

## REGULAR MEETING

## TOWN OF ATTICA

April 21, 2025

On April 21, 2025 the Regular Meeting of the Attica Town Board was held in the BoardRoom of the Municipal Building, 9 Water Street, Attica, New York, with the following members present:

### **PRESENT:**

Bryan N. Kehl	Supervisor
Gary Wysko	Deputy Supervisor/ Board Member
George Diehl	Board Member
Justin Kipfer	Board Member
Brian Fugle	Board Member
Janet Zielinski	Appointed Town Clerk
Jerry Taylor	Zoning Officer
Barbara Higgins	Planning Board Chairperson

**ABSENT:** Larry Diehl Highway Superintendent

**OTHERS PRESENT:** Clerk has list of others present on file

The workshop commenced at 6:30 pm. The Board Members reviewed the Abstract, the Supervisor's, and Town Clerks Reports.

At 7:00pm Supervisor Kehl called the meeting to order with the Pledge to the Flag. Supervisor Kehl then requested a moment of silence to honor our military.

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**PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS:**

- Supervisor Kehl welcomed guests to the meeting.
- Barbara Higgins advised the board that the Solar Project on Exchange St. is no longer moving forward.
- The fire department is looking into the formation of a Fire District. The Fire District would then have a Board of (5) Fire Commissioners, 2 would be appointed by the Village and 3 by the Town. Then in the next election the commissioners will be elected by the people, and the fire district will have a Treasurer and a Secretary. 5 people have shown interest in being a Fire Commissioner, the treasurer they have is a CPA, and we have a deputy finance officer who is willing to help out. Commissioners are not paid; the treasurer is a paid position. Once elected the commissioner is a 5 year term. Town and Village residents will be eligible to vote in the November election. A tax is levied and the fire district collects the tax. We are asking the board to consider the formation. 10% increase in insurance. The Fire District would be responsible for the Fire Department. District would be paying rent to the fire department. Public hearings will need to be held for a total of 5 meetings. Do you have a breakdown with responsibilities to the village and town and county can you get information together for the board. Yes they will get information together.
- Attica Package submitted an application and the owners were present to see if the town has questions on what they want to do with the property and how they fit into the agriculture category. The application was denied by the town. A change in zoning needs to be done. The owners were made aware of the process that is needed for this business. Once all paperwork is completed and submitted to the Attica Planning Board it will be reviewed. It is a lengthy process.

**RESOLUTION 2025-20:**

**Approval of Minutes from March 17, 2025 Meeting:**

Board Member Diehl moved and Board Member Kipfer seconded to approve the March minutes.

Resolution was ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle (5 Ayes) (0 Nays)

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**RESOLUTION 2025-21:**

**Approval of the Minutes from March 31, 2025 Meeting:**

Board Member Diehl moved and Board Member Kipfer seconded to approve the minutes.

Resolution was ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle. (5 Ayes) (0 Nays)

**HIGHWAY SUPERINTENDENT'S REPORT:**

- New 10-Wheeler at Henderson for warranty work
- Trimming trees this week and some of last week- Sonricker, Lindsey, and Fulton Roads.
- Salt is still being delivered and getting mixed
- New tires mounted on excavator
- Still working on cold patching
- Started working four 10's this week
- Helped move file cabinets and office furniture to new building
- Start looking for prices for a new pickup
- The 10 wheeler has a bad transmission, possibly surplus. Supervisor Kehl will get a quote on transmission.

**ZONING OFFICER'S REPORT:**

Spring season and things are picking up

Mandatory training April 28, 2025 Flood Plain

**ASSESSOR'S REPORT:**

- All sales have been entered and a copy of the sales report was submitted to the board. All unfiled paperwork will be turned over to the county as she has no access to the files.

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**TOWN CLERK'S CORRESPONDENCE:**

- The town's website has been updated to include the minutes from the 2 January meetings and the February, the March 17, 2025 and March 31, 2025 will be uploaded to the website once approved.
- I have full access to the Decals program for selling Hunting/Fishing licenses.
- The Government Entity Letter which is the Tax Exempt Letter has been received and it is now in the clerk's email.
- A letter was received asking if the Town would consider sponsoring a Lifetime Hunting/Fishing license drawing for youths. Various levels ranging from \$765.00 to \$100.00. No action taken by the board.

**SUPERVISOR'S CORRESPONDENCE:**

FEMA is redrawing Flood Plain Maps and has scheduled 2 meetings one at the Arcade Fire Department May 13, 2025 3pm -7pm and the other Wyoming County Ag Business Center May 14, 2025 3pm - 7pm.

**SUPERVISOR'S COUNTY REPORT:**

**RESOLUTION 2025-23**

**Monthly Reports**

Board Member Diehl moved, and Board Member Fugle seconded, to approve the monthly reports as submitted.

Resolution was ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle (5 Ayes) (0 Nays)

**RESOLUTION 2025-24:**

**Bills:**

Supervisor Kehl will check with other Supervisor's to see what process they conduct when auditing bills. Town's been audited and no questions have ever come up.

