

REGULAR MONTHLY MEETING

February 12, 2015

The regular monthly meeting of the Town Board of the Town of Alfred was held at 7:00 pm with all Board members present. Guests were Bryan Dodge, Ben Link, Deb and Brad Cannon, Mark Klingensmith, Robert and Corinna Baker. Representing the Village of Alfred Trustee Virginia Rasmussen. Also present was Chief of Police Paul Griffin, Highway Superintendent Brad Price and Town Clerk Jan Burdick.

The meeting was opened by Supervisor Acton with the Pledge of Allegiance.

Guests: Representing the Alfred Station Volunteer Fire Co. were Ben Link and Bryan Dodge. Ben Link was present to share their concern in the change of service agreement between the Town and Village Police Department. The new contract is for one year and states that the Village Police will only respond to emergencies. Once the State Police arrive everything will be turned over to them and the Village will leave. Mr. Link stated that they have had a very good relationship with the Village Police and would like to encourage the Town, especially in next year's budget, to reinstate the services with the Village Police. Mr. Link added that several years ago when they had to rely on the State Police they easily had to wait at least 40 minutes for them to arrive. That meant the Fire Police had to control traffic. Also, it is up to law enforcement to call a wrecker, State Police use a rotating list which means they could be waiting for a wrecker from Cuba. Mr. Link added that his concern with this is that if the volunteers know they may have spent more time at a scene they may decide not to report. Supervisor Acton thanked Mr. Link and Mr. Dodge for attending and expressing their concern. Mr. Acton asked Chief Griffin how are lights and sirens defined. Chief Griffin responded that if they get a call for an accident and injuries are involved, they will respond. If a car is in the ditch, they may not respond. A car accident with no injuries is not considered an emergency. Chief Griffin added that any time the Fire Co. shows up an accident scene is set up. Police would show up and secure the scene then leave and let the State Police take over. Whether it is considered an emergency depends on how it is called into dispatch. Chief Griffin added that a car accident is considered a crime scene so the car can't be moved by the firemen. Fion MacCrea asked if under the proposed contract, is there a change in how long the Village Police will stay at the scene. Chief Griffin answered that they will secure the scene then leave if the Fire Company is there. The Fire Company will be responsible for directing traffic. Ben Link stated that if it is a Town Road the State Police won't consider that a priority. Mr. Griffin added that in 2014 there were 55 calls in the Town that required 300 hours of their time. Majority were motor vehicle accidents. Fion MacCrea stated that the big concern seems to be that the Police will not be staying at the scene and securing it. Mr. MacCrea asked if the State Police would be required to be on scene before the Fire Department could be released.

Paul Griffin added the following comments:

- State Police only have 2 cars after midnight for the whole county.
- State Police aren't very excited about taking over this area due to being spread so thin now.
- Respond time will be longer.

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- Currently, the Village Police know so many people in the Town; they are able to solve problems faster due to that.
- They were able to solve a break-in in 4 hours – would have taken the State Police days.
- Town will see fines go down. State Police only write state tickets.
- State Police like large truck violations.

Ben Link was concerned about liability – if they leave the scene and something happens, will the Fire Department get sued? Chief Griffin suggested they not leave the scene until it is cleaned up and there are no hazards there.

Mary Stearns explained that the whole issue is money. The Town Budget was completed when the Village asked for double of what was budgeted. With the 2% CAP, it would have been near impossible to increase the Police Budget that much. That is why the Village agreed to a one year contract with reduced services at the amount budgeted. Ben Link added that he feels the Board is doing everything they can do but feels he needed to express the concerns of the Fire Department. Bryan Dodge gave an example of what can happen – recent car accident, Troopers were there within 15 minutes. They called 7 tow companies before found one to respond which was in Cuba. Firemen had to stay and additional 45 minutes waiting for the town truck. Jerry Snyder asked why the Troopers have to call the wrecker and was told yes due to liability issues. Chief Griffin stated again that the firemen cannot move a car out of the way because that would be considered tampering with a crime scene. Jerry Snyder asked isn't it the responsibility of a citizen to help clean the scene? Chief Griffin stated that it is different for a Fire Department vs. a private citizen. Brad Cannon expressed concern with trespassing. Jud Stearns stated that you would have to call dispatch and they will determine if it is an emergency.

