

**TOWN OF READING BOARD MEETING**  
**February 8, 2023**

**PRESENT:** Supervisor S. Miller Councilperson P. Gill, Councilperson, C. Richtmyer, Councilperson C. Stamp, Hwy. Supt. J. Switzer, and Clerk T. Alger.

**ABSENT:**

**VISITORS:**

Karen Storm, 3006 Lover's Lane, WG  
Mark Rondinaro, Sch. Co. Legislator  
Jamie Rumsey 4240 St. Rt 14A, Rock Stream  
Alice Conklin Altay Road, Rock Stream

The meeting was called to order at 7:30 pm with the reciting of the Pledge of Allegiance.

**VISITOR'S COMMENTS:**

Mark Rondinaro, Schuyler County Legislature, had no immediate sales tax information to provide.

**RESOLUTION #8** Councilperson C. Stamp made a motion to accept the January 11 minutes, as written. Seconded by Councilperson P. Gill

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|-------|----------------------------|------------|
| AYES: | Councilperson P. Gill      | NAYS: none |
|       | Councilperson C. Stamp     |            |
|       | Councilperson C. Richtmyer |            |
|       | Supervisor – S. Miller     |            |

**COMMITTEE REPORTS:**

PLANNING: Elections held and Site Plan Approval for Castel Grish Festival of Lights

HIGHWAY: Superintendent J. Switzer read his report.

LANDFILL: No Report

CLERK: Clerk Alger read her report

**OLD BUSINESS**

The Town Board reviewed the Land Use Law Amending Certain Sections of the Land Use Law of the Town of Reading that was drafted by Atty Krogh. Atty Krogh has some concerns about the legality of not allowing owners the right to seek a variance and that we do not have a Planning Board of Appeals in place. Upon further discussion it was recommended that we ask Atty Krogh to provide some language to remedy this. With that decision the Town Board will review the Land Use Law revisions at the March meeting and postpone a public hearing.

The Town Board has reviewed Local Law No. 1 of 2023 Code Enforcement Law and Regulation which was drafted by Town Attorney Krogh to include part 1203 of article 19 of the NYS Compilation of codes, rules and requirements. (NYCCRR). The Town Board has accepted the Local Law and a public hearing will be scheduled for March 8, 2023 @ 7pm.

**RESOLUTION #9** Councilperson P. Gill made a motion to allow Town Clerk Alger to post Legal Notice in the Watkins Review that a public hearing on Local Law No. 1 of 2023 will be held on March 8, 2023 at 7pm. Seconded by Councilperson C. Stamp

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|-------|----------------------------|------------|
| AYES: | Councilperson P. Gill      | NAYS: none |
|       | Councilperson C. Stamp     |            |
|       | Councilperson C. Richtmyer |            |
|       | Supervisor S. Miller       |            |

**RESOLUTION #10** Councilperson C. Richtmyer made the following motion. Seconded by Councilperson C. Stamp

**RESOLUTION AND ORDER OF THE TOWN BOARD OF THE TOWN OF  
READING MADE PURSUANT TO § 711 OF THE GENERAL MUNICIPAL  
LAW RESPECTING THE ANNEXATION APPLICATION OF SPECCHIO,  
SEEKING TO ANNEX CERTAIN LANDS OF THE TOWN OF READING  
INTO THE VILLAGE OF WATKINS GLEN**

The following resolutions, findings, and orders were presented to the Town Board:

**WHEREAS**, on or about August 19, 2022 a petition for annexation, signed and dated upon August 15, 2022, was mailed or submitted to the Town of Reading (with an earlier copy having been submitted or mailed to the Village of Watkins Glen (“Village”) on or about July 29, 2022), by Raphael Specchio, Jr. (“Petitioner”) respecting a parcel of land located upon Summit Place comprised of approximately 1.94 acres of land (TPN 64.08-1-34) which is proposed to be annexed into the Village (the “Subject Land”); and

