

TOWN OF SHELDON

July 11, 2018

Planning Board Meeting & Public Hearing for Sheldon School Site

Members Present: Wayne Abbott, Debbie Kirsch, Mary Kehl, Don Pawlak, Jeff Nixon and
Alternate Member: Kathy Roberts Planning Board Secretary: Ann Daniel
Supervisor, Brian Becker; Town Board Members: Mike Armbrust, Joe Meyer, Vince Kirsch
Supervisor Becker invited the following panel to attend the meeting and answer questions regarding the proposed rehabilitation facility at the former Sheldon Elementary School site:

Applicants: Mark Herman, President Wyco Construction

Joseph Parker (Mr. Parker was not in attendance)

Investor in Proposed Facility: Jim Rutowksi, owner of Sinclair Pharmacy, Warsaw, NY

Medical Doctor for Proposed Facility: Dr. Salman Abbasey

Panelists from Wyoming County Government:

Alyssa Cutcliffe, Zoning Enforcement Officer for the Town of Sheldon

Don Roberts, Wyoming County Code Enforcement Officer

Jim Pierce, Executive Director/CEO Wyoming County IDA

Jim Kirsch, Director Wyoming County Real Property Tax Services

Kelly Dryja, Director of Community Services Wyoming County Mental Health

Laura Paolucci, Public Health Administrator, Wyoming County Health Dept.

Honorable Michael M. Mohun, Wyoming County Judge

The sign in sheet for this meeting/public hearing is on file in the Town Clerk's office.

The following minutes are not verbatim but a summary of the statements and conversations that occurred. Place of residence is listed next to those who provided this information on the sign in sheet.

-The meeting was called to order at 7:05 by Chairman, Wayne Abbott.

-Pledge of Allegiance

-The minutes from the June 13, 2018, Planning Board Meeting were read and reviewed. Mary made a motion to accept the minutes as written. Don seconded the motion. All in favor, motion carried.

OLD BUSINESS:

Dollar General Project – Varysburg – Alyssa brought the final Mylar and drawings for the previously approved land separation to be signed by Wayne.

Dennis Mills Complaint – (Route 20A) – Alyssa gave an update on the previous complaint for having too many junk vehicles on his property. A letter of violation had been sent with a deadline of June 1st to remove the junk vehicles. To date, this has not been done. Therefore, the matter has been forwarded to the Town's attorney for further action.

Mr. Mills has requested a Special Use Permit application to sell and repair multiple vehicles on his property. Alyssa noted that the Planning Board can review the application when submitted, but that in order for the applicant to receive approval, his property must be brought into compliance.

NEW BUSINESS: No New Business

PUBLIC HEARING – Sheldon Elementary School Building – An application for a Special Use Permit and site plan review for a chemical dependency rehabilitation facility and adult workforce development program made by Mark Herman and Joseph Parker. The property is located at 2588 School Rd, Varysburg, NY 14167.

Don made a motion to open the Public Hearing at 7:20 pm, Deb 2nd the motion. All in favor, motion carried.

Questions/Comments are as follows:

Mark Herman – (one of the proposed owners) Recognized that there is a crisis in the area and a need for a substance abuse facility and is proposing the newer wing of the school building be used for this purpose. The other wing will be used for an adult/BOCES type program.

Jim Rutowski – (owner of Sinclair’s Pharmacy in Warsaw and investor in proposed facility) – was approached by Dr. Abbasey and Mr. Herman about this project. I was happy to do something about it. I’m glad people are here to voice their comments and concerns. I’ve been in the community for over 30 years and try to do good and positive things.

Dr. Abbasey – (Physician at Wyoming County Community Hospital) I’ve been a physician in this community for over 20 years. We have an epidemic that we are facing everywhere. It (drug epidemic) has escalated so quickly. What can we do to address the problem? Within the last 5-6 years a growing number of young people with good family backgrounds have this problem. We treat them in the intensive care unit for 5-6 days and then they are released. It is a revolving door, seeing the same people return again and again. They say they can’t find good local rehab facilities. Studies suggest that in-patient rehab facilities have better results than out patient. There are a couple in Monroe, Erie and Genesee counties, but none in Wyoming County. We started looking for a place in our community. We found this location which is a nice facility with not much work needed. It is not a prison, it’s a place/residence where they will be treated and then have vocational training. The first step is to contact the NYS Dept. of Health to start the application process, which we have started. We are hoping to get positive feedback from the community.

