

## REGULAR MEETING

## TOWN OF ATTICA

July 21, 2025

On July 21, 2025 the Attica Town Board held the Regular Town Board Meeting and a Public Hearing on the Creation of Water District 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

Absent:	Larry Diehl Highway Superintendent
	Jerry Taylor Zoning Officer

Janet Zielinski	Appointed Town Clerk
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**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.

### **PUBLIC HEARING TO CONSIDER CREATION OF A WATER DISTRICT (WATER DISTRICT 1):**

Supervisor Kehl opened the public hearing.

New water lines will be installed on Dunbar Rd. continuing to the West to Rt. 98, North on Rt. 98 (Creek Rd) to the Attica Village Line connecting beyond the district to village lines. In addition, new lines from Dunbar Road will replace an existing line extending north to a point opposite prison property on Exchange St.

Justin has 17 signatures so far, we need 51% of the property owners and 50% of the assessed value, 32 - 33 signatures are needed.

New FEMA will not affect this process.

Mark Dadd a formal resolution will need to be approved next month.

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The owner is responsible for water line installation from the house to the curb. Most meters will be outside.

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

Hans Walker was present to speak on behalf of the citizens group and thanked the board for their contribution to the citizens group. The funds are used for various trips.

Barb Higgins wants to know when the town will be able to take full access to the town hall?

Supervisor Kehl stated that the back of the building is in the process of being cleaned out.

**ATTICA PACKAGE:**

Joshua Wallace with Phillips Lytle, LLP was present and stated that he represents Attica Package and he would like to talk about the letter dated July 3, 2025. The letter is regarding the proposed laydown yard, mulching and compost site of the operation at 675 Gulf Rd.

Mr. Wallace stated that the proposed project is a permitted agricultural use in the AR District. The original zoning permit was denied stating it's not permissible in the AR District.

Mr. Wallace stated it is a permitted use under Ag/Markets law.

The site is 78 acres. According to the letter dated July 3, 2025 it states Attica Package is going to use approximately 30 acres for this proposed project. The site would receive materials intended for the mulching and digesting processes, including 3 retention ponds to recover, collect and recycle water for use in the processing of agricultural products and farm operation waste into mulch.

Mr. Wallace quoted various sections of the Ag/Markets law, and in Section 300-301 it provides protection for farm operations.

The 48 acres will continue to be used as agricultural fields for crops and growing and harvesting timber approximately 18 acres.

Joshua Wallace stated that they are asking for a response to the letter dated July 3, 2025.

Barb Higgins: The denial was done by the zoning board of appeals. The Town Planning Board has not received the proper paperwork to review this project. Attica Package was told they needed to do a land separation and they were told it needs to be changed to commercial and she checked with the Wyoming County Planning Board and what paperwork the town is requesting is correct.

Barb asked the owner if he is selling mulch products out of the current property?

The owner shook his head yes.

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Barb Higgins: Are other products brought onto the parcel?

Attorney: Yes in addition to what's being done now, and there is no distinction.

Barb Higgins: The land separation has to be done first, other things will have to follow. We are not trying to stop this, we just need all the proper paperwork to be completed.

**RESOLUTION 2025-42:**

**Approval of Minutes from June 16, 2025 Meeting:**

Board Member Fugle moved and Board Member George seconded to approve the June 16, 2025 minutes.

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

**HIGHWAY SUPERINTENDENT'S REPORT:**

1. Placed 2 cross tubes on Merkle Rd. to relieve water from going downhill
2. Justin sprayed for weeds around the town shop
3. Old 116 Mack is on Auctions International and is at \$3,550.00 with 10 days left
4. 3000 gallon tank sold to the Town of Aurora for \$1,200.00
5. The first round of mowing completed
6. Graded dirt roads; Lindsey, Jillson and Werner

Waiting on prices for the new pick up

**ZONING OFFICER'S REPORT:**

Monthly report was handed out

**TOWN CLERK'S CORRESPONDENCE:**

Nothing

**TOWN CLERK'S MONTHLY REPORT:**

Town Clerk's monthly report for June 2025 was handed out to the town board

**ASSESSORS REPORT:**

I hope to have a report next month.

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**SUPERVISOR'S COUNTY REPORT:**

Few issues with ambulance service

Possibly some subsidies money may be lost with the Big Beautiful Bill

**SUPERVISOR CORRESPONDENCE:**

The tree in the creek I will reach out to the 2 tree companies more information next month

Fire District nothing new

The testing of the asbestos in the town building has been completed and no results yet

**RESOLUTION 2025-43:**

**Land Separation Robert Piechocki**

Board Member Diehl moved and Board Member Fugle seconded to approve the land separation of 8 acres from the 175.81 acre parcel as presented.

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

**RESOLUTION 2025-44**

**Monthly Reports**

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

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

**RESOLUTION 2025-45:**

**Bills:**

Board Member Diehl moved and Board Member Wysko seconded to approve A/B & DA/DB as follows:

**A/B voucher(s): #164 - 189 & DA/DB voucher(s): #67 - 75**

**Total: A/B, DA/DB \$57,872.62**

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

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**VILLAGE LIAISON:**

Discussion on the water district

**OLD BUSINESS:**

The school district is not in favor of helping to pay for the costs to update the pumps for fuel access. The Gulf Rd cemetery will be cleaned once weather permits. Someone got rid of the down trees in the cemetery and the wood has been removed. A large tree still needs to be removed.

Abandoned cemeteries state law states the town would take them over and maintain them.

7 stumps need to be removed and the museum has a bid and they would like to know if the town is ok with them being removed? There will not be a cost to the town for the removal. The town was ok with the removal.

**RESOLUTION 2025-46:**

**VILLAGE BATHHOUSE RENOVATIONS AGREEMENT**

The Town of Attica, Village of Attica, Attica Lions Club are in agreement to a mutual share in the costs of the renovations of  $\frac{1}{3}$  of the bid amount which is \$47,800.00 which comes to \$15,933.00.

Board Member Wysko moved and Board Member Diehl seconded to authorize the  $\frac{1}{3}$  of the cost to Thompson Builds, Inc for the renovations at a cost to the town of \$15,933.00.

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

**CLAY CREEK:**

The supervisor stated the real property tax office has been notified of the name.

**RESOLUTION 2025-47:**

**VILLAGE SUMMER RECREATION PROGRAM CONTRACT**

Board Member Diehl moved and Board Member Fugle seconded to authorize the contract for the Village Recreation Program in the amount of \$9,000.00.

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

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**RESOLUTION 2025-48:**

**CLOSE PUBLIC HEARING WATER DISTRICT**

Board Member Diehl moved and Board Member Kipfer seconded to close the public hearing.

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

**RESOLUTION 2025-49:**

**OCTOBER 20, 2025 TOWN BOARD MEETING TO BE HELD AT HISTORICAL SOCIETY:**

Board Member Wysko moved and Board Member Fugle seconded to hold the October 20, 2025 town board meeting at the Historical Society, 6:30pm workshop 7pm meeting.

The clerk will advertise it in the Batavia Daily which is the town's legal paper and in the Attica Pennysaver.

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

**VILLAGE RENT COURT ROOM:**

Court contract tabled

**SOLAR PROJECT ON MAPLEWOOD:**

Has been hooked up and the town will start to receive revenue.

**NEXT MEETING:**

The next town board meeting will be held on August 18, 2025 at 9 Water St. Attica, NY workshop 6:30pm meeting 7pm.

**ADJOURN:**

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

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

Janet Zielinski  
Recording Clerk