

Allegany County Planning Board



"Volunteers Working For Tomorrow"

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NOT  
APPROVED

MAR 18 1999

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

Annual Dinner Meeting Minutes 01/20/99 at Moonwink's Restaurant, Cuba, NY

**Present:** Rick Hollis, Kate Hollis, Ron Stuck, Chuck Jessup, Dick Yanda, Duke Ackley, and Pat Regan

**Excused:** Lee Dibble, Bill Dibble, and Gary Bastian

**Absent:** Dick Klein, Ken Skinner

**Guests:** Diana Sinton-Alfred Univ. Geographer and specialist in G.I.S., and Leg. Sue & Mr. Al Myers, Mrs. Richard Yanda, Mrs Julie Marshall, Dir Office of Econ Dev, Leg and Mrs Alton Saylor, Leg and Mrs Rodney Bennett, representing Assemblyman Dan Burling, Mr & Mrs Donald Wampole, representing Assemblyman Jerry Johnson, Mr. Thomas Buttafarro, representing Assemblywoman Cathy Young, Leg Ronald Truax, Mr Kier Dirlam, representing Southern Tier West as acting County Planner and Craig Braack, Co. Historian.

- I. **Call to Order:** The meeting was called to order at 7:46pm by Chairman Hollis. Chairman Hollis stated that the By-laws state that the only business which needs to be conducted at the first meeting of the year is to elect officers.
- II. **Nominating Committee Report:**
  - A. Duke Ackley reported that the Nominating Committee wished to propose the following slate of officers for 1999: Chairman- Rick Hollis, Vice Chairman-Ron Stuck, Secretary-Lee Dibble.
  - B. Additional nominations from the floor were asked for but none were proposed. Chairman Hollis called for a motion to close nominations.
  - C. On a motion from Dick Yanda and seconded by Chuck Jessup it was moved that nominations be closed and that one vote be cast for this slate of officers. Motion carried unanimously.
- III. **Adjournment:** On a motion from Duke Ackley and seconded by Chuck Jessup, the business meeting was adjourned at 7:51 PM.
- IV. **Guest Speaker:** After the close of the meeting, Craig Braack, Allegany County Historian put on a presentation about the origins of Allegany County Towns.

Respectfully submitted,

Ron Stuck, Acting Secretary and

Lee Dibble, Secretary

Allegany County Planning Board



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Meeting Minutes 02/17/99

**Present:** Chuck Jessup, Lee Dibble, Bill Dibble, Rick Hollis, Kate Hollis, Duke Ackley, Dick Yanda, Dick Klein, Ron Stuck, Leg. Pat Regan, Kier Dirlam, STW Rep.

**Excused:** Diana Sinton

**Absent:** Ken Skinner and Gary Bastian

**Guests:** Co. Leg. Sue Myers

1. **Call to Order:** The meeting was called to order at 7:30 PM by Chairman R. Hollis. The Chairman noted that a quorum was present and welcomed everyone in attendance.
2. **Minutes:** Secretary Lee Dibble read the minutes of the December 16, 1998, meeting. On a motion by R. Stuck and seconded by K. Hollis, the minutes were approved as read. The Secretary then read the minutes of the January 20, 1999, Annual Meeting. On a motion by B. Dibble and seconded by R. Yanda, these minutes were approved as read.
3. **Correspondence:**
  - A. K. Dirlam passed out a list of several IRP's. None of these concerned Allegany County.
  - B. R. Hollis noted the receipt of a letter from OPRHP listing Main Street, Cuba, NY, on the NY State Register of Historic Places. They are now seeking a listing on the National Register of Historic Places.
  - R. Klein stated that Cuba Village thanked the Planning Board for it's letter of support for this endeavor.
4. **Reports:**
  - A. K. Dirlam gave R. Hollis a copy of the minutes from the January 27, 1999, Tourism Advisory Board Meeting and a copy of the minutes from the November 20, 1998, Development Advisory Board Meeting.
  - B. Chairman R. Hollis noted that the 1998 Annual Report for the Planning Board was on the Program for the Annual Dinner. This will be re-formatted for the official record. He will also send another copy of the 1997 Annual report which was previously turned in with the meeting minutes for January 1998.
  - C. Chairman R. Hollis distributed minutes of a special meeting held on February 9, 1999, with Leg. S. Myers and K. Dirlam also in attendance. K. Hollis took notes for this meeting. Chairman R. Hollis reported that Leg. S. Myers started the meeting by stating she had been given free rein to do whatever she wished with the membership of the Planning Board and then handed him a list of proposed members. R. Stuck asked for a summary of the events of the meeting. R. Hollis reviewed the highlights of this meeting noting in particular the following points:
    - 1.) R. Hollis stated he had a problem with Leg. Myers desire to remove K. Hollis from the Planning Board and having to make a choice of either L. Dibble or B. Dibble.
    - 2.) Leg. S. Myers then interceded with information that she had a copy of the court decision and stated that all County Legislators will now be off the Planning Board. There is a need for a new local law and passage of new resolutions. This process is expected to take two (2) months.
    - 3.) Leg. Myers announced that Board Chair John Walchli, Jr. has appointed Diana Sinton of Alfred to the Planning Board.
    - 4.) Leg. Myers stated that County Legislators were not eligible to serve on the Planning Board because of the issue of double voting. She further stated that Planning Board appointments are not at the pleasure of the Board Chair. The appointments come from the P&D Comm. and are then approved by the full Board of Legs. The P&D Comm. will respond to the Planning Board's concerns.
    - 5.) Chairman Hollis then continued with his summary of the minutes of the February 9, 1999, special meeting.
    - 6.) R. Stuck noted that Planning Board members used to get copies of all committee minutes. P. Regan stated that these will soon be on the website. They can get a list of those members who are not on-line and send them hard copies.On a motion by C. Jessup and seconded by R. Klein, it was moved that the notes of the February 9,

1999, meeting will be appended to the minutes of this meeting, (2/17/99) and become part of the official record. Motion carried.

- D. Chairman Hollis reported that his review of the Planning Board by-laws reveals that if a Planning Board member missed more than three (3) consecutive meetings, that the Legislative Chairman would be asked to remove that member. Chairman Hollis then distributed copies of an attendance chart for all Planning Board members. It was noted that K. Skinner had missed nine (9) meetings and that G. Bastian had missed eight (8) meetings out of the previous eleven (11). Chairman Hollis then returned to the issue of the possible removal of K. Hollis from the Planning Board even though she had not missed a single meeting. He also revisited the issue of being asked to choose between L. Dibble and B. Dibble who also had not missed any meetings. R. Stuck suggested that there should be some communication with G. Bastian re: his membership. Chair R. Hollis stated that Leg. Board Chair John Walchli, Jr. had said that he would talk to Gary about his attendance but had heard nothing further on the matter. Chairman Hollis again stated that he did not want to see anyone removed from the Planning Board. S. Myers then stated that it would take at least two (2) months for appointments. She also stated that John Walchli, Jr. has talked to G. Bastian once and will speak with him again.
- E. Chairman Hollis then asked if the list of Planning Board Members from Allegany County Towns and Villages could be reviewed by Planning Board members. P. Regan stated that this would be up to the P&D Comm.
- F. R. Yanda asked why can't active volunteers be members of the Planning Board. What is the logic of their doing hundreds of hours of work if only to be removed? The reply was that the Board of Legislators will vote on the recommendations of the P&D Comm.
- G. R. Stuck commented that NYS law gives the County Legislature Power to create the Planning Board which can then obtain grants, lobby for it's budget, etc. This falls back under legislative rules in addition to the provisions of General Municipal Law #239.
- H. R. Yanda moved that the Planning Board be informed about the time and date of the (P&D Comm) meeting and the Board of Legislators meeting when they discuss membership of the Planning Board. Motion was seconded by C. Jessup and carried.
- I. B. Dibble stated his support for G. Bastian's continued membership on the Planning Board. C. Jessup suggested that R. Stuck or B. Dibble talk to Gary on this matter.
- J. R. Stuck stated that he had created by-laws with language for non-voting membership. C. Jessup noted that our by-laws provide for ex-officio members. If we lose two (2) more members, the Planning Board will be down to ten (10) members. By law, the Planning Board can have up to twenty (20) members or have as few as seven (7) members. The quorum is based on the number of current members.

#### 5. New Business:

- A. Chairman Hollis summarized his E-mail from K. Dirlam about Kier's attendance at Allegany County Planning Board Meetings and Chairman Hollis' request that agenda items be sent to the Chairman ten (10) days before the meeting in order to facilitate making out the agenda and getting it in the mail in a timely manner. This request necessitated a clarification for K. Dirlam as he wondered if he should hold items that came in after that time until the following meeting. Chairman Hollis reiterated that he didn't want Planning Board members to be faced with a great number of items to be considered "cold" at the meeting. Hence, the ten (10) day request. However, it was explained that K. Dirlam was to bring all those pertinent items to the current meeting-not to delay until the following meeting. Chairman Hollis explained that he was not suggesting a change in policy; that he simply wanted to know as much as possible ahead of time for the reasons stated previously.
- B. Chairman Hollis reported that K. Dirlam has given him a pamphlet called "A Guide For Local Officials on Zoning Referrals" and asked that the Planning Board review and revise that pamphlet and bring it up to date. Chairman Hollis suggested that this guide be referred back to the P&D Comm. and from there to the County Attorneys to assure that the information on current laws was up-to-date. K. Dirlam reported that he had received very few zoning referrals although he realizes that there is little zoning in the County. After some discussions, it was decided by consensus that Planning Board members would be sent copies of the pamphlet for their review. The Planning Board would then make recommendations after they had had time to consider the pamphlet's provisions.
- C. R. Klein reported on a 1997 Resource Management Committee (RM Comm.) meeting which he attended. At that meeting he had requested that certain provisions of a Cattaraugus County Waste Management Plan be adopted or incorporated into the Allegany County Waste Management Plan.

Copies of these provisions were distributed and R. Klein noted that Items #1-5 are already in the County's plan but incorporation of items #6 and #7 would give Allegany County some control over siting of landfills. There was some discussion as to whether this had been sent on to the Public Works Committee (PW Comm.) but R. Klein stated that it had gone to the County Attorneys. It was then noted that the Town of Allen maybe subjected to some troubles and that many towns are easy prey for landfill sitings. Land use management can be done without zoning. K. Dirlam then suggested doing site plan review. P. Regan noted that towns can limit the amount brought in each day, thereby making the landfill unprofitable. Chairman Hollis noted that Caneadea already has zoning which defines the distance between landfills sites.

- D. P. Regan reported that our request to dedicate the Room 221 to Frank Williams had been taken to caucus and that the room would be dedicated soon.
  - E. B. Dibble reported on the TEA-21 application specifications and requirements. A copy has been made available to the Caneadea Bridge group but other projects should be considered. TEA-21 requires an 80/20 match and must have a municipality as a sponsor. Draft applications are due March 5, 1999, and final applications are due April 1, 1999. There is \$50-\$60 million available for New York State. There are twelve (12) categories for eligible projects but all must be related to transportation. Questions should be directed to Rich Rauber, NYS-DOT at Hornell, phone: 607-324-8415.
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Respectfully submitted,

Lee Dibble, Secretary

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## Special Meeting Minutes 2/9/99

Present: Rick Hollis, Sue Myers, and Kier Dirlam, rep from STW "acting Alleg Co Planner"

Guests: Kate Hollis to take meeting minutes for RG Hollis

1. Sue Myers began by saying that John Walchli, had given her "free reign to do whatever she wanted with the PB (PB) appointments." She handed RG Hollis a list of proposed appointees for the PB.
2. RG Hollis said he had a problem with the choices for District 1 and District 3. (See enclosed copy). The proposed list removed KS Hollis from District 1 and indicated that only one of either Lee or Bill Dibble would serve in District 3.
3. S Myers then asked RG Hollis to pick which of the Dibbles he would want to serve.
4. RG Hollis stated that he wanted both Dibbles to continue as members.
5. S Myers stated that she wanted to spread out the membership around the County. She would serve from Friendship and saw no reason to remove Ron Stuck, (vice chairman) since her membership on the board was automatic because she is chair of P&D comm.
6. RG Hollis stated that her automatic membership might not be correct since a court ruling in 1923 prohibits legislative boards from appointing a member of their own body to an advisory board it makes appointments to. (K Dirlam took the paper and made copies.)
7. S Myers stated that she would check with the County Attorney on Wednesday morning on this item. S Myers asked why she hadn't been made aware of this issue before.
8. RG Hollis stated that he had made JWalchili aware of this at a meeting with he and RK Bennett in Dec 1998.
9. S Myers said that the PB needs better direction.
10. K Dirlam brought up meeting minutes from other counties PBs. He gave RG Hollis a copy of the Allegany County PB Zoning Referrals Guide and said that the PB should update this. K Dirlam was concerned that land use items were not being sent to the PB from the Towns and Villages.
11. RG Hollis stated that if a Town chooses not to cooperate, there's not a lot the PB can do. Steve Hooker (former Co PB member) current Chair of Town of Grove PB, wants to meet with Rick to discuss how to keep PB members on his board and other local issues. There are many elderly folks in the County. It's difficult to get people who want to serve actively. RG Hollis said that he has seen Catt. Co's web page and it is very nice. Allegany County's new web page needs more work.
12. December meeting RG Hollis trying to focus PB in a direction. In early 1998 the PB was going to begin to work on a corridor study of Northeast quadrant of the County. Including the Towns of Granger, Grove Allen, Burns, Almond and Birdsall. The Genesee River is a natural boundary on the West and the Towns are all of similar size and Rte 70 is an access along the North end of the County. 1998 was disrupted by the removal of M Kear as County planner and a lack of direction by the County. The subcommittee that created the Recreational Economic Development Study works well together and he could see no reason to remove two key members. Members of the Sub committee went to all the different Towns to request input (of which little was received) to put the study together.
13. S Myers mentioned that the County's web page may become interactive with events going on in the various Towns.
14. RG Hollis stated that a few people don't want any change and they are also some of the people in control of Town government.
15. S Myers and K Dirlam reviewed the P & D Committee meeting minutes to list action items. 14 pages resulted according to K Dirlam.
16. RG Hollis stated again that he does not want to lose good hard working members of the PB who attend all the meetings. "I would be disappointed if she made her proposed changes to the membership.
17. S Myers said "You will be disappointed."
18. RG Hollis stated that Gary Bastian has a standing agreement with Lee Dibble to mark him as excused if he is not there. Ken Skinner has missed many meetings also. According to the by-laws of the PB people who don't regularly attend meetings should be recommended for removal.