Wayne Abbott – Tell us about the Adult BOCES -

Jim. Rutowski - Other facilities across the country have vocational training. Literacy West has expressed a desire to work with us to offer vocational training as well as GED classes.

Wayne Abbott – Who goes to these facilities?

Dr. Abbasey – Everyone/Anyone; Court appointed people, people who have left other facilities, but need more rehab. There are a few facilities in neighboring counties, but the waiting list is often weeks/months.

Debbie Kirsch – How long is a typical stay?

Dr. Abbasey – Usually 28-30 days.

Debbie Kirsch – How many people are you planning to have at one time?

Dr. Abbasey – 8 – 12 to start, that is what the application through the Health Dept. is for. See the response, then could reapply/be reassessed by NYS to expand in the future.

Wayne Abbott – Tell us about Security at the proposed facility. Can the residents come and go as they please?

Dr. Abbasey – There will be rules to follow, locked rooms, nighttime cameras. There will be guidelines set by NYS that we have to abide by. If they wish to leave, they will need to sign themselves out. ECMC has similar facilities and we will use them as a model/guide.

Wayne Abbott – How close is the present building to being up to code?

Don Roberts – The BOCES side doesn't really need anything and does not require any additional permitting. The Rehab side needs a Special Use Permit for the change in use and an update of fire/sprinkler systems. It will be considered a Dorm type facility in terms of zoning/code needs.

Wayne Abbott – What about visitors, how will they be handled/screened?

Dr. Abbasey – There has to be a way to screen them to be sure they are not bringing in drugs, opioids, etc., in to the facility. There are facilities at ECMC in Buffalo and RGH in Rochester. We will try to replicate what they already have in place. See what is already set up and working in other facilities. There will have to be rules to follow, checks and balances, just like at a hospital.

Ann Daniel – What NYS agency oversees the rehab facility?

Kelly Dryja – NYS OASIS – Office of Alcoholism and Substance Abuse Services

Wayne Abbott – Do you have any statistics regarding crime rates increasing or decreasing around these rehab facilities?

Laura Paoloucci – I've lived in Sheldon for 20 years and my kids went to Sheldon Elementary. I do not have any statistics regarding crime rates, but there is a definite need and the best way for success is an in-patient rehab facility.

Dr. Abbassey – ECMC has done a study regarding crime and the study showed that crime went down and overall health went up in communities around in-patient type rehab facilities.

Judge Mohun – Talks about the extreme need to combat the drug/opioid addiction problem in our communities. I run a "Treatment Court" in Wyoming County. (program where drug offenders are put through a treatment program to get/stay clean in lieu of going to jail) We have 40-50 people that come to see us every Wednesday. Part of the program is to get them into a substance abuse treatment center, which is very difficult because of the wait times. Many even have to go out of state for the treatment. They are then monitored and randomly drug tested. Participants must remain clean throughout the program, violators go to jail. It would be so much more beneficial if there was a treatment facility right here in our community.

Gene Traxler (Wyoming County Probation officer) – I do all the supervision as far as visitors for the Treatment Court. Visitors are screened and then the patients are screened again after visit. Batavia has a facility. I asked the Batavia police about crime around the facility. The worst they get is loitering, and very few arrests are made.

Wayne Abbott – What are the benefits to our Community?

Jim Pierce – IDA – As far as the BOCES Adult Education programs, this would be open to the public and provide job training for our area's workforce. The School building has been exempt from taxes and would be added back onto the tax roll if sold. The project will create jobs – Maintenance, Vocation Instructors, Nurses, etc.

Wayne Abbott – How will the sale of this building affect the tax base?

Jim Kirsch – The Town of Sheldon does not have a tax levy due to the windmills, but it could lessen the burden to taxpayers for County and School taxes.

Jeff Nixon – Will there be any Religious support provided to patients in the rehab facility?

Dr. Abbasey – Yes, there could possibly be volunteer chaplains or a worship room, similar to what they have at hospitals.

Wayne Abbott – How might this benefit secondary businesses?

Jim Pierce – One benefit would be the training of potential employees. Another would be visitors and employees of the facility using gas stations, stores, restaurants in the area.

Wayne opens the floor for questions and comments at 8:01 pm.

Tim Geoghegan (Orangeville resident)– Would you be sub-contracting out to bring patients in from outside our community for treatment?

Dr. Abbasey – No plans at this time, should be able to fill beds from Treatment Court and voluntary patients from our area.