**WHEREAS**, the reason set forth for the annexation is that the Petitioner sold a portion of his land in the Village, leaving behind a non-conforming lot, which non-conformance could be cured by annexing Petitioner-owned land in the Town of Reading (“Town”), thus making the Village land developable by adding improvements thereupon, such improvements having been variously and historically described as residential (one or more units or a single-family residence) or commercial (a hotel); and

**WHEREAS**, other than disputed speculative claims about how another residence could provide a valuable buffer, no other reason for annexation was submitted, and no fiscal impact analysis, zoning analysis, emergency or utility service analyses were provided; and it is further noted that the Petitioner did not disclose that the non-conforming lot was created by prior action of the Petitioner, that such lot has variously been described as the subject of both residential and commercial development uses, and the Petitioner does not fully describe the purpose or intended use of such

land if annexed into the Village (except that construction of a home could be a hypothetical buffer against further development,); and

**WHEREAS**, pursuant to General Municipal Law (“GML”) Article 17, certain elements of a petition are required, non-waivable elements of such petitions because taxable unit boundaries and incorporated municipal boundary lines would be changed, thus triggering a great many changes in assessments, land uses, and classifications at the local, county, and state level, and among the requirements not addressed are: (i) the Petitions were not certified; (ii) the Petition did not clarify whether any signatory was a qualified elector, nor the number of residents residing upon the Subject Land; (iii) the territory described was not sufficiently described in metes and bounds as to allow for annexation to occur; and (iv) a certified assessment certificate was not submitted; and

**WHEREAS**, a joint public hearing of the Town and Village was duly scheduled, noticed, and held upon November 16, 2022, to hear opinions, statements, and gather facts and evidence supporting or opposing such petition, and in connection therewith numerous comments were submitted, a petition signed by most neighbors was submitted opposing the annexation, and the Petitioner was called upon to answer fiscal, tax, zoning, and other questions respecting the application; and

**WHEREAS**, the Town Board has considered the application, the tax and fiscal impacts of such annexation, all information, statements, and evidence submitted at such public hearing, whether the annexation advances or serves any known public purpose, and whether the overall public interest favors, or disfavors annexation based upon a balancing and consideration of all factors; and

**WHEREAS**, upon due deliberation thereupon, it was duly **DETERMINED AND RESOLVED** as follows:

1. The petition seeks to create a private benefit for Petitioner, and there is no concomitant public purpose or benefit that has been identified or proven by Petitioner. The ability to achieve more monetary gain by annexation does not justify the cost in terms of shifting taxable valuation between municipalities, and to the extent any one municipality may gain taxes, the other loses taxable income, making this factor equivocal.

2. The ability to develop the land, once annexed, to achieve more taxable value is not a benefit to the Town and, in fact, burdens the town in terms of requiring, or potentially requiring, roadway and other service improvements relating to access to the land. Such may also create more emergency service and stormwater impacts. Moreover, no disclosure of intended uses was provided, so there is no zoning plan for the land, which is located in a mostly residential area. Thus, any hypothetical potential increase in value (and tax revenues) to the Village is offset by Village estimates that the cost of extending services to this new lot would exceed \$100,000.

3. In February 2022, Petitioner applied to the Village for an area variance to allow for the development of the Subject Land once a land sale of neighboring lands was completed. The Village zoning board of appeals determined that the variance should not be granted. The area variance was thus denied due to the negative effect such variance would produce, including an undesirable change in the neighborhood. The variance was also denied as the variance requested was substantial, due to environmental impacts that development may have on the area, and the fact that the hardship was self-created. The adjacent land was sold anyway, making this current non-

conforming lot a self-created problem. In turn, therefore, this annexation is submitted for the private, individual gain of Petitioner and is, in a real sense, merely an extension of the request for a denied variance to create a benefit to Petitioner, again at the cost of the neighborhood and the Village, but now also the Town.

4. The Petitioner submitted no emergency services analyses, no school district impacts analyses, no local municipal impact analyses, no fiscal impact analyses, and no delineation of or impact analyses for any fire district or other district corporation, public benefit corporation, fire protection district, fire alarm district or town or county improvement district. No evidence of the existence or absence of any public indebtedness applicable to the Subject Property was provided.