Dan Acton explained that the Town Budget was adopted in November. It wasn't until the 1st of the year that the Village requested more money. Chief Griffin stated that 25% of all calls are in the Town – if fair, Town should pay ¼ of the Police Budget. Dan Acton stated that that would be over \$100,000. Village requested \$70,000.00. Virginia Rasmussen stated that she was not involved in those discussions and she never expected the Town to come up with ¼ of Police costs.

Mary Stearns stated that there is a police force on the ASC campus. The State wants the Town's and Village's to do shared services, why can't the State do shared services with their police force. Paul Griffin stated that they won't – would have to have a Mutual Aid Contract with the State. Mary Stearns added that maybe we should look into it. Paul Griffin stated that their jurisdiction is only their campus. ASC can't go on the AU campus unless the Village calls them. It was clarified that the Village Police, Alfred Ambulance, ASFVD and State Police will all respond to an accident. Village will make sure scene is secured until the State Police arrive. Fire department stays on scene until released by State Police. Bryan Dodge added that he is assuming the Village Police will not respond to fires. Chief Griffin stated that is correct – not a typical situation that they would do anything at. Mr. Dodge stated that in the past the Police have responded to a motor vehicle accident and communicated seriousness of scene, if Jaws of Life were needed, etc. If a fire, Police have controlled traffic. Fion MacCrea stated that he thought the Village Police would still do this and Chief Griffin said no, they prioritize the calls and the State Police do not respond to any fires. Dan Acton responded that he thought the new contract stated they would respond. Fion MacCrea asked if there was a motor vehicle

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accident and the Village Police go to the scene, secure it, State Police have been called. Know it is going to be a while before they can get there. Would the Village Police stay so the Fire Co. doesn't have to? Chief Griffin stated no. Mr. MacCrea added that he is concerned with community relationships. Jerry Snyder added that if there was an emergency in the Village he could understand them not staying. Chief Griffin added that if they stay, then they have to take care of all the reports. If asking them to stay that is one step above the contact. It is a State Police scene now. If the Village isn't doing the investigation, then their presence isn't needed. It is now the State Police's responsibility to handle the scene. Waste of time for Village Police to stay at the scene.

Robert and Corinna Baker – Mr. Baker explained that Codes Enforcement Office Steve Kilmer told them he was sent by the Board to tell him to put everything inside. Dan Acton stated it was discussed and asked Mr. Baker if he had somewhere inside to put everything? Mr. Baker stated he did not. Mr. Baker stated the best he could do would be to put a fence around it and would be willing to do that. Due to amount of snow, won't be able to do it until snow melts. Supervisor Acton suggested he contact Steve Kilmer and make sure he is ok with that.

Police Report – Reviewed written report. Mary Stearns stated that it looks to her that because the Village has a money problem it has become our problem. It was never a problem in the past and the Town cannot raise taxes that much. Jerry Snyder stated that he was at the Village Board meeting when they discussed the Police. Mr. Snyder felt there could be more shared services with the college and need to get the students involved in the community. Need cooperation from the State, going to take some effort. Students could do the flower baskets instead of Village manpower, etc. Going to take some time but it could happen. Virginia Rasmussen stated that there are many small things students do for the Village. Always concerned with liability.

2015 Police Contract – Bob Ormsby stated that he was prepared to vote against the contract but the Firemen convinced him to go with this. It was noted that there is a 30 day termination notice and it is a 1 year contract per the 2015 Town Budget. Fion MacCrea stated that 1 year is a reasonable test and the amount is set with the Budget – can't change that. Mr. MacCrea asked that Chief Griffin and his officers do everything they can to uphold their service to the Town. Mary Stearns expressed that the Town is paying more for why are services being cut. Chief Griffin stated that he wasn't speaking for the Village but could table and talk with the Village Board. He was not involved with any of the discussion regarding the new contract. Dan Acton suggested the Board go with this one year contract has a test run and see how it works. A motion was made by Dan Acton to accept the one year contract, retroactive to 1/1/15, seconded by Jerry Snyder and carried 5-0.

