

**MANCHESTER TOWN BOARD - REGULAR MEETING  
JUNE 14<sup>th</sup>, 2022 - 6 P.M. & PUBLIC HEARING  
RE: REPEALING CHAPTER 123 TO REPLACE WITH NEW  
CHAPTER 123 UNIVERSAL CODE - 6 P.M.**

The 2022 Town Board Meeting was held at the Manchester Town Hall on Tuesday, June 14<sup>th</sup>, 2022, at 6:00 P.M., with the following members present:

<b>David Phillips</b>	<b>Supervisor</b>
<b>Kevin Blazey</b>	<b>Councilman</b>
<b>Matthew Shannon</b>	<b>Councilman</b>
<b>Scott DeCook</b>	<b>Councilman</b>

**OTHERS PRESENT:** Jill Havens, Town Clerk, Steve DeHond, Code Enforcement Officer; Jason Lannon, Highway Superintendent; William Murphy, Deputy Highway Superintendent; Len Kataskas, Town Historian; Residents: Elaine Liberio & Don Collins, Red Jacket Rotary

**ABSENT:** Jaylene Folkins, Councilwoman, Jennifer Fagner, Assessor & Kevin Lyke, Water Superintendent

**PUBLIC HEARING OPENED:** Supervisor Phillips opened the Public Hearing re: Repealing Chapter 123 to replace with new Chapter 123 Universal Code at this time, 6:00 p.m. and read the legal notice which was posted at the Town Hall and published in the Daily Messenger as follows:

**TOWN OF MANCHESTER --- NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a public hearing will be held by the Town Board of the Town of Manchester on the 14<sup>th</sup> day of June, 2022, at 6:00 p.m., at the Manchester Town Hall, 1272 County Road 7, Town of Manchester, New York, regarding the adoption of a Local Law which would repeal the existing Chapter 123 of the Code of the Town of Manchester and adopt a new Chapter 123 providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code, the new Chapter 123 to contain regulations pertaining to the following:

- Purpose and intent
- Definitions
- Code enforcement officer and inspectors
- Building permits
- Construction inspections
- Stop work orders
- Certificates of occupancy and certificates of compliance
- Notification regarding fire or explosion
- Unsafe buildings, structures, and equipment and conditions of imminent danger
- Operating permits
- Fire safety and property maintenance inspections
- Complaints
- Condition assessments of parking garages
- Climatic and geographic design criteria
- Record keeping
- Program review and reporting
- Violations
- Fees
- Intermunicipal agreements

Any resident of the Town of Manchester shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for review at the Town of Manchester Town Hall, 1272 County Road 7, Town of Manchester, New York.

This by Resolution of the Town Board of the Town of Manchester.

**PUBLIC HEARING CLOSED / REGULAR MEETING RESUMED:** Supervisor Phillips asked if anyone else wished to be heard re: Repealing Chapter 123 to replace with new Chapter 123 Universal Code at this time. Repeated three (3) times, hearing none, Closed the Public Hearing and resumed the Regular Meeting at this time, 6:03 p.m.

**CALL TO ORDER:** Supervisor Phillips called the June 14<sup>th</sup>, 2022, Regular Board meeting to order at this time, 6:03 p.m.

**June 14, 2022**

➤ **RESOLUTION #76 - APPROVAL OF MINUTES, REGULAR MEETING May 10<sup>th</sup>, 2022, AS SUBMITTED**

On motion of Councilman Shannon, seconded by Councilman Blazey, the following resolution was unanimously **ADOPTED**:

**VOTE:**                                      **AYES - 4**                                      **NAYS - 0**

**RESOLVED**, to approve the minutes from the Regular Meeting held on May 10<sup>th</sup>, 2022, as submitted.

➤ **RESOLUTION #77 - APPROVAL OF SUPERVISOR'S MONTHLY FINANCIAL STATEMENT**

On motion of Councilman Blazey, seconded by Councilman DeCook, the following resolution was unanimously **ADOPTED**:

**VOTE:**                                      **AYES - 4**                                      **NAYS - 0**

**RESOLVED**, to approve the Supervisor's Monthly Report as submitted. See Minute Book Attachment for report.

➤ **RESOLUTION #78 - APPROVAL OF TOWN CLERK'S MONTHLY REPORT**

On motion of Councilman DeCook, seconded by Councilman Blazey, the following resolution was unanimously **ADOPTED**:

**VOTE:**                                      **AYES - 4**                                      **NAYS - 0**

**RESOLVED**, to accept the Town Clerk's report as follows:

-- Dog Licenses (76 N & R; 0 - PB; 0-Exempt; 1-Tag)	\$	1,891.00
-- State Surcharge Fees	\$	153.00
-- Late Fees (Dog Licenses)	\$	290.00
-- Transfer Station	\$	2,891.42
-- Zoning Fees	\$	1,525.80
-- DEC Licenses	\$	215.00
-- Certified Copy (D-14, M-0)	\$	140.00
-- Bingo Fees	\$	42.15
-- Marriage License (2)	\$	80.00
-- Bingo License (1)	\$	468.75
-- Game of Chance License (4)	\$	100.00
<b>TOTAL COLLECTED</b>	<b>\$</b>	<b>7,797.12</b>
PAID TO NYSDEC	\$	203.13
PAID TO STATE	\$	153.00
PAID TO SUPERVISOR (TOWN)	\$	7,054.74
PAID TO NYS DEPT. OF HEALTH	\$	45.00
PAID TO NYS RACING & WAGERING	\$	341.25

**Supervisor Phillips received and reviewed the following correspondence with the Board at this time (See minute book attachment for all correspondence):**

- a. **Supervisors Monthly Report for May 2022**
- b. **Town Clerk Monthly Report for May 2022**
- c. **RG&E News Releases**
- d. **E-mail from bookkeeper re: landfill rates**
- e. **Invoice from Ontario County Landfill**
- f. **Constellation, Environmental Disclosure**
- g. **Amanda Grisa Announcement re:**
- h. **Ag & Markets Inspection Report of County Humane Society**
- i. **Charter Communications Programming Change**
- j. **Charter Communications Programming Change**
- k. **Manchester Fire Department Report – April 2022**
- l. **Short SEQR Assessment re: Local Law Adopting New Chapter 123**
- m. **E-Mail from County Administrator DeBolt re: E-Contract System**
- n. **Sample MOU**
- o. **Sample Resolution**
- p. **Manchester Fire Department Report – May 2022**

**At this time, Supervisor Phillips invited Red Jacket Rotary Member Don Collins to address the Town Board -** The Red Jacket Rotary has a 3-foot by 4-foot model of the trout pond that they would like to donate to the Town of Manchester for the community to enjoy. The Town Board would be willing to accept that donation and are honored to do so. Town Board will be in touch after a location for of the model to be displayed is located.

June 14, 2022

~ **Brief Discussion** regarding the increased rates from the Ontario County Landfill, with the latest 6.57% increase from the county, the Town of Manchester will need to increase their rates in order to offset the new transfer station costs. It was determined that a 4-cent increase is necessary.

➤ **RESOLUTION #79 – APPROVAL TO INCREASE THE TRANSFER STATION RATE FOR HOUSEHOLD TRASH**

**On motion of Councilman DeCook, seconded by Councilman Blazey the following resolution was unanimously ADOPTED:**

**VOTE:                                 AYES – 4                                 NAYS – 0**

**WHEREAS**, the Ontario County Landfill implemented a 6.57% increase in their trash costs to the Town of Manchester from \$36.85 per ton to \$39.27 per ton

**WHEREAS**, the Town Board of the Town of Manchester has reviewed the increase and determined that a 4-cent increase to the Transfer Station rates for the Town of Manchester is necessary to offset the increase

**NOW, THEREFORE, BE IT RESOLVED**, that the rates for the Transfer Station will increase from \$0.16 per pound to \$0.20 per pound for household trash & misc., electronics will remain at \$0.42 per pound and tires will remain at \$5.00 per tire.