19. S Myers asked RG Hollis what do you want from the County?
20. RG Hollis stated that no changes to any of the active members of the PB. If better distribution around the County is desired, add more members. (By-laws permit up to 20 active members.) From the Contract Planner notice of agenda items 10 days in advance of the PB meeting so that it can be listed in the agenda and mailed to members so that they don't receive them "cold" at the meeting.
21. S Myers asked if K Dirlam needed to attend the PB meetings?
22. RG Hollis said "Yes." Catt. Co. planning office is represented at their meetings. RG Hollis would like the Contract Planner to cc: him on all correspondence sent out in the name of the PB.
23. S Myers wants to make changes to improve the direction of the current board.
24. RG Hollis continued that K Dirlam could get NE quadrangle maps for the corridor study. Visiting the Towns again would be done. Dictating from the County down to the Towns does not work. Try to get at what the Towns want.
25. S Myers said that Brent Reynolds (leg district 5 P&D comm member) goes to his Towns.
26. RG Hollis said that while we were trying to get information for the study, different Legislators showed up at different meetings when it was in their district. Leg Bill Dibble attended many of the meetings around the County since he is a PB member and a sub committee member.
27. S Myers stated that Brent Reynolds met with Steve Hooker (Town of Grove PB).
28. RG Hollis stated that we need to get Leg into the Towns to "build bridges" not burn them down.
29. S Myers returned to comments about K Dirlam attending the PB meetings. Payment to STW for K Dirlam services is possibly increasing. K Dirlam charges 4 hrs to attend PB meetings. What "real" business does K Dirlam need to address at every meeting? S Myers has full reign to decide this. A written report would be offered to the PB every month.
30. RG Hollis stated that the Contract Planner should attend every PB meeting as you never know when important planning issues may arise. We don't need any invisible faces running around doing planning for the County.
31. S Myers asked if RG Hollis is receiving all the meeting minutes from the County he wanted.
32. RG Hollis stated that he receives P & D and Resource Management, but normally nothing from the Econ Dev Advisory Board or the Task Force.
33. K Dirlam stated that the Task Force is basically defunct at this time.
34. RG Hollis stated that "I can't review a potential new membership list while conducting a PB business meeting." Getting it at the meeting was too confusing. J Walchili did not fax the list of new potential members to me as he promised to do at the Dec meeting with RK Bennett and myself. Diana Sinton wants to be a member but letters to and different meetings with J Walchili has not brought about her appointment.
35. RG Hollis stated that he is "Out of the loop with information about the Econ Dev Dept."
36. K Dirlam stated that the information is in the P&D meeting minutes.
37. RG Hollis stated that the one paragraph in the P&D meeting minutes does not provide enough information about the Office of Economic Development is doing. K Dirlam initial reports to Margeson on his activities for the County were excellent, but I no longer receive them.
38. S Myers and K Dirlam stated that the reporting process needs to be improved.
39. K Dirlam stated that he may start writing the reports to Margeson again. He felt no one was reading them.
40. S Myers stated that J Marshall, Econ Dev Dir. Is upset because she is not regularly invited to the PB meetings.
41. RG Hollis J Marshall had attended a meeting a while ago and stated that she was going to revise the County Econ Dev brochure. Then after Kier came on board he brought the same brochure which still hasn't been updated. Julie knows when and where the meetings are, she can attend anytime. It's a public meeting, anyone may attend.
42. RG Hollis stated that since S Myers became Chair of P&D there has been some progress on the Frank Williams issue. It was first brought up in Sept 1998, after F Williams passing in Aug 1998. P Regan didn't address this even though it had to go to P&D and even suggested that the PB members "dip into their own pockets to fund the plaque for Frank."
43. RG Hollis asked S Myers "Why don't you want my wife on the PB?"
44. S Myers replied that she was trying to spread membership around the County
45. RG Hollis said that he couldn't believe she would appoint members who don't take the time to attend regularly and remove hard working active members. There are more membership slots available if you want to spread membership around the County add more members. S Myers reasons are not valid.

Minutes kept by,

*K. S. Hollis*

K. S. Hollis



**NOT**  
**APPROVED**

*John M.*

"Volunteers Working For Tomorrow"

APR 16 1999

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

**Meeting Minutes 03/17/99**

**Present:** Lee Dibble, Chuck Jessup, Gary Bastian, Bill Dibble, Duke Ackley, Diana Sinton, Kate Hollis, Dick Klein, Kier Dirlam, STW Rep., Ron Stuck

**Excused:** Ken Skinner Rick Hollis, and Dick Yanda

**Absent:** Leg. Pat Regan

**Guests:** Mary Bastian

1. **Call to Order:** In the absence of Chairman R. Hollis, Vice Chairman, R. Stuck called the meeting to order at 7:30 PM.

2. **Minutes:** On a motion by B. Dibble and seconded by R. Klein, the minutes of the February 17, 1999, meeting were approved as presented. These minutes included the addended minutes of the special meeting on February 9, 1999.

3. **Correspondence:**

- A. Vice-Chair R. Stuck read a letter from OPRHP (Office of Parks, Recreation and Historic Preservation), re: Placement of a portion of Main Street in Cuba, NY, Village on the National Register of Historic Places. The letter was subsequently passed around for Planning Board member's perusal.
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- E. A notice sent by STW reported on a telecommunications market study.
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4. **Reports:**

- A. Two additional IRP's were reported on by K. Dirlam. Neither deals directly with Allegany County. One in Chautauqua County however, deals with interactive computers and information. It was suggested that this information be sent to Rodney Bennett, Chairman of Public Safety Committee and Sheriff Randy Belmont.
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- C. K. Dirlam reported that the Economic Development Advisory Board will meet on March 19, 1999, at 10:00AM. The Tourism Advisory Board has not met recently but plans to meet near the end of April.
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- E. The status for R. Klein's request re: the landfill solid waste proposals are still pending. An answer is anticipated in April.

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- 1.) A not-for-profit can be an applicant, but
  - 2.) The sponsor must be a municipality.
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6. **New Business:**
- A. R. Stuck reported on K. Skinner's current absence from the Planning Board meeting because his wife has had a stroke and he is caring for her. Previously, Mr. Skinner had been absent due to his membership/attendance at another Board meeting which had changed its meeting date. Mr. Skinner noted that he had been a member of that group for many years but that he planned to resign after April.
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- D. K. Dirlam reported on a phone call from the Millenium Pipeline people asking for any rules they need to know. Kier told her he didn't think there was anything new County-wide but has referred the question to the County Attorney. The Millenium people also need to talk to the affected Towns for information on their laws. Millenium has promised to come back to us when they have something concrete to report. K. Dirlam is pessimistic that FERC will approve this project. B. Dibble re-iterated his suggestion that the pipeline should follow the median of I-86.
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7. **Adjournment:** On a motion from Duke Ackley, and seconded by Chuck Jessup, the meeting was adjourned at 9:45 PM with the reminder that Walleye Season is only 45 days away.

Respectfully submitted,

Lee Dibble, Secretary

# Allegany County Planning Board



*"Volunteers Working For Tomorrow"*

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

5 April 1999

Allegany County Legislators  
County Office Bldg.  
7 Court St.  
Belmont, NY 14813-9446

Dear Legislator:

At the March 17, 1999, Allegany County Planning Board meeting a motion was made and passed unanimously that the Allegany County Planning Board support the principle that the Allegany County Landfill continue to be County owned and County operated.

The purpose of this motion is in support of the Town of Friendship and the Village of Cuba in their cooperative waste agreement, which is dependent upon continued access to the County Landfill. Your continued support of a County owned and operated Landfill facility is in the best interest of Allegany County's taxpayers.

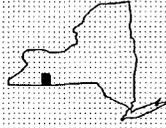
Thank you for your attention to this matter.

Sincerely yours,

Richard G. Hollis, Chairman  
Allegany County Planning Board

cc: Supervisor, Town of Friendship  
Mayor, Village of Cuba

# Allegany County Planning Board



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Respectfully submitted,

*Lee G. Dibble*

Lee Dibble, Secretary



*John M.*  
**NOT  
 APPROVED**

"Volunteers Working For Tomorrow"

MAY 24 1999

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

**Meeting Minutes 04/21/99**

**Present:** Lee Dibble, Bill Dibble, Chuck Jessup, Duke Ackley, Rick Hollis, Kate Hollis, Kier Dirlam, STW Rep., Dick Yanda, Dick Klein, Ron Stuck, Ken Skinner and Diana Sinton

**Excused:** None

**Absent:** Gary Bastian and Pat Regan

**Guests:** Leg. Sue Myers, Russ Patterson, AU Student using GIS

1. **Call to Order:** The meeting was called to order by Chairman R. Hollis at 7:30 PM.
2. **Minutes:** On a motion by R. Stuck and seconded by B. Dibble, the minutes of the March 17, 1999, meeting were approved as presented.
3. **Guest Speaker:** Alfred University Student, Russ Patterson demonstrated the maps he had created using GIS based on data from the DEC. The main purpose of these maps was to demonstrate the importance/impacts of deer hunting in Allegany County in terms of financial impacts and influence on tourism. Numerous interesting statistics have come to light as a result of these studies. Based on figures from 1997, the following results were cited:
  - A. One third of hunters in NYS get a deer
  - B. 2500 hunters come here
  - C. Five and one-half percent (5½ %) of deer are taken by out-of-state hunters
  - D. Significant numbers of hunters come to the Southern Tier
  - E. Twenty-six percent (26%) of deer taken here were taken by Allegany County Hunters
  - F. Various projections were made on how much money is spent here by each hunter. Total estimate was \$1.1 million
4. **Correspondence:**
  - A. A letter from Rick Hollis, Chairman, stated the Planning Board's stand on the landfill.
  - B. Letter from Chairman R. Hollis to Kier Dirlam requesting information for the Canaseraga Creek area/corridor study.
  - C. K. Dirlam's response to R. Hollis on same.
  - D. K. Dirlam distributed copies of numerous newsletters he had received.
  - E. Notification on the 8<sup>th</sup> Annual Spatial and Digital Mapping Conference in May? Cost is \$225.00
  - F. Copy of TEA-21 GuideBook for making applications for TEA-21 Funding. Various entities are considering making applications including Cuba Village. A request was made by R. Klein for Planning Board support for this project. On a motion by B. Dibble and seconded by K. Hollis, it was decided that the Planning Board would send a letter (authored by R. Hollis) expressing our support once the project details are available. In further discussion, it was noted that Route 17 has not been designated as a Scenic Highway. That designation is necessary in order to fulfill Cuba's request for a Scenic - Overlook near the Allegany Co-Op insurance Office. That idea led to the mention that some of the Eastern portions of the Old Turnpike Road have been so designated and that maybe we should look into obtaining a small grant to study the possibility of designating Allegany County's portion of that road as scenic. *Eligible for the state and National Historic Registers*
  - G. Notification received that the EIS for the Millennium Pipeline is complete. K. Dirlam has one copy with an executive summary. A meeting is scheduled for May 20, 1999, at 7:00 PM at the Wellsville Elementary School to hear comments. The summary indicates that there will be limited environmental impact.
5. **Reports:**
  - A. C. Jessup reported limited knowledge on recent events re: Canaseraga Corridor. Leg. Brent Reynolds had been invited to the Planning Board meeting in order for him to share his findings. However, he was unable to attend.