Approval of Minutes – The minutes of 11/26/14, 12/11/14, 12/29/14, 1/2/15, and 1/8/15 were approved with a motion by Fion MacCrea, seconded by Jerry Snyder and carried 5-0. One correction 12/11/14 – cost to replace Baker's Bridge – \$1.2 million.

Codes Enforcement Officer – No report. Will request Mr. Kilmer for a report next month.

Monthly Report – Taxes have been deposited in Town accounts.

Correspondence

- FEMA – received payment
- Association of Towns – Savings realized by participation in NYMIR will count in the Tax Freeze Program.
- Community Action – requesting letter of support for new mobile homes for low income families. Will replace older models. Jerry Snyder stated that every grant program is for all of us to pay for and is irresponsible. Mary Stearns added that they will do whether the Town writes a letter or not. No action was taken.
- ACCORD – Home repairs to the elderly grant. Provide financial assistance to Allegany County homeowners to make their home accessible for low and moderate income persons and persons with disabilities.

General Abstract #2 Vouchers #17 – 30 in the amount of \$24,098.88 were approved with a motion by Jerry Snyder seconded by Mary Stearns and carried 5-0. This includes January and February Police contract payments.

Highway Abstract #2, Vouchers #11-24 in the amount of \$26211.45 were approved with a motion by Fion MacCrea seconded Jerry Snyder and carried 5-0.

Highway Report – Brad Price reviewed the written report. Have been out plowing and sanding almost every day. Doors with openers are done. WEX card – will pay \$500 security deposit to obtain it. Sold \$550.00 worth of scrap. Reviewed options for purchasing a new pickup. Would have to do it in June or July. 2015 Mutual Aid Agreement between Allegany County and the Towns of Allegany County. Motion to approve by Dan Acton, seconded by Fion MacCrea and carried 5-0.

Town Clerk – Taxes mailed 12/31/14.

Supervisor's Report –

- Estimated reserve of \$141,000. Looking to spend \$241,000 on equipment. Supervisor Action asked if the Board wants to sit on the cash. Jerry Snyder stated that he feels the money should not be spent until you are sure what you need. Mr. Acton stated that we have to have a plow truck, can get along without a new roller. Mr. Snyder felt Town should continue to look for a replacement vehicle – new and used, run the numbers and see what the options are. Brad Price and Fion MacCrea will work together to come up with a plan.
- Supervisor Acton met with DOT regarding Baker's Bridge. Several letters have been written to the State requesting saving the bridge.
- Municipal Energy Program- Prices would be locked in for 24 months. Supervisor Acton contacted them and they will be opening it up again in March if the Town wants to join. Mr. Acton recommended the Town consider joining next time it opens up. Cost would be less than currently paying.
- Sent letter to Allegany Co. DPW Guy James regarding accident on McHenry Valley Road.

Planning Board – Motion to appoint Jason Whitwood to a 5 year term effective 1/1/2015 by Jerry Snyder seconded by Dan Acton and carried 5-0.

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ZBA – Chairman Jud Stearns was present to explain the Use Variance and how it is very limited on when they can issue one. Concern was expressed when an issue with Zoning keeps being repeated there is something wrong with your Zoning law. In the Ag District the way the Zoning law reads cannot have a Business unless it is in your house. A Use Variance cannot change the character of the neighborhood and cannot be a self-created hardship. In the last few months they have had 3 applications for a Use Variance. Two were granted. John Lang's was not due to changing the character of the neighborhood. Currently a nice residential area. Several neighbors showed up at the hearing voicing concern against the business which is in a separate building than his house. The ZBA went through all the rules and denied the variance request. Feels the Planning Board needs to look at the Zoning Law and review all the areas zoned Agriculture. The Codes Enforcement Office will be informed that the use was denied.

Bank Statements - A motion by Bob Ormsby to approve the Bank statements was seconded by Dan Acton and carried 5-0.

Motion to adjourn at 9:30 pm by Dan Acton, seconded by Fion MacCrea and carried 5-0.

Respectfully submitted,

Janice L. Burdick,
Town Clerk