# MANCHESTER TOWN BOARD - REGULAR MEETING

# February 14, 2023 - 6 P.M.

The February 14, 2023 Town Board Meeting was held at the Manchester Town Hall on Tuesday, January 10th, 2023 at 6:00 P.M., with the following members present:

 David Phillips Supervisor

 Scott DeCook Councilman

 Jaylene Folkins Councilwoman

OTHERS PRESENT: Devon Hayes, Town Clerk; Steve DeHond, Code Enforcement Officer; Jason Lannon, Highway Superintendent; William Murphy, Deputy Highway Superintendent; Town of Manchester Residents: David Collett, Teresa Minutolo, Frank Lan, Elaine Liberio, Tom Gillette

ABSENT: Kevin Blazey, Councilman; Matt Shannon, Councilman; Kevin Lyke, Water Superintendent, Jenn Fagner, Assessor.

CALL TO ORDER: Supervisor Phillips called the February 14, 2023 Regular Board meeting to order at this time, 6:00 p.m.

Open Public Hearing regarding the Fiscal Year Tax Cap for 2024. The newspaper announcement of the Public Hearing was read by Supervisor Phillips. D. Collett said he wasn’t aware this was on the agenda and not familiar with it. Supervisor Phillips explained that this is done every year on the advice of our Attorney. Because we don’t always have that Tax Cap number prior to creating the budget, this protects the Town from State penalty. There is no intention of going over the Tax Cap number. If no resolution is done and we exceed the Tax Cap number given, we could be penalized by the State.

* RESOLUTION #7- APPROVAL OF MINUTES, REGULAR MEETING JANUARY 2023 On motion of Councilwoman Folkins, seconded by Councilman DeCook, the following resolution was unanimously ADOPTED:

#  VOTE: AYES - 3 NAYS - 0

 RESOLVED, to approve the minutes from the Regular Meeting held on January 10, 2023.

* RESOLUTION #8 - APPROVAL OF SUPERVISOR’S MONTHLY FINANCIAL STATEMENT

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

 VOTE: AYES - 3 NAYS - 0

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

# RESOLUTION #9 - APPROVAL OF TOWN CLERK’S MONTHLY REPORT

# On motion of Councilman DeCook, seconded by Councilwoman Folkins, the following resolution was unanimously ADOPTED:

#  VOTE: AYES - 3 NAYS - 0

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

#  -- Miscellaneous $ 3.00

#  -- Town Clerk Interest $ .07

#  -- Bingo Proceeds $ 137.09

#  -- Death Certified Copies $ 60.00

-- Transfer Coupons $ 4,381.10

-- Zoning Fees $ 1,580.60

-- Fax Fees $ 0.00

 -- Certified Copy $ 60.00

 -- Bingo Proceeds $ 30.48

 -- Bingo License (0) $ 180.00 -- Bell Jar License (0) $ 20.00

 TOTAL COLLECTED 7,398.05

 PAID TO NYSDEC $ 42.51

 PAID TO STATE COMPTROLLER $ 300.00

 PAID TO SUPERVISOR (TOWN) $ 7,398.05

 PAID TO NYS AG & MARKETS $ 121.00

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

1. Town Clerk’s monthly report January 2023
2. Town Supervisor’s monthly report January 2023
3. Clifton Springs Library letter of appreciation
4. NYSEG RGE gas and electric bill relief
5. Red Jacket Robotics team funds request
6. Ag and Markets Municipal Shelter Inspection Report
7. Catherine Peacock requesting street lighting
8. Manchester Fire Department updated officers and December report
9. Farmington Waste Materials Policy
10. Notice of Public Hearing re: civil service rules
11. Interfund Transfer $212.03 from General Fund A to Central Water Fund SW5 (ARPA)
12. $2,000 General Fund from A9060.8 to A1450.4 for the increase in election funds

~ Brief Presentation by David Collett, a Port Gibson resident. He is part of a group of volunteers called New York Citizen’s Audit. They are a group who are concerned with deficits in voter registration and voter fraud. Mr. Collett passed out information to the board that analyzed voter data and noted several areas they had concerns about. The Town Board listened to Mr. Collett and were given the opportunity to ask questions regarding the information he presented.

* RESOLUTION #10– APPROVAL TO APPOINT LAUREL PITCHER AS A PART TIME, DEPUTY CLERK

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

VOTE: AYES - 3 NAYS - 0

RESOLVED, to approve the appointment of Laurel Pitcher as a part time, deputy clerk.

* RESOLUTION #11– TO APPOINT DANA HALE TO NEW POSITION OF PUBLIC WORKS MAINTENANCE ASSISTANT:

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

VOTE: AYES - 3 NAYS - 0

 RESOLVED, to approve the appointment of Dana Hale to the position of Public Works Maintenance Assistant.