- B. K. Dirlam relayed information on two IRP's, neither of which pertain to Allegany County.
- C. There has been no relay of information on inter-active computers to the Majority Leader Rod Bennett or the Sheriff Randy Belmont by K. Dirlam.

#### 6. Old Business:

- A. R. Klein's request re: adopting the Catt Co. waste disposal rules was turned over to Public Works. R. Klein will check on this.
- B. A plaque dedicating the back portion of Room 221 to Frank Williams and a small replica plaque will be presented to Mrs. Frank Williams at the Legislative Board Meeting on 4/26/99.
- C. After reviewing the pamphlet on Planning Board aid for local towns which was reformatted by K. Hollis, K. Dirlam decided to ask the County Attorney for his input on its legalities.
- D. Norfolk & Southern is scheduled to take ownership of the rail road line in June. We would like to ask them what their plans are for operating the line. B. Dibble will contact them to invite them to the May or June Planning Board meeting.
- E. B. Dibble reported on plans for the Allegany County Festival on June 5th and 6th at the Allegany County Fairgrounds. Numerous and varied activities are planned. Some of these include: Team penning, photo contest, historic lectures, gas engine display, Shawmut Open House, big band concert, chicken-bar-be-que, garden tractor pull, old car show, artisan displays or demonstrations, Atl-atl demonstrations and much more.

#### 7. New Business:

- A. Planning Board Picnic is scheduled for August 18<sup>th</sup>. Volunteers who will help work on the arrangements include L. Dibble, D. Sinton and B. Dibble.
- B. Appointments to the Planning Board caused a lengthy discussion. Several current Planning Board members spoke forcefully in favor of keeping current, loyal, hard working members on the Board; specifically K. Hollis. Chairman R. Hollis noted that no reasons have been given for dropping members who have worked hundreds of hours and have received zero recognition and no thanks for their work. R. Hollis also explained that no one has been consulted re: the Planning Board appointments; who is to be kept, who is to be dropped, etc. R. Klein asked for an explanation on when member's terms begin and end. R. Hollis explained that this year Board Chair, John Walchli, Jr. said the appointments didn't change (in the past appointments were made in January) and that current Board members would continue in office until new appointments were made. R. Hollis stated that the Planning Board had done it best at minimal costs. K. Dirlam stated that the Planning and Development Committee has complete authority. R. Klein asked if there is a reason for removing K. Hollis from the Board. K. Dirlam indicated that all these concerns are at the County Attorney's Office and that nothing is happening at the present. R. Yanda reminded us that K. Dirlam has stated previously that he would let Planning Board Members know when Planning Board membership was going to be discussed at the Planning and Development (P&D) Committee Meeting. Several members wanted to be at that meeting. Kier replied that "there was a lapse." R. Hollis then read Kier's letter re: the March 9, 1999, P&D meeting stating that they were going to discuss legal issues and that the Planning Board membership was not on the agenda. The next thing we read indicated that the membership was already done. R. Klein voiced the opinion that he doubted it was a legal meeting since it was not an issue for executive session. S. Myers wondered why she was "sitting here taking this." R. Hollis stated, "it goes for naught." R. Yanda stated that we were led to believe that it would be months before this happened. S. Myers was asked for her comments; she said "No." K. Dirlam reported that the next P&D meeting is the second Tuesday of the month (May 11<sup>th</sup>). D. Sinton observed that she had looked at the membership for equal representation across the County but there are only three (3) from District 3 and four or five from other districts. She then asked how we could justify removing a member or if K. Hollis could be an honorary, or non-voting member. R. Hollis reviewed the facts that K. Hollis had been appointed to the PB under the chairmanship of C. Jessup, that she had contributed a great deal of time and effort and why should a hard working member be removed. B. Dibble stated that Board members should possess different (varied) disciplines as well as reflect equal representation. For membership there needs to be resolution proposed by the Legislative Board Chair and voted on by the full Board. B. Dibble further stated that there are Advisory members for numerous boards and committees. According To State Statute, we are entrusted with certain powers and duties. C. Jessup suggested that we write a letter stating that we want to keep K. Hollis. R. Yanda concurred, saying, "we have and want to keep these people." Previously, membership was never a big issue. The Planning Board Chairperson used to make a suggestion and as long as the person was willing to work, etc., the appointment was made. We've always solicited members in that way. C. Jessup also noted

that we were always pretty evenly represented by districts. D. Ackley suggested that we make up a list of the members we want on the Planning Board. Following that suggestion by D. Ackley, D. Sinton move and D. Ackley seconded a motion that the Planning Board write a letter to Board Chair, John Walchli, Jr., listing the names of those persons we wish to have included on the Planning Board. Motion carried, unanimously. Those names are the following: K. Skinner, R. Yanda, R. Klein, D. Ackley, B. Dibble, L. Dibble, R. Hollis, C. Jessup, K. Hollis, D. Sinton, R. Stuck, G. Bastian, M. Perkins, Dan Fleming, R. Golas, B. Szalc, T. Butera. S. Myers was then asked if there were any other people proposed for membership that were not on the list. No reply to the question was given. S. Myers then stated that it was as committee (P&D) decision and vote, not her decision. The numbers she has in mind is fifteen to twenty 15 to 20 members. R. Yanda stated that the Planning Board members are needed at meetings for a quorum and voting. R. Stuck asked if what we are doing here was going anywhere. S. Myers replied that she would have to see something in writing before she could comment. C. Jessup proposed an amendment to the previous motion that copies of the letter be sent to all members of the Board of Legislators. Motion was seconded by R. Yanda and passed unanimously.

C. Kier Dirlam passed out packets of information on the Canaseraga Corridor and reviewed the contents of said packets. B. Dibble asked which towns had a landfill ordinance.

8. Adjournment: On a motion from Duke Ackley, and seconded by Chuck Jessup, the meeting was adjourned at 9:15 PM with the reminder that Walleye Season opens in 10 days.

Respectfully submitted,

*Lee H. Dibble*

Lee Dibble, Secretary

# Allegany County Planning Board



"Volunteers Working For Tomorrow"

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

## Meeting Minutes 05/19/99

**Present:** Lee Dibble, Chuck Jessup, C. (Duke) Ackley, Bill Dibble, Kate Hollis, Rick Hollis, Dick Klein, Ken Skinner,  
Dick Yanda, and Ron Stuck

**Excused:** Diana Sinton

**Absent:** Gary Bastian and Pat Regan

**Guests:** Sue Myers, Leg., Kier Dirlam, STW Rep. and Dan Fleming

1. **Call to Order:** The regular May meeting of the Allegany County Planning Board was called to order in the Frank Williams Room of the Allegany County Court House in Belmont, New York, at 7:33 PM by Chairman R. Hollis.
2. **Minutes:** On a motion by R. Yanda, and seconded by K. Hollis, the minutes of the April 21, 1999, meeting were approved with one clarification: Part 4 – Correspondence Item F - last line - ...designating Allegany County's portion of the Turnpike Road as eligible for the State and National Historic Registers.
3. **Correspondence:**
  - A. Chairman R. Hollis received a copy of the NYS Forest Report for Allegany County. Based on that report, we need to push NYS to increase the number of foresters assigned here. The proper number of foresters taking care of the correct number of acres would provide jobs and income. It was suggested that we write a letter to Commissioner Cahill, with copies to Governor Pataki, and our State Legislative Representatives, urging them to provide an adequate number of foresters. A motion to send this letter was made by B. Dibble, seconded by R. Stuck, and carried. It was also recommended that we communicate with those towns which have state forest lands and work with them to encourage their support. Said letter is to be written by Chairman Hollis. Copies will be sent to all Town supervisors in towns that have Forest lands within their boundaries. B. Dibble commented that Allegany County has approximately 52,000 acres of state lands when wildlife Management Areas are included. Legislator S. Myers comment that Seneca Trails R. C. and D had sent a similar resolution. R. Stuck asked if we had marketable timber. It was noted that the State foresters only allow us to cut so much per year; for example – 1,000 acres. They will propose to cut 500 acres this year. If trees are not harvested at the optimum time, they will "go the other way." B. Dibble noted that he had alerted Senator Present to this problem two or three years ago. He had suggested that 50% of the timber value be returned to the County; 10% to be paid to the County and 40% to the towns. It was projected that it would take 38 years to get around our State forest lands if only 1,000 acres were cut per year; 76 years if only 500 acres are cut. R. Hollis noted that the state cut 40 acres of red pine recently and made \$44,000 on that alone.
  - B. Comments on Proposed Law #2-99 re: Creation of the Planning Board. R. Stuck, in remembering Frank Williams and being familiar with the General Municipal Law Section 239 re: the establishment of the Planning Board noted that we already have a Planning Board (reference the 1964 Resolution.) Therefore, why do we need a new law? K. Dirlam commented that it has something to do with some changes. R. Stuck then read selected sections of the General Municipal Law pertaining to membership. It was suggested that we need the local law to amend the previous resolution. During discussion, it was noted that various Planning Board members have problems with the Title and Section I of the Proposed Local Law. One comment was: "We do exist." There is another problem with Section V re: membership terms. As it reads now, this would mean that members would serve only until 12/31/99. Staggered terms were suggested so that there would be no total turnover in Board membership. Total change of Board membership (should that ever happen) would break up any continuity on Board projects and membership. R. Klein noted that he concurred with this opinion. D. Ackley noted that during the last fifteen-(15) years, nobody had left due to not being re-appointed. R. Klein stated that this would put too big a political spin on the issue. R. Stuck noted that Town Planning Boards have 1-7 year terms. R. Hollis suggested four-year terms with members from each district. R. Stuck noted that

we create our own by-laws. By consensus, it was agreed that Section V of the Proposed new Local Law must be changed. R. Stuck commented that a non-political body should be expected to create a non-political set of by-laws. R. Klein noted that Cuba Village Planning Board is more a part of the fundamental establishment and that we need continuity to be effective. We need an independent Planning Board. R. Hollis noted that we don't want a political body to have that power. C. Jessup suggested that the structure for terms should be in the law. R. Stuck talked about absenteeism and effectiveness and asked if we yield to a local law how do we control our own Board? We now can be removed for non-attendance or for no training as recommended by the Planning Board Chair. R. Hollis noted that we are limited to twenty (20) people and that we don't want a lot of people who don't attend meetings. C. Jessup suggested four (4) year terms either in the Local Law or By-laws. R. Hollis stated that he plans to attend the Public Hearing (5/24/99). On a motion by C. Jessup and seconded by R. Klein that we have a concern over two issues that need to be in the law, the Planning Board has been in existence for 35 years and there needs to be terms for members. Discussion included the following ideas:

- 1.) Does the legislature have a right to abolish a previous legal board and create a new entity? There is no legal authority to turn over activities of this Board to another entity. Is there a reason? Should they have a hearing?
- 2.) Discussion of the General Municipal Law noted that member can only be removed for cause. This should be explained and put in the record. It is supposed to be a long term Board.
- 3.) The Planning Board is a statutory body created by legal authority.
- 4.) The Board is governed more by tradition than written material but no matter what, the Planning Board is a separate entity.

Motion that R. Hollis voices our concerns at the Public Hearing was passed unanimously. B. Dibble then asked why do we need a local law since the Board Chair has always made the appointments at the beginning of the year. The only change is that members now must be approved via resolution by the full Board of Legislators. "We really don't need a local law." S. Myers then stated that it was the advice of the County Attorney to do it this way. C. Jessup stated that terms for members still concerned him. R. Stuck commented that the people of the County will fare better with a local law containing exact specifications. Appointments should come from the Board Chair. The Planning Board works with a broad cross-section of committees, why should it be under one sub-committee, namely the Planning and Development Committee (P&D) of the full Board of Legislators? S. Myers again stated that the County Attorney recommends this — that it's logical for the Planning Board to be under Planning and Development. R. Stuck stated that this way we will "become a sub-committee". Why? "Will the County Attorney be there?" "Sometimes attorneys act as they are being directed." R. Stuck they reiterated that we don't report to any one committee. R. Klein said he understood that the attorney had said this should be the procedure, but does the attorney tell the Legislature how to run its business? K. Hollis noted that the two current Ex-officio members, namely R. Young, Highway Superintendent and J. Mulholland, Treasurer, has solid reasons for their membership since road construction and re-construction and expenditures for same are concerns of this Board. We cannot prevent work from being done but we can offer our input. The Planning Board can apply for grants, which would make us a line item in the budget. S. Myers stated that the CHIPS money is held up this year and that Ex-officio members get the minutes. R. Stuck noted that this would furnish funds for us to operate properly. It was noted that Planning Board Members can receive no compensation except for mileage.