Tim Geoghegan – Can the patients just go in and out of the facility?

Dr. Abbasey – No, they will have to follow rules and screening.

Tim Geoghegan – what about repeat, multiple offenders?

Dr. Abbasey – It's possible, but we hope they won't need to come back.

Paul Gusmann (Varysburg resident) – What types of staff will be needed, who will run the kitchen?

Dr. Abbasey – There will be many staff involved – kitchen workers, maintenance, social workers, nurses, etc.

Diane Sanfilippo (Varysburg resident)– will you hire from within the community? Will the patients come from other states/areas?

Dr. Abbasey – We should be able to hire for jobs from our local communities. As well as, there are plenty of people in need of the rehab services locally.

Councilman Mike Armbrust – Can we make it a priority that Wyoming County residents would have preference for treatment?

Dr. Abbasey – That is a valid point. Yes, we would prioritize our people first.

Mary Beth Konesky – Will the facility be medically assisted? Will you be providing medications? What are your qualifications, will all providers be certified to prescribe medications?

Dr. Abbasey – Yes we will be able to provide medications. I am certified and all of the providers are Suboxone certified.

Lori Embt (owner of hair salon in Varysburg) – Is there going to be a NYS Trooper substation located at the site?

Mark Herman – No NYS Troopers, but still waiting to hear back from the Wyo Cty Sheriffs.

Lori Embt – Does a person have to be currently using drugs to seek treatment at the facility?

Dr. Abbasey – No. All addictions need specific detox treatments. Each person seeking treatment would have to go through an intake process.

Woman (did not get name) – brother and step son both went to rehab and both still died. Step son said he got drugs from the rehab facility from employees. How can you say it is safe, you are giving us a false sense of security. Many addictions start from doctors over prescribing medications. My husband has never left your office without a prescription.

Dr. Abbasey – You have a valid point. This is why we are going through certification with OASIS, etc. Narcotics guidelines are getting stricter and are DEA/NYS regulated.

Ken Krempa (Varysburg resident)– Not in support of this, disagree with statements – feel this will a breeding ground for drug dealers. Lots of loitering in Buffalo near rehab facilities. Visitors and employees will bring in drugs – it happens at Attica. (prison)

Anthony Dyrbala (Varysburg resident – member of Varysburg Fire Dept.)– Where is the funding coming from?

Dr. Abbasey – State grants and insurance

Anthony Dyrbala – Will the local volunteer fire company/EMT's be called to the site?

Dr. Abbasey – if there is a 911 call, whoever is normally dispatched would respond to call.

Anthony Dyrbala – That would be us.

Keith Fioretti (owner of bar/restaurant in Varysburg) – How many patients will be court ordered and how many will be private/voluntary?

Gene Traxler -Not known at this time.

Judge Mohun – I can tell you that treatment is paramount to helping with this epidemic. Somewhere in this community we need an in-patient treatment facility. We contract with Spectrum. There is an out-patient facility in Warsaw, but I have nowhere locally to send them for in-patient treatment.

Keith Fioretti – As a local business owner, I worry about the security. We all agree that it is needed, but not in our neighborhood. We were told that there would be a police sub-station located there.

Heather Geoghegan (Orangeville resident)– I live behind the school. We need more answers about security. Will you be contracting in from other areas? You have given us empty answers. How can you protect our families, our children, our neighbors, our property values?

Dr. Abbasey – We will seek assistance from local law enforcement agencies, we cannot open a facility without protection.

Jerianne Klein – I'm a parent in recovery and I run a local support group. This is needed in our community, drugs are here. 75% of kids in school raise their hands because they are effected by drugs in some way.

Hans Praller (Varysburg resident) – What good does this do for the Hamlet of Varysburg? – Nothing.

Jim Kirsch – The property will be put back on the tax roll.

Jim Pierce – Job creation

Brian Becker – Increased sales at local businesses – restaurants, stores, etc.

Dan Poland (Varysburg resident) – Were any other locations considered? Why not in Warsaw where there is already NYS Trooper station and Sheriffs?

Adam Vetter (Varysburg resident) – I work the night shift and take 911 calls about patients walking out of hospital. I am not for this in Varysburg. It's a nice, quiet community. I guarantee people will walk out of this facility.

Judy Laird – (Varysburg resident)I have a Bed and Breakfast in Varysburg and I'm worried about my backyard and keeping my guests safe; worried about losing business.

