

**Minutes of the Regular Monthly Meeting and Two Public Hearings of the  
Town Board of the Town of Fabius held at the Town Hall on  
Monday, August 16, 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 ( <i>ABSENT</i> )	Mr. Robert DeMore – Attorney for Town
Ms. Sandy Beglinger – Historical Society	

**\*\* Public Hearing for the Farm Event Center** (Local Law 2021-1) was called to order by Mrs. Vilardi at 6:33 PM. No public comment. Motion by Mrs. Foster, seconded by Mr. Schlicht, to close the Public Hearing at 6:34 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

**\*\* Public Hearing for the Opting Out of Cannabis Dispensaries** (Local Law 2021-2) was called to order by Mrs. Vilardi at 6:46 PM. No public comment. Motion by Mrs. Foster, seconded by Mr. Schlicht, to close the Public Hearing at 6:47 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

The Regular meeting was called to order by Mrs. Vilardi at 7:00 PM.

Motion by Mr. Brown, 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:** Court fines came in above budget. We have received half of the covid relief money expected. They will allow the use of up to 4.1% on anything, with limited restrictions. We are expecting the last half in July 2022. We also received the second half of the snow and ice removal money from the County. The NYCLASS interest rate is way down. There is a budget transfer from the CHPS program to Construction Expense for capital improvements to our roads. Motion by Mrs. Foster, seconded by Mr. Conway, to authorize the budget transfer. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht. We will hold our budget workshop after our regular meeting next month, September 20<sup>th</sup>.

**ZONING REPORT:** Mrs. Vilardi reported there is one new home on Route 91.

**HIGHWAY REPORT:** A check for fuel reimbursement from the school district was received in the amount of \$553.80. Mr. Virgil received the resignation of Gene Schaeffer. He would like to replace Mr. Schaeffer with Mr. John Elsworth, who has a tractor trailer license, a degree in Diesel Mechanics and is a heavy equipment operator. Mr. Virgil priced a wheeled excavator from Caterpillar for \$202,195 on state contract. It would have a digging bucket, ditching bucket and mower. Motion by Mr. Brown, seconded by Mr. Conway, to authorize the purchase of the excavator. Mrs. Riker will prepare a letter of intent to purchase on state contract. Mr. Virgil is also requesting the 6-wheeled dump truck be declared surplus and placed with Auctions International for sale. This will be further discussed at September's meeting.

**HISTORIAN:** No report.

**HISTORICAL SOCIETY:** 82 people visited the Pioneer Museum since last month.

**NEW BUSINESS:**

**Main Street Grants:** Mrs. Vilardi discussed grants being offered. Requests are due by September 3<sup>rd</sup>.

**Solar Law:** Mr. DeMore is drafting a solar law.

**Farm Event Center Law:** The Short Environmental Assessment form was read aloud by Mrs. Vilardi. Motion by Mrs. Foster, seconded by Mr. Conway, to declare the Town of Fabius as lead agency for purposes of SEQR. Another motion by Mrs. Foster, seconded by Mr. Conway, to adopt the Farm Event Center Law, Local Law #1 of 2021. Both motions PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

**Cannabis Dispensary Opt-Out Law:** Motion by Mrs. Foster, seconded by Mr. Schlicht, to adopt the Cannabis Dispensary Opt-Out Law, Local Law #2 of 2021. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht. We must wait 45 days to see if a petition is received, signed by 10% of the voting population from the last general election, to be presented. If none is presented, we will go forward filing Local Law #2 of 2021.

**OLD BUSINESS:**

**Fabius Evergreen Cemetery:** Ms. Beglinger reported their current bank balance is \$6,341.41.

Motion by Mrs. Foster, seconded by Mr. Schlicht, to pay the bills on Abstract #7 in the following amounts:

Highway Fund		Vouchers 70 through 83
	\$ 239,120.46	
General Fund		Vouchers 161 through 181
	\$ 8,227.60	

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

The next regular Town Board meeting will be held on **Monday, September 20, 2021**, at the Fabius Area Community Center, Fabius, New York at 7:00 PM, followed by the Budget Workshop.

Motion to adjourn at 7:33 PM made by Mr. Brown, seconded by Mr. Schlicht. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

Respectfully submitted,

Margaret M. Riker  
Town Clerk