#### **4. Reports:**

- A. K. Dirlam reported one IRP, which had no relevance to Allegany County.
- B. Brochure received on the Millennium Pipeline. The DEIS is complete.

#### **5. Old Business:**

- A. Room 222 dedication to Frank Williams is complete. Plaque on the wall denotes his close to thirty-five years of service on the Planning Board. Secretary Lee Dibble read a thank-you note from Mrs. Williams. C. Jessup read the plaque to those present.
- B. Interactive Computer Information has been forwarded to Sheriff Belmont and Legislator Rodney Bennett, Chair of the Public Safety Committee.
- C. The pamphlet - Guide to Local Officials has been referred to the County Attorney. Some changes need to be made. It will be returned to K. Dirlam at a later date.

- D. Planning Board picnic is scheduled for August 18, 1999. K. Hollis has obtained the phone number of the contact person for the Angelica Conservation Club. We plan to invite the usual complement of guests; i.e. State Legislators, County Legislators, Department Heads, etc.
- E. R. Klein's request for consideration of items for siting solid waste facilities in the County will be re-examined next month. R. Klein has talked to R. Young, (ACDPW) and will bring the packet of information, re: this matter to next month's Planning Board meeting for our review. This information is based on legislation already in place in Cattaraugus County.
- F. S. Myers read the list of proposed members of the County Planning Board. R. Hollis requested a copy of this list with peoples' addresses. Myers then stated that all persons on the list had been called. There are some new members who need to be contacted. S. Myers stated that this would be made available once the Planning Board members are approved. R. Hollis reported that he had contacted Matt Perkins who stated that he had not been previously contacted. S. R. Klein noted that the names on the list were pretty much what we had hoped/expected. S. Myers then indicated that some names were not on the list, that the list was not complete. R. Stuck asked if a local law can be amended without another public hearing and if county laws are filed with the Secretary of State. R. Stuck also noted that we need consensus in our record of how we continue as a Board. Local laws take effect immediately, then members will be voted on. Those members will continue until the end of the year. D. Fleming voiced his concern about the number of members from each district, particularly noting the inequality for some districts; i.e. District 3. S. Myers stated that she hadn't used up all the slots for membership and will continue to look for another member for District 3. She reported that they had included the person that the Farm Bureau wanted. R. Yanda commented that our focus has been the County as a whole, not particular areas within the County.
- G. Chairman Hollis reported on sending a copy of his letter to Brenda Hotchkiss, Legislative Board Clerk, which he had asked to be read but was not read at the last meeting of the Board of Legislators. His previous letter on municipal wastes had been read at a Board meeting as he had requested. Chairman Hollis wondered what the difference was since the first request was honored by not the second. It was noted that this was not Ms. Hotchkiss's decision but that of John Walchli, Jr. Chairman Hollis will talk to Chairman Walchli; re: this matter.
- H. B. Dibble reported that Norfolk and Southern Railroad representatives shall not be able to attend the June meeting of the Planning Board due to high level negotiations with which they are involved. They will be happy to talk with us at one of our Fall meetings. C. Jessup commented that the Norfolk and Southern had contacted some customers in his area looking for business.
- I. R. Klein reported on the Cuba Village TEA-21 application for review by the Planning Board. R. Klein showed maps of the proposed project and reviewed various details relating to Cuba. They included the following:
  - 1.) Cuba now has three (3) historic districts with the Block Barn now under review for consideration
  - 2.) Cuba is a cross-roads for transportation starting with: the Indians, who used the rivers and trails, the Genesee Valley Canal, the coming of the railroads, highways including Routes 305, 17 (soon to be I-86), an air strip and the old Turnpike Road from Bath to Olean which was started in 1796. Project proposals include sidewalks with a brick surface, a promenade to draw people to town, a 30' x 30' park with a monument describing the Cuba History of Transportation and a Sesqui-Centennial Clock (for the year 2000.) A motion was made by D. Ackley and seconded by B. Dibble to forward the application to the Clerk of the Legislature and denoting Planning Board approval of same. Cost of the project is \$138,000. Motion carried. R. Klein indicated that Cuba will continue the project with the next round of funding application. The Block Barn will be a part of that application. R. Hollis will write a letter indicating Planning Board approval. B. Dibble suggested that the County could promote the Turnpike Road, the routes of the Underground Railroad and the Greenway Trail. There was also a suggestion for building a travel-trailer park near a Greenway terminus.

#### 6. New Business:

- A. Canaseraga Corridor Study – K. Dirlam has found some documentation which needs to be looked over in order to do a study of towns in Northeast Allegany County. Chairman Hollis suggested that a team of people could locate infrastructure within the study area with a GPS. Diana Sinton will be asked to chair this committee. Possibly, she can work with her students to locate tubes and bridges in those five (5) towns. B. Dibble suggested measuring tube diameters and length of bridges.
- B. There is a need for us to form sub-committees but this will be put off until the new Board members are appointed.

- C. C. Jessup has obtained a copy of the 1994 Engineering study for Canaseraga. This gives us somewhere to start. We need to focus on the goals and objectives for this Northeast area of the County. This will be an agenda topic for June.
- D. R. Klein noted that Cuba has a Master Plan. The advantage of having a plan is that when an opportunity arises, it can be "plugged into" the plan. He suggested that Planning Board members encourage their communities to prepare a Master Plan for themselves. B. Dibble suggested contracting David Church of the Planning Federation as a source for a \$5,000 grant. We need a small grant (\$5,000-\$10,000 range) to help us get started. We should look a grant money as a means for getting some planning done.
- E. R. Stuck thanked Bill Dibble for all his efforts for the Planing Board and stated that he hoped Bill would continue to attend meetings. R. Klein stated that Bill was the only visionary he knew and that he is a real asset.
- F. G. Bastian will be sent a letter by R. Hollis thanking him for his time and service on the Planning Board. It was noted that as far as we last knew, Gary Bastian wanted to stay on the Planning Board.
7. Adjournment:  
On a motion by Duke Ackley, and seconded by Dick Yanda, the meeting was adjourned at 9:20 PM with the comment that Walleye Season is open but the fish aren't biting!

Respectfully submitted,



Lee Dibble, Secretary



"Volunteers Working For Tomorrow"

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

**Meeting Minutes 06/16/99**

**Present:** L. Dibble, R. Hollis, K. Hollis, C. Jessup, Ken Skinner, R. Yanda, R. Klein, C. "Duke" Ackley, R. Stuck, D. Fleming, G. Butera, B. Szalc, M. Perkins, R. Golas, R. Backer, D. Foster, E. Krumm, and S. Myers

**Excused:** D. Sinton

**Absent:** D. Harris

**Guests:** Legislators: E. Sherman, B. Reynolds, E. Burdick, and B. Dibble; and K. Dirlam, STW

1. **Call to Order:** The regular June meeting of the Allegany County Planning Board was called to order in the Frank Williams Room of the Allegany County Court House in Belmont, New York, at 7:30 PM by Chairman R. Hollis. Attendance was taken and introductions of all members and guests were made.
2. **Minutes:** On a motion by C. "Duke" Ackley, and seconded by R. Yanda, the minutes of the May 19, 1999, meeting were approved as presented.
3. **Correspondence:**
  - A. Chairman R. Hollis read the Planning Board letter of support for the Cuba Village TEA-21 grant application. R. Klein reported the preliminary application was accepted and that DOT had made six (6) comments or suggestions on same.
  - B. R. Hollis read his letter to Gary Bastian thanking him for his many years of service and the impact he generated from the Entrepreneurs Club.
  - C. R. Hollis read his letter to Bill Dibble thanking him for his many years of service and for his visionary efforts on behalf of Allegany County.
  - D. R. Hollis reported on a letter to Legislative Board Chair, John Walchli, Jr. on the subjects of having his letter to the Board read into the minutes (which was not done at the May 24, 1999, Board meeting) and on membership for the Planning Board asking his advice on how the Planning Board can be heard. No reply to date.
  - E. When time permits, a letter will be sent to the DEC Commissioner Cahill, re: forestry practices in Allegany County and our need for foresters. Copies of this letter will be sent to our State Representatives, and towns with State Forest lands.
  - F. K. Dirlam (STW) passed around newsletters from the Technical Development Center of WNY annual report on the Clean Water State Revolving Fund.
  - G. K. Dirlam reported on a U.B. offer of training for local officials. Classes include one on GIS and one on How to Design Web Pages. Cost is \$10.
  - H. Chairman Hollis passed out copies of his testimony at the Public Hearing re: local law creating the Planning Board.
4. **Reports:**
  - A. R. Klein reported on his efforts to have Allegany County adopt portions of the Solid Waste Siting Law now in force in Cattaraugus County. These efforts have been on going since 1991. The intent is to promote the health, safety and welfare of the people. The law has been amended several times but the items to note are #7.6 and #7.7, which were then read aloud by R. Klein. R. Klein moved that the Planning Board recommend adoption of those two provisions. The potential threat to upstate N.Y. due to the closing of the Fresh Kills dump is going to intensify in the next two years. The closing of that landfill would require one hundred (100) dumps the size of Allegany County's landfill or twenty-five (25) dumps the size of Hyland. We should decide if these waste facilities are compatible with our vision of the County's future. We should send our proposal to the Public Works Committee and the Planning and Development Committee. Motion was seconded by K. Hollis. A discussion then ensued led by S. Myers re: which committee is the committee of jurisdiction. R. Klein reported that Resource Management had approved it in the past and sent it on to the County Attorney and to Public Works Committee. In short, the request has been sent to committee three (3) times and has recently been in limbo for two (2) years. G. Butera asked to see a copy of what went to Cattaraugus County and wanted further review by the Planning Board in order to protect us from any unforeseen problems. Chairman Hollis replied that we had adopted a legal form that had already been changed two (2) times in Cattaraugus County. He thinks this version is generic enough for Allegany

County but has no problem with further review. R. Stuck noted that it would review further review from the County Attorney and from the Public Works and Planning and Development Committees. C. "Duke" Ackley noted that further reviewing will cause an elapsed time period resulting in a law that won't do any good! After further discussion, R. Klein added an amendment to his original motion that the proposal be sent to the Public Works Committee. Motion for the amendment was seconded by R. Yanda and carried. The vote on the main motion was also affirmative. R. Stuck suggested that more research needs to be done for a local law. E. Burdick asked if we were proposing to change rules or to change laws. We need to make sure of which one we are asking for.

B. Chairman Hollis thanked Lee and Bill Dibble for their efforts in promoting the Allegany County Festival. He also noted that it's beneficial to have more than one activity-taking place at a time.

C. K. Dirlam (STW) reported that there were two (2) IRPs, neither one of which concerned Allegany County.

5. Old Business:

A. The Planning Board Picnic is scheduled for August 18, 1999, at the Angelica Conservation Club at 6:00 PM. This will be a dish-to-pass event and we will provide Beef-on-weck, soft drinks and table settings. RSVP to Cathleen at the Economic Development Office, Belmont. There will be no meeting of the Planning Board in July due to conflicts with the Allegany County Fair. On a motion made by R. Hollis and seconded by R. Stuck, B. Dibble was made a member of the Picnic Committee. Motion carried.

B. The Pamphlet, "Guide To Local Officials" has gone to the County Attorney and is not back yet. C. Jessup suggested sending it to Harry Willis. K. Dirlam replied that we will have it back by the next meeting (which is September).

C. Formulating goals and objectives for the proposed corridor study for Grove, Birdsall, Granger and Burns will be put off until September. K. Dirlam will make more copies of the packets of information for the new Planning Board members. Formation of sub-committees for same will also be postponed until September.

D. Testimony by C. Jessup and R. Klein at the Public Hearing on the new local law for the Planning Board was reviewed. B. Dibble was asked why he proposed a whole new law. C. Jessup stated that the law was passed and that it was time to move on.

E. How to amend the Planning Board by-laws was discussed. It was suggested that we ask the County Attorney to attend our next meeting. K. Dirlam will mail the current member copies of the existing by-laws and also a copy of the General Municipal law-239-C. After some discussion on how to proceed, chairman Hollis stated that the County Attorney can advise us on how to proceed.

New Business:

A. R. Stuck noted that there are landowner liability weaknesses in the State Statute: General Obligations Law. This law needs to be made tougher to protect landowners. Letters of support should be sent to our own State Legislators and to the sponsors of the bill. R. Backer stated that the Farm Bureau is in favor of laws that protect landowners.

B. B. Dibble described the Planning Board's 1997 Economic Development and Recreation Report. He suggested that new members should have a copy. C. Jessup noted that the report is 220 pages which involves a lot of copying. The County will provide them copies.

C. Chairman Hollis told Planning Board members that they need to sign the cards signifying Planning Board member's appointments in front of a notary. These need to be returned to Brenda Hotchkiss, Clerk of the Board of Legislators.