Sherrie Wright (Varysburg resident)– Who is selling the school property and for how much\$? I feel the building should be used for youth or seniors. You'd think that the Town Board would want something that would benefit all residents. Having this in our backyard doesn't make sense.

Jim Rutowski - The Attica School Board is selling the property. It has been on the marked for 3 years and the original asking price is \$450,000.

Town Supervisor Brian Becker – The Town of Sheldon did not seek this out. The application came in to the Town in June and we are following our rules by having this public hearing. The sales is between the school board and private investors.

Greg Krebs (Varysburg resident)– I live in Varysburg. In Lancaster when they had a vacant school, they rented out the building. Then several years later, when they needed it, it was reopened as a school. Why isn't this being done with this property?

Debbie Smith (Buffalo resident)– Lives in Buffalo, but has family out here. Told story of losing her son to addiction. I want to know how to change the perception of people who are addicted. My son was brilliant, but was prescribed the drugs he became addicted to. He would not have destroyed your community or mean anyone harm. Unfortunately it's a misunderstood disease. He would've benefited from a facility like this. You have been offered an opportunity to help here. It's all around us whether you realize it or not. I'm also a probation officer in Erie County.

Virginia Lukasik – Wondering what the suicide rate is for people with drug addictions.

Dr. Abbasey – People who have drug addictions sometimes also suffer from depression or other psychological problems and these people may commit suicide.

Judy Laird – will there be a fence around the property/facility?

Dr. Abbasey – No

Carol Zittel, Sheldon Town Clerk – Is it non-profit?

Dr. Abbasey – property will be owned by private person, but will be run by a non-profit group.

Dan Poland – When I drive through Warsaw I see a vacant building. There is a better place to put this rehab facility. Dr. Abbasey you are a good soul, but I do not want this in Varysburg.

Heather Geoghegan – Where do we go from here?

Wayne Abbott – We are here to collect information from this panel and the community. We make sure the applicants are following zoning laws. The next step is for the Planning Board to review all of the information discussed tonight.

Who makes the final decision?

Wayne Abbott – The Town Board makes the final decision.

Alyssa Cutcliffe – The Zoning Officer received the application, the Planning Board holds this public hearing, then the PB makes a recommendation to the Town Board based (based) on whether it follows/fits with the Comprehensive Plan and our Zoning Laws.

Tom Sanfilippo (Varysburg resident)– Why isn't there anyone here from WCC Hospital? Why can't the hospital come up with beds for this use? There are 4-5 properties in Warsaw that are vacant that would be better places for this.

Jean George (Varysburg resident)– Also asked why the hospital couldn't find extra beds for rehab use.

Dr. Abbasey – The hospital denied the ability to do this.

Chris Parmarter (Varysburg resident)– What age will the patients be?

Dr. Abbasey – 16 yrs old and up

Chris Parmarter – Asked about the vocational programs – 30 days does not seem to be enough time to give a person adequate skills/training.

What is your vision for the future of this property? How many beds?

Dr. Abbasey – Possibly up to 36 beds maximum.

Jim Rutowski – Possibility of using property to the east of the school for future expansion. Have discussed using it to build affordable housing. These are just in the idea stages at this point. That property is actually in Orangeville.

Rev. Karen Russell – I am the co-pastor of the Varysburg Gospel Church. My heart is with all of you. Wherever this facility is located, I will be there. The fear I'm hearing is very real. We need to get accurate information to quell those fears.

Shawn Wright (Varysburg resident) – I’m a life-long resident of Varysburg. We know there is a need. It is expensive to treat people. Many fell into this addiction because of the big pharmaceutical companies. If there is such a need, why are there not more of these facilities? Is it not profitable? This should be located where there is more infrastructure. The building might be perfect, but the location isn’t.

Ron Heppner – Shared a study he found that was done in Johns Hopkins Magazine which concluded that the crime rate is not higher around this type of facility.

Keith Fioretti – Asks that the Planning Board and Town Board members listen to what the residents are saying.

Diane Sanfilippo – To the Town Board – Do we really have a say in this?

At 10:00 pm, Mary made a motion to close the Public Hearing. Don seconded the motion. All in favor, motion carried.

At 10:01 pm Don made a motion to adjourn the Planning Board Meeting. Jeff seconded the motion. All in favor, meeting adjourned.

-Next Meeting:

**August 8, 2018 @ 7:00 pm
Regular Planning Board Mtg.**

Respectfully Submitted,

Ann Daniel

Planning Board Secretary