #5 of 2021: Repeal of LL #2 of 2019, Opt-Out of §487 of the Real Property Tax Law – No comments. Motion by Mrs. Foster, seconded by Mr. Conway, to adjourn this Public Hearing to Monday, December 20th at 7:15 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

Motion by Mrs. Foster, seconded by Mr. Schlicht, to pay the bills on Abstract #10 in the following amounts:

Highway Fund	Vouchers 100 through 110
\$ 39,229.56	
General Fund	Vouchers 234 through 251
\$ 8,274.79	

Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

The next regular Town Board meeting will be held on **Monday, December 20, 2021**, at the Fabius Area Community Center, Fabius, New York at 7:00 PM. There will also be Public Hearings at 6:45 PM, 7:00 PM and 7:15 PM.

Motion to adjourn at 7:35 PM made by Mrs. Foster, seconded by Mr. Conway. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

Respectfully submitted,

**Margaret M. Riker
Town Clerk**