D. Chairman Hollis noted that he had received a request from Greater Allegany Preservation (GAP) from letters of support for their TEA-21 grant application to stabilize and repair the Canal Warehouse in Belfast. C. Jessup made a motion to table this because of lack of information; D. Fleming seconded the motion which was passed.

E. B. Dibble wished the new Planning Board luck in the future.

7. Adjournment:

On a motion by C. "Duke" Ackley, and seconded by C. Jessup, the meeting was adjourned at 8:50 PM.

Respectfully submitted,



Lee Dibble, Secretary

# Allegany County Planning Board



"Volunteers Working For Tomorrow"

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

## Executive Committee Meeting Minutes 08/04/99

**Present:** R. Hollis, L. Dibble, R. Stuck, J. Sinclair and C. Kalthoff of ACCORD

- I. The Executive Committee meeting of the Allegany County Planning Board was convened in the Frank Williams Room of the Allegany County Court House in Belmont, New York, at 7:10 PM by Chairman R. Hollis.
- II. C. Kalthoff briefly reviewed the evolution of how the consolidated plan came into consideration. HUD uses these as a planning document. The benefit is that these allow for a close local reference. There are four (4) housing groups in Allegany County and all these can use the consolidated Plan. New York is one of the only two states that allow HUD to run their programs. The County contributed \$2,000 and ACCORD gave \$1,000 to finance this effort. There is a broad base input for this plan. J. Sinclair distributed four (4) hand outs detailing how the plan has been put together. They include:
  - 1.) Table of Contents
  - 2.) Time Line
  - 3.) Participants and Materials List
  - 4.) Plan Coordination

A copy of the draft narrative will be sent to all Planning Board members before their September meeting. An executive summary is being planned. J. Sinclair and C. Kalthoff will attend the September Planning Board meeting to explain all aspects of the Plan and to answer questions. References within the plan will link back to other documents which then can be used in writing grant applications, etc.

Various HUD requirements were described by C. Kalthoff. For example: Housing Data is the primary reference source. For a successful application, it must help fifty-one percent (51%) or more of the low or moderate income people. HUD's helping with some other mapping using census data and other related statistics.

The plan coordination outlines the following items:

- 1.) How it was structured.
- 2.) How coordinated with other plans
- 3.) Dissemination and Use

Formulation of the Consolidated Plan will also be based on several surveys sent out to towns by K. Dirlam and J. Sinclair. Towns and Villages will have numerous opportunities to share their input on the Plan through the two (2) public hearings, surveys and the amendment process.

Two other items of consideration include the following:

- 1.) The Consolidated Plan is not subject to approval by HUD-they give technical advice and assistance. However, when projects come in, HUD uses the Consolidated Plan as their reference for the County's needs. Details are in the individual proposals.
- 2.) There is no real deadline for submission of the Plan to HUD but it needs to be on file before the next round of small cities grants become available in September or October. Therefore, the narrative will be mailed out by the week of August 30th, 1999. J. Sinclair and C. Kalthoff need input from the Planning Board within two (2) weeks of the September 15th, 1999, Planning Board Meeting.

The question arose on how the County can assist the towns. R. Stuck suggested a brief cover letter be sent along with the narrative telling them that these programs are available. The need for centralized communication and possible use of the Internet were also mentioned in this context.

The meeting concluded at 8:15 PM.

Respectfully submitted,

Lee Dibble, Secretary

# Allegany County Planning Board



"Volunteers Working For Tomorrow"

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

## Meeting Minutes 09/16/99

**Present:** L. Dibble, C. Jessup, R. Stuck, R. Golas, R. Hollis, K. Hollis, D. Foster, C. (Duke) Ackley, D. Harris Jr, G. Butera, D. Sinton, R. Klein, K. Skinner and R. Yanda.

**Excused:** D. Fleming, E. Krumm.

**Absent:** M. Perkins, R. Backer.

**Guests:** Assistant County Attorney T. Miner, J. Sinclair, ACCORD, Gary Brown, Legislators: S. Myers and B. Dibble; and Kier Dirlam, STW.

**Location:** Frank Williams Room; Allegany County Legislative Chambers, Belmont, New York.

1. **Call to Order:** The regular September meeting of the Allegany County Planning Board was called to order at 7:30 PM by Chairman R. Hollis. Attendance was taken and introductions of all members and guests were made.
2. **Minutes:** The minutes of the June 16, 1999, Planning Board meeting were approved as presented on a motion by C. "Duke" Ackley, and seconded by R. Yanda. In addition, the minutes of the August 4, 1999, Executive Committee meeting were presented.
3. **Correspondence:**
  - A. Chairman R. Hollis reported on a letter written to DEC Commissioner Cahill re: County forestlands and letters received from Assemblymen Dan Burling and Jerry Johnson. He also read the letter of resignation from the Planning Board submitted by Brenda Szalc, dated 7/8/99.
4. **Consolidated Plan Presentation:** J. Sinclair was introduced by Chairman Hollis. The purpose, sources of information, scope, contents and projected applications of the HUD Consolidated Plan for Allegany County were described by J. Sinclair. Some of the main points covered are as follows:
  - A. This plan is needed because of the advantages it affords us when submitting applications for funding in HUD projects. This plan gives us bonus points. Seventy percent (70%) deal with housing.
  - B. To the best of our knowledge, Allegany County is the only rural Western New York county to submit such a plan. Schuyler County is working on its own plan to fulfill needs for a special project at Watkins Glen.
  - C. J. Sinclair has had a variety of comments/feedback from several sources. One public hearing has already been held on 9/13/99. R. Hollis suggested scheduling a public meeting in the evening so that people with jobs could attend. The next hearing is scheduled for 9/27/99. Only two public hearings are required by HUD. After those, changes will be made.
  - D. The Consolidated Plan will be presented to the County Legislature for its approval on 10/11/99. When adopted by the County, it will then be submitted to HUD where it will be used as a source document for Allegany County. Applicants for HUD funded projects can then reference the Plan and not have to redo the same research.
  - E. The amendment process (within the Plan) provides a way to add projects or concerns. R. Stuck asked why was the Planning Board eliminated from the amending process? He suggested that the Planning Board be given a chance to review proposed changes and then send them on to the Planning and Development Committee. From there, it would be sent to the Board of Legislators for their approval. Following some discussion, it was the consensus of the Planning Board that this change be made in the final version of the Consolidated Plan.
  - F. Other errors and corrections were pointed out by Planning Board Members. Included in the discussion was a question asked by R. Klein re: accuracy of the data on pages 21-29. R. Klein noted that all towns have data from building permits and asked if STW had better information. J. Sinclair stated that the data will be changed or labeled to show what it lacks. R. Hollis asked about projects from the Town of Granger that could be included. These were improvements to the Town Hall, the Fire Hall, a possible Town Park and improving the energy efficiency in the Town Sheds.
  - G. R. Stuck suggested the inclusion of some historical background on Allegany County.
  - H. R. Klein asked about data on mobile homes.

5. Reports:

- A. Chairman Hollis reported on receiving notification that the McKinney Stables (the Block Barn), Cuba, NY has been nominated for listing on the NYS Register of Historic Places and will be recommended for listing on the National Register of Historic Places.
- B. County Attorney, Tom Miner commented on and suggested alterations in our draft of changes for the Planning Board By-laws. C. Jessup moved that the content of the by-laws, as corrected, and with the form to be adjusted to conform to the latest edition of Roberts Rules of Order, be approved at this meeting. Motion was seconded by K. Hollis and carried. R. Stuck then suggested that the two sentences beginning with "Whereas" and "Therefore" at the beginning of the by-laws be deleted. Stylistic changes will be reported by T. Miner to R. Hollis.
- C. T. Miner reported that a few items in the Guide for Local Officials had been changed to make them up to date. Chairman Hollis suggested that the Guide be reformatted and that our logo be added. C. Jessup requested that the Guide be sent to all towns and villages and to all local officials. S. Myers also suggested that it be sent to all County libraries. Errors will be corrected and it will be presented at the October Planning Board meeting for approval.
- D. Chairman Hollis noted the success of the Planning Board picnic and thanked all those people who had helped with the set-up of same.
- E. K. Dirlam passed out copies of twenty (20) IRP's.

6. Referral Gary Brown, developer, reported on a Main Street, Alfred Village Project. He stated that the SEQR process and required public hearings had been completed. The project involves demolition of a building in an historic area but the building itself is not historic. The project also includes the remodeling of an existing building in a B-1 Zoning District. Drawings, plans, minutes of all meetings and hearings plus the footprint of the buildings were on hand for our perusal. This project was approved by the Alfred Village Planning Board. C. Jessup noted that this project will provide much needed office space, retail space and apartments in downtown Alfred. Parking is not required in a B-1 Zoning District but nine (9) on-site spaces and twenty-one (21) other spaces will be available across the street. No variances are required. Handicapped access will be provided to twenty-five percent (25%) of the apartments and there will be an elevator. Apartments will be furnished. R. Stuck moved that the Planning Board approve the project. Motion seconded by R. Klein and carried. Chairman Hollis will send a letter indicating that the project was approved unanimously by the Planning Board.

7. Other Business:

- A. For information purposes, B. Dibble distributed copies of the 1997 Resolutions calling for the extension of Routes 243 and 408. B. Dibble briefly explained the importance of these requests as the Northeast corner of Allegany County lacks State roads.
- B. T. Butera reported on the elimination of Route 17 from Elmira to the Pennsylvania boarder on the 1999 NYS Thruway maps. T. Butera has sent letters of protest to all pertinent State and local officials. Ms. Butera then read her letter. S. Myers requested that a copy of the letter be sent to the I-86 Coalition members. The devastating impact of this omission was then discussed and it was generally agreed that these maps be recalled. T. Butera moved that the Planning Board write to the Thruway Authority asking them to recall the twenty-third (23<sup>rd</sup>) edition of the Thruway Maps because they do not show the entire So. Tier Expressway from Elmira to the PA. Line. D. Sinton noted that the map does show Route 17 incorrectly as a principle road but not as a limited access highway. K. Hollis seconded D. Sinton's amendment and the principle motion. The amendment was passed as well as the original motion.
- C. Chairman Hollis stated that some agenda items on formation of goals and objectives and the establishment of sub-committees will be delayed due to the full agenda.
- D. Principle agenda items for the October meeting will be a presentation by Fred Sinclair on Ag Districts.

8. Adjournment:

On a motion by C. "Duke" Ackley, and seconded by C. Jessup, the meeting was adjourned at 9:35 PM.

Respectfully submitted,

*Lee G. Dibble*

Lee Dibble, Secretary

# Allegheny County Planning Board



"Volunteers Working For Tomorrow"

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

## Meeting Minutes 10/20/99

**Present:** L. Dibble, G. Butera, C. Jessup, R. Hollis, K. Hollis, D. Foster, R. Golas, R. Stuck, M. Perkins, D. Sinton, R. Klein, C. (Duke) Ackley, R. Yanda, D. Fleming, S. Myers, Ex Officio.

**Excused:** E. Krumm, K. Skinner.

**Absent:** D. Harris, R. Backer.

**Guests:** Legislators: B. Dibble, J. Graffrath, E. Burdick, R. Bennett; Members of the Farm Land Protection Board which included: Wendell Chamberlain, Gary Link, Jack Potter, Florence Fuller, Ted Hopkins; Cornell Co-Operative Extension: Tom Parment, Jim Grace; Soil and Water Conservation District: Fred Sinclair; STW: Kier Dirlam.