➤ **RESOLUTION #80 – THE TOWN BOARD OF THE TOWN OF MANCHESTER, ONTARIO COUNTY, NEW YORK, DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 2 OF 2022**

**On motion of Councilman Blazey, seconded by Councilman DeCook, the following resolution was unanimously ADOPTED:**

**VOTE:                                 AYES – 4                                 NAYS - 0**

**WHEREAS**, the Town of Manchester Town Board, hereinafter referred to as Town Board, has determined Local Law No. 2 of 2022 to be an Unlisted action under the State Environmental Quality Review (SEQR) Regulations, and,

**WHEREAS**, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

**WHEREAS**, the Town Board has considered the potential impacts associated with said action.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Town Board makes this Determination of Non-Significance based upon: the Short Form Environmental Assessment Form, Parts 1 and 2, prepared for this action, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

**BE IT FURTHER RESOLVED THAT**, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Jill Havens, Town Clerk of the Town of Manchester do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Manchester on June 14<sup>th</sup>, 2022, by the following vote:

	<b>Aye</b>	<b>Nay</b>
David Phillips	<u>X</u>	___
Kevin Blazey	<u>X</u>	___
Jaylene Folkins	___	___
Matthew Shannon	<u>X</u>	___
Scott DeCook	<u>X</u>	___
	(ABSENT)	___

Dated: June 15<sup>th</sup>, 2022

\_\_\_\_\_  
Jill Havens, Town Clerk

{SEAL}

June 14, 2022

➤ **RESOLUTION #81 – AUTHORIZING ADOPTION OF A LOCAL LAW REPEALING THE EXISTING CHAPTER 123 OF THE CODE OF THE TOWN OF MANCHESTER AND ADOPTING A NEW CHAPTER 123 PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NYS UNIFORM FIRE PREVENTION AND BUILDING CODE AND THE STATE ENERGY CONSERVATION CONSTRUCTION CODE**

**WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Manchester for a public hearing to be held by said Town Board on June 14<sup>th</sup>, 2022, at 6:00 p.m. at the Manchester Town Hall, 1272 County Road 7, Manchester, New York, to hear all interested parties on a proposed Local Law entitled “A Local Law Repealing the Existing Chapter 123 of the Code of the Town of Manchester and Adopting a New Chapter 123 Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of Manchester, on June 7<sup>th</sup>, 2022 and all other notices required by law to be given were properly served, posted or given; and

**WHEREAS**, said public hearing was duly held on June 14<sup>th</sup>, 2022, at 6:00 p.m. at the Manchester Town Hall, 1272 County Road 7, Manchester, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

**WHEREAS**, the Town Board of the Town of Manchester, after due deliberation, finds it in the best interest of the Town of Manchester to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Manchester hereby adopts said Local Law No.   2   of 2022, entitled, “A Local Law Repealing the Existing Chapter 123 of the Code of the Town of Manchester and Adopting a New Chapter 123 Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code”, a copy of which is attached hereto and made a part hereof, and be it further

**RESOLVED**, that the Town Clerk be and she hereby is directed to enter said Local Law in the Local Law Book of the Town of Manchester and to give due notice of the adoption of this local law to the Secretary of State of New York, and be it further

I, Jill Havens, Town Clerk of the Town of Manchester do hereby certify that the Town Board of the Town of Manchester adopted the aforementioned resolution on June 14<sup>th</sup>, 2022, by the following vote:

	Aye	Nay
David Phillips	<u>  X  </u>	—
Kevin Blazey	<u>  X  </u>	—
Jaylene Folkins	—	(ABSENT)
Matthew Shannon	<u>  X  </u>	—
Scott DeCook	<u>  X  </u>	—

Dated: June 15<sup>th</sup>, 2022

\_\_\_\_\_  
Jill Havens, Town Clerk

{SEAL}

June 14, 2022

~ **Brief Discussion** regarding the Town of Manchester's participation with Ontario County's expansion of their e-contract software system to all towns, villages and cities within the county. Currently, we do participate with regards to the contracts between the Town of Manchester and Ontario County, this expansion would allow the Town of Manchester to utilize it with regards to all contracts they are part of. The Memorandum of Understanding for the Implementation of Electronic Contracts and Insurance Lifecycle Management Solution can be found in the minute attachment book.