5. The Petition was defective for the reasons stated above in items (i) through (iv), which are herein incorporated; and neither the Petitioner nor the record established that this proposed annexation is in the public interest of the Village or the Town severally or jointly, or that this proposed annexation is in the overall public interest. The only material evidence submitted established that it was not in the overall public interest

6. Because, on this record, the Petition cannot be granted and must be denied, and the Town has determined that no environmental review is required under the State Environmental Quality Review Act ("SEQRA"), or its implementing regulations at 6 NYCRR Part 617, as denying the Petition will produce neither disturbances, changes, nor environmental impacts. Therefore, for all of the foregoing reasons, the Town of Reading hereby determines that the Petition and the annexation **ARE NOT** in the overall public interest, and the Petition for Annexation is **DENIED**.

**THEREFORE**, it is duly **ORDERED** that the Petition for Annexation be denied, and this Resolution and Order be certified by the Town Clerk of the Town of Reading, and certified copies hereof, together with all records of these annexation proceedings, be filed with the Clerk of the Town of Reading and the Clerk of the Village of Watkins Glen, as required by GML § 711; and it is further

**ORDERED**, that should any municipality find that this annexation is in the overall public interest, the Town Clerk of the Town of Reading shall also file a certified copy hereof in the Schuyler County Clerk's Office, together with a certified copy of any resolution and order of the Village of Watkins Glen.

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|-------|----------------------------|------------|
| AYES: | Councilperson P. Gill      | NAYS: none |
|       | Councilperson C. Richtmyer |            |
|       | Councilperson- C. Stamp    |            |
|       | Supervisor S. Miller       |            |

**RESOLUTION # 11:** Councilperson P. Gill made a motion to rescind Resolution #77 from November 16, 2022 Special Board Meeting upon recommendation by Kelly Anderson, Schuyler County Real Property Director. The motion to update assessments will be revisited in the Fall of 2023.  
Seconded by Councilperson C. Stamp

**RESCINDED RESOLUTION #77 (Nov16, 2022 Board Meeting)** Councilperson P. Gill made the following motion:

BE IT RESOLVED, that the assessor is hereby directed to update assessments with a complete reappraisal of all properties for the 2023 assessment roll, and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to enter a memorandum of understanding with the NYS Office of Real Property Tax Services in order to comply with Real Property Tax Law Section 1573 and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to sign off on a plan, approved pursuant to the rules of the Commissioner of Taxation and finance, for maintaining assessments.

Seconded by Councilperson C. Stamp

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|-------|----------------------------|------------|
| AYES: | Councilperson P. Gill      | NAYS: none |
|       | Councilperson C. Richtmyer |            |
|       | Councilperson- C. Stamp    |            |
|       | Supervisor S. Miller       |            |

There are several residents interested in the Town Board Member position vacated by R. Everett. The Town Board suggested that the individuals meet with Town Supervisor, S. Miller, and discuss their interest in the vacant position.

**RESOLUTION #12**

P. Gill made a motion to adopt the Schuyler County Hazard Mitigation Plan 2021-2026  
Seconded by C. Stamp

WHEREAS the Town of Reading recognizes the threat that natural hazards pose to people and property within Town of Reading and

WHEREAS the Town of Reading has prepared a multi-hazard mitigation plan, hereby known as Schuyler County Hazard Mitigation Plan 2021- 2026 in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS Schuyler County Hazard Mitigation Plan 2021- 2026 identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Reading from the impacts of future hazards and disasters; and

WHEREAS adoption by the Town of Reading demonstrates our commitment to hazard mitigation and achieving the goals outlined in the Schuyler County Hazard Mitigation Plan within the 5 years of 2021- 2026

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF READING, NY THAT:

The Town of Reading adopts the Schuyler County Hazard Mitigation Plan 2021- 2026. This plan, approved by the Town of Reading, may be edited or amended after submission for review, but will not require the Town of Reading to re-adopt any further iterations. This only applies to this specific plan and does not absolve the Town of Reading from updating the plan in 5 years.