**Location:** Frank Williams Room; Allegheny County Legislative Chambers, Belmont, New York.

1. **Call to Order:** The regular October meeting of the Allegheny County Planning Board was called to order at 7:35 PM by Chairman R. Hollis.
2. **Minutes:** On a motion by C. Jessup and seconded by R. Yanda, the minutes of the September 16, 1999, meeting were approved as presented.
3. **Correspondence:** Chairman R. Hollis reported on the following items of correspondence:
  - A. Approval letter was sent to Alfred Village for the Gary Brown Project.
  - B. A letter was sent to the NYS Thruway Authority re: wrong designation for Route 17. No response received to date.
  - C. Response received from NYS DEC Commissioner Cahill re: forestry staffing. Essentially, he indicated that forestry staffing for Region 9 has been redistributed and that there are no plans to hire additional foresters.
  - D. Received notification that the Block Barn, Cuba, NY, is now listed on both the NYS and National Registers for Historic Places.
  - E. Chairman Hollis read a letter from the Village of Canaseraga requesting the Planning Board's assistance for the Canaseraga Creek Watershed Project which involves the Towns of Grove and Burns and the Village of Canaseraga. Their steering committee will be invited to the November 17<sup>th</sup> Planning Board meeting.
4. **Reports:** Information on the following items was reported:
  - A. K. Dirlam distributed a list of changes, corrections, etc. for the HUD Consolidated Plan, which had been previously handed out at the Planning and Development Committee meeting. The change in the amending process, which had been requested by the Planning Board, has been included in the revised plan. The pertinent wording for that change was read by Secretary Lee Dibble from the appropriate pages, (77 and 78) which were obtained from Joan Sinclair. The Consolidated Plan will be presented to the County Legislature on October 25<sup>th</sup>, 1999, for their approval. It will then be sent to HUD.
  - B. K. Dirlam reported that he is working with the Village of Alfred on changes for their zoning map. A new preliminary plan has been drafted for their review.
  - C. K. Dirlam reported that Wellsville Village is working on a similar project as their plan dates from the mid 80's. Kier will assist them also.
  - D. Allegheny County pins, which were first suggested by Legislator E. Burdick, are available for purchase at \$2.00 each. The design was done by local artist, Tom O'Grady.
  - E. R. Hollis noted that the pamphlet, Guide for Local Officials, has been reviewed by the County attorney. K. Hollis is working on re-formatting, and the pamphlet should be ready for distribution next month. S. Myers suggested a press release when it is ready.
5. **Presentation:** Guest Speaker, Fred Sinclair from the Soil and Water Conservation District spoke on the proposed consolidation of County Agricultural Districts. There are currently thirteen (13) districts. It has been suggested that these be consolidated into possibly four (4) districts. Ag Districts have an eight (8) year cycle for review and each review takes 300 days. Because of the need for doing reviews in a timely manner, having four (4) Ag Districts would allow one to be reviewed every two (2) years. This would divide the eight (8) year process up evenly and allow for a year's respite between each review. F. Sinclair distributed copies of the following:
  - a) Ag District Profiles-a spreadsheet dated 5/99
  - b) An Allegheny County map showing the location of all Ag Districts within the County. Ag Districts are numbered 1-14 with Ag District #5 having been terminated. There are thirteen (13) active districts at this time. The NYS Dept. of Agriculture Representative has suggested consolidation. Ag District #3 is up for review. We now have the opportunity because of changes in the laws, to wipe the slate clean and create a new time frame.

Because Allegany County has not been able to accomplish the reviews in a timely manner, consolidation has been recommended by the Resource Management Committee and the Farm Land Protection Board. Discussion ensued on how the Ag Districts were originally created, when can lands be added or subtracted, required notifications at the time of review, desirability of having Ag Districts, reporting requirements for land owners with property in an Ag District and conjecture on the effects of the next census as it pertains to political representation in Ag Districts. Another issue to be considered is who will do the work of bringing about any consolidation. Possible entities to do the work and sources of money were briefly discussed. Various rules and requirements for consolidation were explained. On a motion by C. Jessup and seconded by R. Yanda, the Planning Board recommended the consolidation of the thirteen (13) existing districts into four (4) Ag Districts. Motion passed unanimously. F. Sinclair will return with a map showing the proposed boundaries of four (4) consolidated districts at the November Planning Board meeting.

**Break:** Everyone present enjoyed cider and cookies which were graciously provided by G. Butera and K. Hollis.

6. **Old Business:**

- A. Chairman R. Hollis noted the newspaper article (copies distributed to all present) on the inequity of distribution of ARC grants in Allegany County. Consensus was that we should work for our equal share by lobbying our legislators. *in the ARC Region.*
- B. The Guide for Local Officials will be reformatted.
- C. No answer has been received from Legislative Chair, John Walchli, Jr on our letter to him.
- D. R. Klein reported on some in-consistencies re: meetings attended and referrals made in his efforts to add two provisions to the waste siting law. R. Klein agreed to "rough out" these ideas and see the County Attorney with them.
- E. G. Butera located and copied the appropriate materials in Robert's Rules of Order. These have been forwarded to the County Attorney and the By-law revisions are being worked on.
- F. G. Butera has received no reply to her letter re: Errors on the NYS Thruway map but reported on an interesting telephone conversation with the NYS Cartographer. Apparently, all Thruway maps have been pulled because of the omission of Exits 51 and 53 in Buffalo, N.Y.

7. **Executive Session:** County Legislator S. Myers requested that the Planning Board go into Executive Session to discuss a contract to provide planning services for the County. After a discussion on the legal reasons for the executive session and after a reading of the law for same by R. Hollis, R. Golas moved that we go into Executive Session. Motion was seconded by G. Butera and passed by a roll call vote; voting YES-7: G. Butera, D. Foster, R. Golas, R. Stuck, M. Perkins, D. Sinton, C. Ackley, voting NO-6: L. Dibble, C. Jessup, R. Hollis, K. Hollis, R. Klein, R. Yanda.

R. Yanda asked how it could be an executive session if the public was present. (S. Myers had requested that the County Legislators be allowed to remain.) A motion was made by R. Stuck to allow the Legislators to remain in the meeting. Motion was seconded by M. Perkins. This motion was defeated in a roll call vote; voting YES-6: G. Butera, D. Foster, R. Golas, R. Stuck, M. Perkins, D. Sinton, voting NO-7: L. Dibble, C. Jessup, R. Hollis, K. Hollis, R. Klein, C. Ackley, R. Yanda. Legislators were excused. Planning Board then went into Executive Session at 8:55 PM.

**Executive Session Motion and Vote:** C. Jessup made a motion that Allegany County should ask for R.F.P.'s on any contract for Planning Services. The motion was seconded by Dale Foster and passed by a roll call vote; voting YES-10: L. Dibble, C. Jessup, R. Hollis, K. Hollis, D. Foster, R. Golas, D. Sinton, R. Klein, C. Ackley, R. Yanda, voting NO-1: M. Perkins, ABSTAIN-2: G. Butera, R. Stuck.

On a motion by R. Golas, seconded by K. Hollis, and carried, the Planning Board came out of Executive Session at 9:44 PM.

8. **Adjournment:**

On a motion by C. "Duke" Ackley, and seconded by K. Hollis, the meeting was adjourned at 9:45 PM.

Respectfully submitted,

Lee G. Dibble, Secretary

# Allegany County Planning Board



"Volunteers Working For Tomorrow"

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

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October 24, 1999

Legislator Susan Myers  
County Office Building  
Belmont, New York 14813

Dear Legislator Myers:

The Allegany County Planning Board, acting in its role as advisor to the Allegany County Board of Legislators, would like to recommend that the legislators send out a Requests For Proposals concerning the proposed contract between Allegany County and Allegany Community Development, Environment and Planning Services.

The Allegany County Planning Board, at our October 20<sup>th</sup>, 1999, Planning Board meeting in executive session, voted 10 yea, 2 abstentions, and 1 no to forward this advice to the Allegany County Board of Legislators. We feel it is in the best interest of the taxpayers of Allegany County to pursue a contract with the best available contractor for planning services. Without sending out a Request For Proposals, we are unable to make the judgement that the firm that was presented is the best available contractor. During our discussions of this, one of our members noted that Yates County recently hired for \$25,000, a full time planner who is certified in Planning and holds a Masters Degree in that field. The proposed fee of \$39,840 seems to be seriously out of line with this new information.

It is therefore the advice of the Allegany County Planning Board that the Allegany County Board of Legislators advertises a Request For Proposals for planning services.

Sincerely yours,

Richard G. Hollis, Chairman  
Allegany County Planning Board

# ALLEGANY COUNTY BOARD OF LEGISLATORS

COUNTY OFFICE BUILDING \* 7 COURT STREET  
BELMONT, NEW YORK 14813-1083  
TELEPHONE 716-268-9222 \* FAX 716-268-9446

JOHN W. WALCHLI, JR.  
CHAIRMAN

BRENDA R. HOTCHKISS  
CLERK

November 1, 1999

Mr. Rick Hollis, Chairman  
Allegany County Planning Board  
County Office Building – Room 208  
7 Court Street  
Belmont, NY 14813

Dear Mr. Hollis:

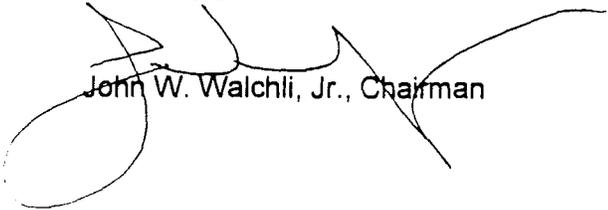
The purpose of this letter is to reply to your recent inquiries regarding Planning Board correspondence to the Board of Legislators. There is no requirement in the rules of the Allegany County Board of Legislators that a letter sent to the Board or the Chairman be read into the minutes of a meeting. It is within my discretion as Chairman to determine whether or not this shall be done.

Upon receipt of your letter of October 24, 1999, I consulted with the County Attorney regarding whether or not the letter should be formally read into the minutes of the Board. I was advised that at this point in time the letter should not be read into the minutes because of the fact that the County has not entered into any agreement with any independent contractor for planning services. Negotiations for such an agreement and discussion of those negotiations are ongoing. Pursuant to Section 87.2© of the Public Officers Law (Freedom of Information Law) the information that would "impair present or imminent contract awards - - -" is exempt from disclosure to the public. Therefore, under the circumstances, I believe that at this point in time your letter should not be formally read into the minutes and thereby made public. To do so would impair the County's bargaining position with any independent contractor.

As a point of information, in checking with Yates County, it was determined that they did in fact hire a full-time planner who is certified and has a master's degree in the field. However, the salary was \$35,000 not \$25,000. Considering that medical insurance, retirement and other fringe benefits amount to an additional 30 to 35 percent of an employee's salary, the cost to Yates County for their full-time planner would be between approximately \$45,500 and \$47,250.

I always appreciate the input and comments from the Planning Board on County issues and hope that you will continue advising the County on matters which affect planning.

Very truly yours,

  
John W. Walchli, Jr., Chairman

# Allegany County Planning Board



"Volunteers Working For Tomorrow"

Rick Hollis, Chairman

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Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

## Meeting Minutes 11/17/99

**Present:** C. Jessup, L. Dibble, R. Hollis, K. Hollis, G. Butera, E. Krimm, R. Golas, C. (Duke) Ackley, R. Klein, R. Yanda, D. Foster, R. Backer, D. Sinton, M. Perkins, Ken Skinner, S. Myers-Ex Officio

**Excused:** R. Stuck

**Absent:** D. Fleming, D. Harris, Jr

**Guests:** County Attorney-Tom Miner, U.S. Census Bureau-Rich Davis, STW- K. Dirlam and Russ Patterson, Legislator B. Dibble

1. **Call to Order:** The meeting was called to order by Chairman R. Hollis at 7:30 PM. Everyone introduced themselves and identified their affiliation.
2. **Minutes:** On a motion by C. Jessup and seconded by C. (Duke) Ackley, the minutes of the October 20, 1999, meeting were approved unanimously with one correction. The correction: page two (2), Item #6 should read: "in the entire ARC region."
3. **Announcement:** Chairman Hollis informed the Planning Board that the Executive Session, which took place at the October meeting, was inappropriate because the vote should have been based on a majority of Planning Board members, not on a majority of those present. The vote to hold an executive session should have failed.
4. **By-laws:** County Attorney, Tom Miner passed out two (2) copies of the by-laws for the Planning Board. One copy, with italics and brackets shows the changes. The other copy shows how the By-laws will read if they are adopted at the December Planning Board meeting. Typos and corrections can be sent to Tom Miner at his office. Once adopted by the Planning Board, the By-laws will be sent on to the Planning and Development Committee and then to the Board of Legislators (in resolution form) for their ratification.
5. **2000 Census:** Guest presenters Russ Patterson from STW and Rich Davis from the Census Bureau first distributed kits and posters for Census 2000. They then gave an over-view of the census. Several reasons for obtaining an accurate, complete enumeration were cited. These include the following:
  - A. Raw data indicate dollars for our area because the Feds use these numbers when allocating money to the State. These numbers are competitive and are used for demographics, economic development data, school capitalization projects, justification for highways, hospitals, need for grants, etc. It's important to be accurate.
  - B. The number of House of Representative seats for each state is constitutionally based on the census. The Thirty-first (31<sup>st</sup>) Congressional District has been pinpointed as having possibly lost population and will be subject to redistricting. Again, every person counts.

To obtain an accurate count, census officials are seeking to build partnerships to organizations that speak to a significant population base. Many people will not respond to census requests for any number of reasons. By building these partnerships, officials hope to be able to contact hard to reach groups, i.e. college students, Amish, etc. and overcome the reluctance of certain groups to respond. Census needs include volunteers/people who know their communities, physical sites to train and test workers (both paid and volunteer) and groups willing to commit to a partnership with the census. Another method by which census officials hope to reach people is through the schools. Special curricula on the importance of the census have been designed to interact with multiple disciplines such as math, geography, data analysis, etc. Hopefully by educating the students on the importance of this census and any future census, the parents will also become aware of the need for an accurate count.