➤ **RESOLUTION #82 – APPROVAL SUPPORTING THE SUBMISSION OF A LOCAL GOVERNMENT EFFICIENCY GRANT APPLICATION TO THE NEW YORK DEPARTMENT OF STATE AND AUTHORIZING A MEMORANDUM OF UNDERSTANDING TO FACILITATE THE ONTARIO COUNTY ELECTRONIC AND INSURANCE LIFECYCLE MANAGEMENT SOLUTION IMPLEMENTATION PROJECT**

**On motion of Councilman Blazey, seconded by Councilman DeCook, the following resolution was unanimously ADOPTED:**

**VOTE:                    AYES – 4                    NAYS - 0**

**WHEREAS**, the Local Government Efficiency (“LGE”) Grant program, administered by the New York State Department of State, is intended to incentivize new actions between local governments that will reduce the cost of municipal operations and modernize the delivery of local services; and

**WHEREAS**, the Ontario County (the “County”) Administrator has requested the Town of Manchester's support for the submission by the County of a Local Government Efficiency grant application to the New York State Department of State for up to \$200,000.00 per participant for implementation of a prospective Shared Services Project where multiple entities within the County will collaborate in implementation and ultimately transition to an electronic contract and insurance lifecycle management solution (the “Ontario County Electronic Contract and Insurance Lifecycle Management Solution Implementation Project”); and

**WHEREAS**, the Ontario County Electronic Contract and Insurance Lifecycle Management Solution Implementation Project will include: (1) defining existing contracts, insurance and approval processes for each participating entity; (2) defining opportunities for efficiencies and cooperation amongst the participants with contract policies, forms, workflows, vendors, insurance and risk management review; (3) development of training materials for participants and their vendors; (4) development of virtual support database; (5) building of webpage for 24/7/365 access to materials and virtual support database; and

**WHEREAS**, the County will serve as the lead applicant on this grant application; and

**WHEREAS**, the flexibility that has been required to continue to serve its constituents in a COVID-19 world, the increased retirements and workforce transition and the decrease in potential workforce applicants have put added pressure on local governments to be more efficient, and the proposed project between local governments to transition them to an electronic contract and insurance lifecycle management solution will reduce the cost of municipal operations and modernize the delivery of local services both in the collective procurement of software and consultant services and in the administration of contracts and insurance via an electronic software, now therefore, be it

**RESOLVED**, that the Town of Manchester, on behalf of itself and its special districts, supports the application by lead applicant Ontario County for funding from the LGE Grant for the Ontario County Electronic Contract and Insurance Lifecycle Management Solution Implementation Project, in the form as filed with the Clerk of Ontario County Legislature; and further

**RESOLVED**, that the Town Supervisor is hereby authorized to execute a Memorandum of Understanding between the County and other co-applicants on behalf of itself and its sewer/water district (if applicable) agreeing to in good faith negotiate an agreement amongst the County and co-applicants with a consultant to complete the Ontario County Electronic Contract and Insurance Lifecycle Management Solution Implementation Project; and further

**RESOLVED**, that a copy of this resolution be forwarded to the County Administrator.

~ **Brief Discussion** regarding the payment of a stipend and mileage to the Town Board of Assessment Review and Planning & Zoning Board members for additional required training for their continued participation on the aforementioned boards.

June 14, 2022

➤ **RESOLUTION #83 – APPROVAL TO PAY A STIPEND AND MILEAGE FOR TRAINING REQUIREMENTS TO ALL BOARD OF ASSESSMENT REVIEW, PLANNING AND ZONING BOARD MEMBERS**

On motion of Councilman Shannon, seconded by Councilman Blazey the following resolution was unanimously ADOPTED:

**VOTE:                                    AYES – 4                                    NAYS – 0**

**RESOLVED**, to pay a stipend for each training a board member attends at a rate of pay equal to one meeting rate and mileage at a rate of \$0.60 per mile