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|-------|----------------------------|------------|
| AYES: | Councilperson P. Gill      | NAYS: none |
|       | Councilperson C. Richtmyer |            |
|       | Councilperson- C. Stamp    |            |
|       | Supervisor S. Miller       |            |

NEW BUSINESS:

**RESOLUTION #13** Councilperson P. Gill made a motion to allow Highway Superintendent, J. Switzer, to attend Advocacy Day in Albany on March 7-8, 2023. Seconded by Councilperson C. Stamp

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|-------|----------------------------|------------|
| AYES: | Councilperson P. Gill      | NAYS: none |
|       | Councilperson C. Stamp     |            |
|       | Councilperson C. Richtmyer |            |
|       | Supervisor S. Miller       |            |

Discussion was held about the WG Fire Protection Contract

The Town Board has given approval for Supervisor, S. Miller, to send an approval letter to Watkins Glen Promotions about future events that may encroach on Town of Reading roads.

**RESOLUTION #14** Councilperson P. Gill made a motion to appoint Barb Chapman as Town of Reading Historian vacated by Gary Conklin in December 2022. Seconded by Councilperson C. Stamp

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|-------|----------------------------|------------|
| AYES: | Councilperson P. Gill      | NAYS: none |
|       | Councilperson C. Stamp     |            |
|       | Councilperson C. Richtmyer |            |
|       | Supervisor S. Miller       |            |

**RESOLUTION #15:** Councilperson P. Gill made a motion to accept Justice John Norman's audit. Completed by C. Stamp and C. Richtmyer. Seconded by Supervisor S. Miller

WHEREAS, pursuant to Section 2019-a of the Uniform Justice Court Act, the Board of the Town of Reading is required to confirm that the records and dockets of the Town Justice Court of Judge Norman be audited, and that the fact of the auditing be reflected in the minutes of the proceedings of this Board; and

WHEREAS, Councilpersons P. Gill and Councilperson C. Stamp have performed said audit on February 8, 2023 of Town Judge Norman's records from January 1, 2022 – December 31, 2022, and

WHEREAS, the Town Board in compliance with the Uniform Justice Court Act §2019-a, and to reflect in the minutes of its proceedings that such audit has occurred; and

THEREFORE, BE IT RESOLVED, The Town Board of Reading does hereby acknowledge that the audit of the records of Town Justice John Norman required under Uniform Justice Court Act § 2019-a has been conducted, and that the Justice Court Audit Report has been received by the Board; and

BE IT FURTHER RESOLVED, the Town Clerk forward to the New York State Office of Court Administration a copy of said Justice Court Audit Report and a copy of this Resolution.

AYES: Councilperson P. Gill NAYS: none  
Councilperson C. Stamp  
Councilperson C. Richtmyer  
Supervisor S. Miller

**COMMUNICATION:**

Real Property notified us about the NYS Mandate requiring that all NYS residential property owners receive additional notice about the eligibility requirements for the limited income senior citizen property tax exemption. Real Property will be mailing postcard notices to all County residents.

Received Notice of Change in Policy terms about some Cyber incidents and Biometric exclusions.

Received an email from Lorry Johnson, County Personnel officer about Civil Service requirements for Townships.

**RESOLUTION #16** Councilperson C. Stamp made a motion to pay Abstract # 002 as follows; seconded by Councilperson C. Richtmyer

|                         |    |              |
|-------------------------|----|--------------|
| General Town wide       | \$ | 10,645.33    |
| Town Outside Village    | \$ | 289.79       |
| Highway Town wide       | \$ | 9,563.99     |
| Highway Outside Village | \$ | 2,986.99     |
| Fire District #1        | \$ | 124,923.00   |
| Fire District #2        | \$ | 5,992.58     |
| Sewer                   | \$ | 358.20       |
| Total:                  | \$ | \$154,759.88 |

AYES: Councilperson P. Gill NAYS: none  
Councilperson C. Stamp  
Councilperson C. Richtmyer  
Supervisor S. Miller

**RESOLUTION #17** Councilperson P. Gill made a motion to adjourn regular meeting at 8:35pm Seconded by Councilperson C. Stamp