Fact sheets, booklets, poster, etc. were reviewed. Various question and problems were discussed. A request for media (newspaper) donation of space was reported on. The short (seven (7) questions) and long (thirty (30) questions) forms for the census were reviewed. Literacy problems are viewed as a barrier to participation. Various reasons for a low/inaccurate count include low incomes and low education attainment, unemployment and the previously mentioned illiteracy. The majority of census forms in Allegany County will be hand delivered. The major exception will be in Wellsville where the forms will be mailed.

Planning Board members were asked to suggest questionnaire assistance sites by the end of the month. The Planning Board is also being considered as the Complete Count Committee for the Census.
6. **New Business:**
  - A. **Nominating Committee:** Chairman Hollis announced that he will be unable to serve as Planning Board Chair in the year 2000 due to his recent election as Supervisor in the Town of Granger. Chairman Hollis asked for volunteers to serve on a nominating committee to select candidates for Planning Board Officers for 2000. D. Sinton, C. "Duke" Ackley and R. Yanda volunteered to serve on this committee.

- B. Annual January Dinner:** Chairman Hollis then asked for volunteers to select a site and plan the annual January Planning Board Dinner. G. Butera agreed to chair this committee. Volunteers assisting her include R. Golas, B. Dibble, L. Dibble and R. Klein.
- 7. Correspondence:** Chairman Hollis reported on receipt of the following items:
- A.** Letter from Connie Radde of the Canaseraga Creek Watershed Project (CCWP) saying that their steering committee is just being formed (on November 15, 1999) and that our meeting on November 17, 1999 was too soon for their participation. They will come to our December meeting.
  - B.** Copies of letter written by Chairman Hollis to Legislative Board Chair, John Walchli, Jr. This letter was not read at the Board meeting but was reported on in the press.
  - C.** Copies of John Walchli, Jr.'s reply (dated 11/1/99) to Chairman Hollis's letter (dated 6/11/99).
  - D.** Letter from John Platt, Director of the NYS Thruway stating that Thruway maps will be reprinted and that the Route 17 designation will be corrected.
  - E.** Letter from a Town of Hume group (authored by Marilyn Main) opposing the Genesee Valley Greenway. They will be invited to our next meeting to discuss problems on the Trail. M. Perkins suggested contacting Wayne Cooper (DEC-Olean) and inviting them to also attend our next meeting to answer questions, etc.
  - F.** Received a copy of 1999 Land Use Planning and Regulations-A survey for New York State from Senator McGee's office. K. Dirlam will contact Senator McGee's office for additional copies for Planning Board members.
  - G.** Received a letter from University of Buffalo about a meeting on 11/17/1999, re: the state of the Region-a Performance Indicators Assessment.
  - H.** Received a note from Assemblyman Jerry Johnson re: New York regaining control of HUD funds distribution.
  - I.** From NYS-DEC, received a copy of the Livingston County Unit Management Plan which includes Rattlesnake Hill in the Northeast corner of Allegany County. This should have come before the Planning Board for our comments. Draft copy dated 2/1999.
- 8. Reports:**
- A.** K. Dirlam reported that STW has moved to 4039 Route 219, Salamanca. An open house with building tours are slated for 11/18/1999 from 5:00-6:00 PM.
  - B.** K. Dirlam reported on further progress for the Angelica Comprehensive Plan. The group has identified five (5) or six (6) priorities and will now break up into groups to develop action plans for same. This has been a community driven effort. Several hundred surveys were mailed out and approximately two hundred have been received.
  - C.** K. Dirlam reported on an IRP re: Chautauqua County Westfield Home and Hardware. This does not effect Allegany County.
  - D.** R. Klein reviewed his letter and summary re: the proposed addition to Allegany County's Solid Waste Siting Law. R. Klein moved that the Planning Board endorse these proposed changes for adoption by the Board of Legislators. Motion was seconded by C. Jessup and passed unanimously. These changes will be sent to the Public Works Committee, the County Administrator and the Board of Legislators.
  - E.** The Pamphlet, Guide to Local Officials has been reformatted by K. Hollis. Copies were distributed to Planning Board Members. C. Jessup noted the need for a press release. Plans were formulated to invite the press to the December meeting for a picture of Chairman Hollis presenting a copy to the Canaseraga Creek Watershed Project Task Force. Copies will be sent to all Town and Village Board members, Town Clerks, Zoning Board and Libraries. Chairman Hollis will write a cover letter to accompany same.
- 9. Other Business:**
- A.** B. Dibble reviewed the 1997 County Resolutions re: the extensions of Routes 243 and 408. It was noted that due to subsequent elections that our State Representatives have changed. S. Myers state the P&D committee reviewed it and the Resolution from Hume, re: this matter. They do not want the County to re-do this. A motion was made by R. Yanda that we send it on our own letterhead to the appropriate state legislative officials and to the Boardman, Commissioner of NYS-DOT. Motion was seconded by R. Klein. Discussion on the motion included ideas on the projected costs and the comment by R. Hollis that the project has great potential. It would be especially positive for the Town of Caneadea and the whole northern end of the County. Motion carried with one dissenting vote by K. Hollis.
- 10. Adjournment:** On a motion from C. (Duke) Ackley, and seconded by R. Hollis, the meeting was adjourned at 9:12 PM.

Respectfully submitted,



Lee Dibble, Secretary

John M. NOT APPROVED

ALLEGANY COUNTY PLANNING BOARD FEB 23 2000  
"VOLUNTEERS WORKING FOR TOMORROW"

Rick Hollis, Chairman (716)-268-9229 Ron Stuck, Vice Chairman  
County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

Meeting Minutes 12/15/99

Present: L. Dibble, C. Jessup, R. Yanda, D. Sinton, D. Foster, C. (Duke) Ackley, G. Butera, K. Hollis, R. Hollis, R. Stuck, R. Klein, M. Perkins, S. Myers-Ex Officio

Excused: R. Golas

Absent: Ken Skinner, D. Harris Jr, R. Backer, E. Krumm

Guests: Assistant County Attorney - Tom Miner; NYS DEC - Wayne Cooper and Ron Abraham; Friends of the Genesee Valley Greenway - Frances Gotsik; Canaseraga Creek Water Shed Steering Committee - Kevin Mahany, Gary Gilbert, Patty Register Nobles, Catherine Kenyon, C. Allen Philips; Town of Hume Delegation - Avis Wilmont, Donna Brown, Tim Beardsley, Phillip Main, Marilyn Main, Philip Szalla; Legislators E. Sherman, B. Dibble

Location: Frank Williams Room - Allegany County Office Building, Belmont, New York

Officially Received via Richard Klein: Town of Cuba requests for Planning Board review for a zoning change and a special use permit.

1. Call to Order: The meeting was called to order at 7:30 PM by Chairman R. Hollis.
2. Minutes: On a motion by C. (Duke) Ackley and seconded by K. Hollis, the minutes of the November 17, 1999, meeting were accepted as corrected. K Hollis noted that the correction in 9.A. should read J. Boardman."
3. Correspondence:
  - A. Chairman R. Hollis noted that he had sent a letter to County Legislator Alton Saylor, Chair of the Public Works Committee re: amending the solid waste law.
  - B. Chairman Hollis reported that he had received a letter of resignation from the Planning Board from D. Fleming of Scio.
  - C. Chairman Hollis reported on sending a copy of the DOT letter re: Corridor study for the extension of routes 408 and 243 to Senator McGee.
4. Old Business: Amended By-laws: Motion was made by G. Butera and seconded by R. Yanda that the Secretary of the Planning Board is authorized to sign all papers necessary for the adoption of the amended by-laws that will then be forwarded to the Planning and Development Committee. Motion carried unanimously.
5. Guest Delegations:
  - A. Genesee Valley Greenway Marilyn Main, spokesperson for the Town of Hume presented their objections to the Greenway. A copy of her remarks is appended to these minutes. Phil Szolla, spokesman from the Town of Willing, presented his ideas on property rights under the constitution and read a portion of Section 1S Department of the Budget Report on reversionary rights of property owners. Most of these remarks referred to the River Trail (WAG) from Wellsville to the PA border. Wayne Cooper, DEC representative then replied that he wished to address the issues as follows.
    - 1.) Issues concerning the WAG Trail don't exist on the Greenway properties with possibly one exception
    - 2.) Fran Gotsik, Executive Director of the FOGVG commented on property values and explained the partnership between the DEC, OFRHP and the Friends of the Genesee Valley Greenway. She also promised to supply the Planning Board with copies of studies done re: crime, property values, vandalism, etc. as well as other information from the Rails to Trails Conservancy. Ms. Gotsik made other remarks on the general environment of the Genesee Valley Greenway and noted that northern portions of the trail have been open for eight years with no serious crimes and no great degree of trouble or vandalism. Some arrests have been made for drinking and some signs have been used for targets (shooting) and one gate has been removed repeatedly.
    - 3.) Ron Abraham DEC forester spoke as a member of an active volunteer group and adjoining landowner in the New Hudson area. He reported that there had been a major problem with dumping on the Trail until a major cleanup was carried out. Tons of garbage have been removed. Since there has been an active presence on the Trail, dumping has ceased.
    - 4.) R. Hollis reported on a meeting with the State Police based in Fillmore. On Monday through Thursday nights, there is no State Police presence during the third shift. There are two (2) forest rangers and one conservation officer in the northern part of the county.
    - 5.) Avis Wilmont spoke on the liability question and asked if recreation is going to replace farmland. She asked for an EIS, and an economic impact study. She also noted that there is no police protection and there is a basic ownership question re: RG and E. She also stated that the Town of Genesee Falls will officially object to the Trail.
    - 6.) Wayne Cooper, DEC, stated that he had the title and deed information at his Clean Office.
    - 7.) Ron Abraham noted that the original canal deeds are in the Belmont Court House.
    - 8.) A question was asked on how long has the Greenway been operating. Ms. Gotsik explained that various segments have been opened since 1992.
    - 9.) Discussion then ensued on how brush was removed and vegetation cleared in order to create an open path on the rail bed.
  - B. Canaseraga Creek Watershed Steering Committee: was introduced by Legislator Bill Dibble who then explained that they are working on a Master Plan: Vision for the Future for the Towns of Burns and Grove and the Village of Canaseraga. Canaseraga Mayor Philips stated that the committee wants to generate interest in developing the area. A letter has been sent to all property owners and residents, they are developing an Internet page, and hope to promote growth for the area. Problems noted include very little employment, a steady decline in tax revenues and a steady rise in taxes. There has been some discussion on sewer development down Route 70 from the Town of Grove (Swain) to the Village of Canaseraga. Mayor Philips commented that the goals are known but how to achieve them is not known. Coalition building is taking place. attendance at meetings has been good - more than was expected except at the last meeting (possibly due to the holidays) and that a newsletter - "Canaseraga Creek Crier" - has been started. They would like to fill the empty buildings and noted that grant writing insight is needed. Kevin Mahany spoke on the formation of a snowmobile club, a garden club, the newsletter

staff and the fact that they had received a grant from the NYS Planning Federation. They hope to promote economic growth and tourism. In developing the Master Plan, they will need assistance. Areas to be considered include recreation facilities, open space, future developments of the area, etc. There is consideration on forming a sub-committee to work with the consultant. An interest was voiced on the reasons for the vacant buildings. Answer included aging owners and buildings plus the fact that there is very little land near the buildings. Business is hindered by the lack of sewers. M. Perkins suggested looking for funds from the Environmental Bond Act. They have met with Catharine Rees and can readily see the need for a consultant. Mayor Phillips noted that they need to get this accomplished in a reasonable length of time - possibly 5 years. He also noted that the support and enthusiasm is there. Chairman Hollis stated that the Planning Board would work with their group and would put together a sub-committee for this purpose probably at our February meeting.