**Department Reports:**

**a.    HIGHWAY SUPERINTENDENT, Jason Lannon reported the following:**

- **CHIPS**
  - Work complete
  - Expecting payment mid-September
  - Silver Street was taken off the list due to clay and the weight of equipment
  - State representative says that chips money can be used to reimburse for equipment or transport of equipment to job sites, therefore, looking to purchase a trailer to haul the excavator from job to job.
- **Wedging**
  - Waiting until August when Joe VanOpdorp returns from medical leave
- **Mowing**
  - Mowing around guardrails
- **Salt Costs**
  - Expected to be extremely high this year
- **Heating Oil**
  - Starting the process of getting quotes for the best price from different vendors

**b.    WATER SUPERINTENDENT, Kevin Lyke absent, Supervisor Phillips reported:**

- **Installing meters**
  - Kevin met the goal he had set for himself for the number of installs in the month of May.
- **Stafford Road Hydrant**
  - Replaced a valve on hydrant
- **New Meter Reads**
  - Very accurate compared to the old reading system

**c.    CODE ENFORCEMENT OFFICER, Steve DeHond, reported the following:**

- **Thirteen (13) building permits in May.**
- **Collected \$1,024.00 in fees.**
- **Estimated Construction Costs \$366,659.00.**
- **Twenty-one (21) fire inspections were done in May.**
- **Nice reception last week at Leonard’s for the last beam placement on the new refrigerated building.**
- **Ontario County Soil & Water has contacted my office to see if we are interested in having them do the required septic inspections when residents are selling homes in the area.**
  - Will need to find out more information for further discussion

**d.    ASSESSOR, Jennifer Fagner, reported the following:**

- **Ten (10) transfers in May.**
- **Submitted BAR vouchers to Janis for the BAR to sign off on**
- **Grievance has been completed.**
  - I will be sending the legal notice to Jill for publication soon
- **Currently working on Data Collection and STAR corrections sent to me by the State.**
  - When this is completed, I will be making my final drop to the County.
- **I sent Jill the information regarding the Rebate Check that the residents are receiving.**
  - It will be in the newsletter that she is sending/sent out.

**e.    TOWN CLERK, Jill Havens reported the following**

- **Newsletter**
  - Just about ready to print, waiting for information from this meeting to include in publication.
  - Would like to include dog enumeration information with the newsletter in an attempt to encourage the licensing of dogs in the Town of Manchester.
    - Town Board agrees to include with the newsletter mailing.



June 14, 2022

➤ **RESOLUTION #85 - APPROVAL TO ENTER INTO EXECUTIVE SESSION PER SECTION NYS 105**

On motion of Councilman Blazey, seconded by Councilman Shannon, the following resolution was unanimously ADOPTED:

VOTE:            AYES - 5            NAYS - 0

**RESOLVED**, to enter into executive session per section NYS 105, 6:59 p.m., in attendance were: Town Board Members, Town Clerk, Code Enforcement Officer, Highway Superintendent, and Highway Deputy Superintendent.

➤ **RESOLUTION #86 - APPROVAL TO GO OUT OF EXECUTIVE SESSION AND CONTINUE WITH THE REGULAR MEETING**

On motion of Councilman Blazey, seconded by Councilman DeCook, the following resolution was unanimously ADOPTED:

VOTE:                            AYES - 5                            NAYS - 0

**RESOLVED**, to go out of executive session at this time, 8:11 p.m. and resume the regular meeting.

**ADJOURNMENT:** There was no other business before the Board at this time, Councilman Blazey moved to adjourn the meeting, 8:12 p.m., seconded by Councilman DeCook, unanimously APPROVED.

*Respectfully Submitted,*

*Jill A. Havens, Town Clerk*

**\*\*Next Meeting(s):**

- *Regular meeting:*                            **July 12, 2022 - 6:00 P.M.**
- *Regular meeting:*                            **August 9, 2022 - 6:00 P.M.**
- *Regular meeting:*                            **September 13, 2022 - 6:00 P.M.**
- *Regular meeting:*                            **October 11, 2022 - 6:00 P.M.**
- *Regular meeting:*                            **November 8, 2022 -6:00 P.M.**
- *Regular meeting:*                            **December 13, 2022 - 6:00 P.M.**