**A/B voucher(s): #77 - 108 & DA/DB voucher(s): #39 - 48 Total: \$114,351.32**

Board Member Wysko moved and, Board Member Fugle seconded, to approve the A/B and DA/DB bills.

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle (5 Ayes) (0 Nays)

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**VILLAGE LIAISON:**

- A representative from LaBella was present about the reservoir
- Attica Packing was brought up
- Various reports from departments were handed out

**OLD BUSINESS:**

County is finalizing the paperwork on Assessor Appointment

County Assessor has resigned and that position will be open

**RESOLUTION 2025-25:**

**AGREEMENT TO SPEND HIGHWAY FUNDS:**

Board Member Diehl moved and Board Member Kipfer seconded to Adopt the Agreement to Spend the highway Funds with Wyoming County, in the sum of \$461,500.00 to be used on Road commencing at Merkle Rd. going to Rt. 98 at a distance of 1.2 miles not to spend over \$220,000.00 Asphalt with a width of 22 ft 2 ½ thickness subbase pavement. Used on Road commencing at Maplewood and leading to Rt. 238 at a distance of ¾ mile not to exceed \$200,000.00 Asphalt width 22' 2" in thickness subbase pavement.

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle (5 Ayes) (0 Nays)

**RESOLUTION 2025-26:**

**INTER-MUNICIPAL AGREEMENT BETWEEN THE TOWN OF ATTICA AND WYOMING COUNTY:**

Board Member Diehl moved and Board Member Fugle seconded to sign the Agreement with Wyoming County to provide mowing along Town Roads with a long arm mower. Agreement shall commence January 1, 2025 and shall terminate December 31, 2029.

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle (5 Ayes) (0 Nays)

**STEVENS RESERVOIR DAM:**

The DEC conducted an inspection of the Stevens Reservoir DAM and sent a letter to the owners and sent a copy to the town and they conducted a Visual Observations that there is a lack of maintenance and significant deterioration and heavy erosion. The owner has 45 days of the date of the letter which was dated March 12, 2025 to retain the services of a NYState licensed professional engineer who has experience in DAM safety to perform an inspection and maintenance plan and to submit a schedule of the Safety Inspection Report and to complete either to repair or breach the dam.

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**LETTER FROM INDEPENDENT AUDITOR OF ELECTED OFFICIALS BOOKS:**

A copy of the report was handed out.

Supervisor Kehl moved and Board Member Diehl seconded to send a copy of the letter to the Justice Court system providing them with a copy of the audit.

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle. (5 Ayes) (0 Nays)

**RESOLUTION 2025-27:**

**NEW BUSINESS:**

**LAND SEPARATION DOWNS & RUDGERS:**

Board Member Diehl moved and Councilman Wysko seconded to approve the Land Separation Downs and Rudgers.

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle. (5 Ayes) (0 Nays)

**PRIVATE ROAD RENAME:**

OAD RENAME: Supervisor Kehl moved and Councilman Diehl seconded to approve the renaming of the Private Road at 1059 Attica Guld Rd. to Clay Creek.

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle. (5 Ayes) (0 Nays)

**RESOLUTION 2025-28:**

**JONAH & ABIGAIL BROUGHTON:**

ZBA approved the Broughtons variance.

Board Member Kipfer moved and Councilman Diehl seconded to approve the Broughtons permit.

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle. (5 Ayes) (0 Nays)

**NEXT MEETING:**

The next town board meeting will be held on May 19, 2025 at 9 Water St. Attica, NY at 6:30pm workshop and 7pm meeting.

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**RESOLUTION 2025- 29:**

**Enter into Executive Session Personnel Matter:**

Board Member Wysko moved and Board Member Diehl seconded to enter into Executive Session on a personnel matter. (5 ayes) (0 Nays)

**Out of Executive Session:**

Board Member Diehl moved and Supervisor Kehl moved and to come out of executive session.

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle (5 Ayes) (0 Nays)

**RESOLUTION 2025-30:**

**DEPUTY TOWN CLERK:**

Supervisor Kehl moved and Board Member Diehl seconded to Appoint Janet Alley as Deputy Clerk effective immediately and the clerk will train her.

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle (5 Ayes) (0 Nays)

**RESOLUTION 2025-31:**

**CONTRACT FOR SERVICES FOR BUILDING REMODELING:**

Board Member Diehl moved and Board Member Kipfer seconded to contract with Trautman Associates for the Front Entrance and Bathroom in Town Hall.

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle (5 Ayes) (0 Nays)

**RESOLUTION 2025-32:**

**ADJOURN:**

Board Member Diehl moved and Supervisor Kehl seconded to adjourn (5 Ayes) (0 Nays)

Resolution ADOPTED by Kehl, Wysko, Diehl, Kipfer, Fugle

Janet Zielinski  
Recording Clerk