**6. Reports:**

- A. Legislator S. Myers** was complimented for her work on the I-S6 designation. A copy of the Buffalo News Article on same was made available courtesy of G. Butera.
- B. Guide for Local Officials:** Chairman Hollis read his two letters - one to local officials and one to be sent to libraries. These will be mailed after January 1, 2000, after new officials take office.
- C. Annual January Dinner:** Dinner Committee Chair, G. Butera, reported that the dinner will be held at Moonwinks on January 19, 2000, and will include a slide program by County Historian Craig Braack. Cost is \$15.00 including gratuity, no tax applicable. The deadline for reservations is January 12, 2000. The guest list will include County Legislators and guests, our State Assembly and Senate representatives or their designee, Congressman Houghton and Department Heads. On a motion by R. Stuck and seconded by R. Yanda, G. Butera's report and dinner plans were endorsed and accepted unanimously.
- D. K. Dirlam** reported on the I-S6 statewide benefit study. The draft report projects that if the road improvements are done in 8 years, that I-S6 will bring in \$3.2 billion in the next 20 years. The final report is due on January 15, 2000.
- E. Nominating Committee:** D. Ackley reported that the Nominating Committee has met and will be ready with their report for the Annual Dinner meeting.
- F. Zoning Change:** R. Klein reported on the Cuba Village zoning change for the Old Acme building area. They wish to rezone the area from a light industrial area into a general business area. A general business designation is more restrictive. Cuba's sewage plant was enlarged a few years ago and has plenty of capacity for water and sewage. Motion to accept this change with no negative comments was made by R. Stuck and seconded by M. Perkins. Motion was carried unanimously with R. Klein abstaining.
- G. Special Use Permit:** R. Klein then reported on a request for a special use permit proposed by the Presbyterian Church. They wish to either remove two residences or remove one residence and move the second one in order to build a parking lot. In order to do this, a special use permit, pursuant to Article 12-B-239 of the General Municipal Law is required. R. Klein noted that if the second option is adopted that it will save a building and keep it on the tax roll. Cuba's Master Plan recognizes that need for parking. A public hearing will be held in two or three weeks. Negative impact noted from SEQR. A motion to accept this proposal with no negative comments was made by K. Hollis and seconded by D. Sinton. Motion was carried unanimously with R. Klein abstaining.

**7. Other Business:**

- A. C. Jessup** noted that the Planning Board will be asked for its recommendations with for or against the Genesee Valley Greenway based on economic development or tourism issues. It was suggested that we ask Livingston County adjacent landowners for their comments. G. Butera commented that there are two issues - landownership and impacts. S. Myers stated that they never owned the land but have used it as their own. K. Dirlam reported that the Department of State and the DEC are looking at the legal issues. Liability is not considered a big issue under NYS Law. Mrs. Main was concerned about hunting. Guns are allowed by shooting from the Trail is not allowed. The issue of snowmobiles going down Main St. in Fillmore was raised. S. Myers commented that snowmobiles will not be allowed in some areas. There will be some areas for walking only and some areas will be handicapped accessible. M. Perkins noted some non-motorized uses. R. Stuck commented that once you open it to motorized use - there is no stopping them.

- 8. Adjournment:** On a motion from C. (Duke) Ackley, and seconded by C. Jessup, the meeting was adjourned at 9:35 PM.

Respectfully submitted,



Lee Dibble, Secretary

**Address to Allegany County Planning Board  
12/15/1999**

I would like what I have to say recorded in the Secretary's minutes. Thank you.

My name is Marilyn Main and I'm with the Genesee Valley Concerned Citizens. We are a group opposed to the development of of the Genesee Valley Greenway and WAG (River) Trails.

We are opposed on the grounds that appropriation by the State of our lands to facilitate these trails is a violation of our Constitutional right to own property and that that property cannot be taken away from us without due process of law and just compensation. Mr. Szalla will address this issue later.

We are opposed because experience has shown a high incidence of crime occurring on trails and on properties contiguous to trails.

We are opposed because adjacent property will be devalued.

I have read the literature made available in our local library by Greenway proponents.

Under the Section "Frequently asked Questions", #1 asks: "Will anyone really use this greenway? *the response is:*

"According to Newsweek, June 9, 1997, the two outdoor pastimes that will grow the fastest between now and the year 2050 are bird watching and walking, two activities that can easily be pursued on the Genesee Valley Greenway Trail. The only pastime projected to grow faster than the increase in population is bird watching (projected to grow by 58.5% compared to an estimated population increase of 53.9%.) Walking is estimated to grow by 52.2%, compared to golf and tennis that are projected to increase by only 29.7 and 27.2%, respectively."

Now, trail users represent less than 1/10th of 1% of the entire population. Or, only one person in a thousand is a trail user. So, increases of over 50% are hardly significant when applied to trails.

Question 3 asks: "What about crime and vandalism?" The response is:

It reads: "The threat is the same as you would encounter elsewhere, though you are much more isolated, and more easily preyed upon."

Crimes mentioned are: murder, rape, robbery, assault, gang activity, crime among or perpetrated by the homeless, theft, & shooting guns in populated areas.

The Genesee Valley Greenway when originally proposed was to be a hiking and biking trail. It's use has been extended to include such special interest groups as snowmobilers and hunters.

A multipurpose trail is inherently dangerous - eventually it becomes necessary to police these trails and that responsibility generally falls to the local communities.

Crime along the Burke-Gillman Trail near Seattle, Washington got so bad that King County had to institute 24 hour bicycle patrols.

Crime also has a negative impact on property values: King County Assessor's records show that the value of properties along the Burke-Gillman Trail increased by 151.82% between 1979 and 1997 (an 18 year period), properties uphill from the trail increased 407.33% for the same period, and properties 3 blocks away, mainly in a commercial section, increased by 222.22%.

King County total land assessments for the period 1979-97 increased by 773.19%.

So, as you can see, property values along trails simply do not keep pace.

Can the County afford to police? Can we afford the loss in property values?

I hope you will give careful consideration to what you have learned. I know it's different from what you've been told. Please review the handouts.

Thank you for listening.

And, now, Mr.Szalla will talk about property rights under the Constitution.

"While no one can say there'll never be any instance of criminal activity on the Genesee Valley Greenway, experience with greenways all across the nation indicates that typically, when an abandoned rail bed is converted to a public, multi-use trail, incidents of crime and vandalism decrease. The rail bed is no longer a place where people can go to hang out or dump trash because there is too great a possibility that they will be discovered. Barriers are being erected so that unauthorized vehicles will not be able to gain access to the trail. The Rails to Trails Conservancy recommends that the way to minimize crime on trails is to ensure that users exercise proper safety precautions, keep the trail well maintained, and boost trail use."

"A 1998 Rails to Trails Conservancy national survey of 372 rail trail managers and 12 law enforcement agents compared reports of major and minor crimes on rail trails to the national average for these types of crimes in urban, suburban, and rural settings. In all cases the crime rates on trails were found to be very low when compared to the national crime rate. Only eleven or three percent of the trails surveyed reported experiencing any type of major crime. Only one-fourth of the rail trail managers reported any type of minor crime such as graffiti or littering. Letters from law enforcement officials indicated that such incidents were minimal."

11 trails out of 372 (or 3%) reported experiencing any type of major crime.

I have here 80 pages of newspaper articles on trail crimes around the country. The first 8 pages cite 21 major crimes in 7 states.

Now one of the reasons for the discrepancy could be just a matter of bookkeeping. Incident Reports call for addresses and trails do not have addresses. Another reason could be the reluctance on the part of law enforcement officials to admit they have a problem with crime.

This is from a report dated 1998:

"The CTPS (Central Transportation Planning Study - Massachusetts) feasibility study provided reports from the Arlington and Lexington police chiefs that crime was a minor issue on the Minuteman Bikeway. The committee followed up with the chiefs for additional information. While the Arlington Police Chief said that specific information about crime on the rail trail was not available, the police records provided a computer printout of 376 trail-related crimes over the past five years."

Crime on the Pueblo County Area Trails System was significant enough for the Sheriff's Department to issue 3 pages of guidelines for protecting yourself while on their Trails System.

**ALLEGANY COUNTY PLANNING BOARD**  
**"VOLUNTEERS WORKING FOR TOMORROW"**

Rick Hollis, Chairman

(716)-268-9229

Ron Stuck, Vice Chairman

County Office Building Room 208 Belmont, NY 14813 Fax (716)-268-9446

**Meeting Minutes 12/15/99**

**Present:** L. Dibble, C. Jessup, R. Yanda, D. Sinton, D. Foster, C. (Duke) Ackley, G. Butera, K. Hollis, R. Hollis, R. Stuck, R. Klein, M. Perkins, S. Myers-Ex Officio

**Excused:** R. Golas

**Absent:** Ken Skinner, D. Harris Jr, R. Backer, E. Krumm

**Guests:** Assistant County Attorney - Tom Miner; NYS DEC - Wayne Cooper and Ron Abraham; Friends of the Genesee Valley Greenway - Frances Gotsik; Canaseraga Creek Water Shed Steering Committee - Kevin Mahany, Gary Gilbert, Patty Register Nobles, Catherine Kenyon, C. Allen Philips; Town of Hume Delegation - Avis Wilmont, Donna Brown, Tim Beardsley, Phillip Main, Marilyn Main, Philip Szalla; Legislators E. Sherman, B. Dibble

**Location:** Frank Williams Room - Allegany County Office Building, Belmont, New York.

**Officially Received via Richard Klein:** Town of Cuba requests for Planning Board review for a zoning change and a special use permit.

1. **Call to Order:** The meeting was called to order at 7:30 PM by Chairman R. Hollis.
2. **Minutes:** On a motion by C. (Duke) Ackley and seconded by K. Hollis, the minutes of the November 17, 1999, meeting were accepted as corrected. K. Hollis noted that the correction in 9.A. should read J. Boardman.
3. **Correspondence:**
  - A. Chairman R. Hollis noted that he had sent a letter to County Legislator Alton Saylor, Chair of the Public Works Committee re: amending the solid waste law.
  - B. Chairman Hollis reported that he had received a letter of resignation from the Planning Board from D. Fleming of Scio.
  - C. Chairman Hollis reported on sending a copy of the DOT letter re: Corridor study for the extension of routes 408 and 243 to Senator McGee.
4. **Old Business:** Amended By-laws: Motion was made by G. Butera and seconded by R. Yanda that the Secretary of the Planning Board is authorized to sign all papers necessary for the adoption of the amended by-laws that will then be forwarded to the Planning and Development Committee. Motion carried unanimously.
5. **Guest Delegations:**
  - A. **Genesee Valley Greenway:** Marilyn Main, spokesperson for the Town of Hume presented their objections to the Greenway. A copy of her remarks is appended to these minutes. Phil Szolla, spokesman from the Town of Willing, presented his ideas on property rights under the constitution and read a portion of Section 18 Department of the Budget Report on reversionary rights of property owners. Most of these remarks referred to the River Trail (WAG) from Wellsville to the PA border. Wayne Cooper, DEC representative then replied that he wished to address the issues as follows:
    - 1.) Issues concerning the WAG Trail don't exist on the Greenway properties with possibly one exception
    - 2.) Fran Gotsik, Executive Director of the FOGVG commented on property values and explained the partnership between the DEC, OPRHF and the Friends of the Genesee Valley Greenway. She also promised to supply the Planning Board with copies of studies done re: crime, property values, vandalism, etc. as well as other information from the Rails to Trails Conservancy. Ms. Gotsik made other remarks on the general environment of the Genesee Valley Greenway and noted that northern portions of the trail have been open for eight years with no serious crimes and no great degree of trouble or vandalism. Some arrests have been made for drinking and some signs have been used for targets (shooting) and one gate has been removed repeatedly.
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Respectfully submitted,



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**Address to Allegany County Planning Board**  
**12/15/1999**

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And, now, Mr. Szalla will talk about property rights under the Constitution.

"While no one can say there'll never be any instance of criminal activity on the Genesee Valley Greenway, experience with greenways all across the nation indicates that typically, when an abandoned rail bed is converted to a public, multi-use trail, incidents of crime and vandalism decrease. The rail bed is no longer a place where people can go to hang out or dump trash because there is too great a possibility that they will be discovered. Barriers are being erected so that unauthorized vehicles will not be able to gain access to the trail. The Rails to Trails Conservancy recommends that the way to minimize crime on trails is to ensure that users exercise proper safety precautions, keep the trail well maintained, and boost trail use."

"A 1998 Rails to Trails Conservancy national survey of 372 rail trail managers and 12 law enforcement agents compared reports of major and minor crimes on rail trails to the national average for these types of crimes in urban, suburban, and rural settings. In all cases the crime rates on trails were found to be very low when compared to the national crime rate. Only eleven or three percent of the trails surveyed reported experiencing any type of major crime. Only one-fourth of the rail trail managers reported any type of minor crime such as graffiti or littering. Letters from law enforcement officials indicated that such incidents were minimal."

11 trails out of 372 (or 3%) reported experiencing any type of major crime.

I have here 80 pages of newspaper articles on trail crimes around the country. The first 8 pages cite 21 major crimes in 7 states.

Now one of the reasons for the discrepancy could be just a matter of bookkeeping. Incident Reports call for addresses and trails do not have addresses. Another reason could be the reluctance on the part of law enforcement officials to admit they have a problem with crime.

This is from a report dated 1998:

"The CTPS (Central Transportation Planning Study - Massachusetts) feasibility study provided reports from the Arlington and Lexington police chiefs that crime was a minor issue on the Minuteman Bikeway. The committee followed up with the chiefs for additional information. While the Arlington Police Chief said that specific information about crime on the rail trail was not available, the police records provided a computer printout of 376 trail-related crimes over the past five years."

Crime on the Pueblo County Area Trails System was significant enough for the Sheriff's Department to issue 3 pages of guidelines for protecting yourself while on their Trails System.