~ Brief Discussion: Waste Material – The Town of Farmington has offered us their Waste Material Policy. The Town of Manchester has scrap/leftover scrapings, gravel, pavement from ditching. In the past, we have occasionally and informally been asked by constituents for this material. This waste material would only be what the Town of Manchester can’t use and has no value. The Highway Superintendent would have to approve anything believed to fall into this category. The Town of Farmington Waste Material Policy will be looked at and modified to fit the Town of Manchester’s needs and can be discussed and voted on at the next Town Board Meeting.

Department Reports:

a. HIGHWAY SUPERINTENDENT, Jason Lannon reported the following:

* Highway Department was inspected by NYMIR.
	+ The overhead drain needs to be inspected.
	+ NYMIR will be sending a pre-trip inspection list for us to use
	+ Signed inventory with GPS Coordinates
	+ Heat alarms are due for inspection
* Jason would like approval to purchase a half ton pickup truck, not to exceed $45,000 (amount budgeted for the vehicle). The only extras would be hazard lights, bed coating and undercoating
* Joe is retiring in May and would like to work part time, 30 hours a week for the 6 winter months and find an person from one of the other Townships that might want the other 6 months during the summer. This makes the position part time and save on benefit costs.
* RESOLUTION #12– APPROVAL FOR THE PURCHASE OF A HALF TON PICK UP TRUCK APPOINT DANA HALE TO NEW POSITION OF PUBLIC WORKS MAINTENANCE ASSISTANT:

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

VOTE: AYES - 3 NAYS - 0

 RESOLVED, to approve the appointment of Dana Hale to the position of Public Works Maintenance Assistant.

# b. CODE ENFORCEMENT OFFICER, Steve DeHond, reported the following:

# 8 Permits – in the Town of Manchester

# Collected $645.00 in fees.

# Estimated Construction Costs $106,900.00

* 21 fire inspections in the three Villages and Township on existing buildings
* Kirby – needs permits for three mud runs. Permits are needed 45 days prior to the event. This is the same application he has been doing the last 8-10 years. He has insurance, certificates and there have been no problems in the past. In the past the Bond has also been waived
* RESOLUTION #13– APPROVAL WAIVE THE BOND FOR KIRBY’S MUD RUN EVENT:

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

VOTE: AYES - 3 NAYS - 0

 RESOLVED, to approve the bond for Kirby’s Mud Run event be waived.

c. ASSESSOR, Jennifer Fagner, reported the following:

* We had a total of 7 transfers since the last meeting.
* The office has been consistently steady with phone calls and people stopping in regarding Senior Partial Tax Exemptions.
* They are sending out notices to all remaining farmland owners that they have until March 1st to submit their Ag exemptions, after that date, they cannot be accepted. This is State Law. Out of 218, only 157 have been returned so far. Also out of 70 Senior Tax Exemptions that have been sent out, only 30 have been returned. As for Disability and Low Income Exemption, there are a total of 9 and only 4 have been returned. These people will also get final notices regarding March 1st deadline and if not submitted, their Exemption will be removed.

d. TOWN CLERK, Devon Hayes, reported the following:

* Warrant for tax collection is approximately $4.6 million.
* We have about $800,000 left to collect. The Town of Manchester was paid our portion of the 2023 taxes.
* $600,000 was paid to Ontario County in February.
* We are investing $2,000,000 in a CD for 14 days
* We have earned $112.48 in interest and have collected $297.85 in penalties to date
* We are also now getting interest on the Town Clerk so that will now be an entry on the town clerk report

e. Supervisor Dave Phillips, reported the following:

* In January, Tax Collector remitted to the Supervisor all taxes budgeted for the Town in 2023. This revenue all allowed the three major funds (General, Zoning and Highway) to end the month of January much better than in recent years.
* Zoning and Highway received fourth quarter sales tax. Final quarter for 2022 sales tax exceeded pre pandemic fourth quarter sales tax totals of 2019 by over 30%. Every quarter has been above the corresponding years before.
* The Refuse and Garbage Fund is holding steady. There was a slight increase in the month of January. This fund will continue to be monitored. We are no longer charging for electronics (as of January 2023) due to new regulations.
* The Water Funds continue to collect quarterly payments in January. No major expenses were incurred with either Central or County Road 13. Funds are doing better than they have over the years. This puts our reserve in good shape for any unexpected issues. Much of this is thanks to Kevin Lyke the Water Superintendent and his overseeing of rates.
* Most of the funds are doing better compared to previous years and will continue to be monitored to manage the funds.

~ Brief Discussion: Landfill – The Town of Seneca has voted and made the decision to not renew the permit/contract with Cassella. The current contract ends in 2028. This raises many questions. The County is trying to figure out the impact. No decisions have been made if it will continue or not. If it were to close, what would the impact be on recycling? Currently there is very little cost to residents. What is the impact if it closes completely? If it stays open and was only open to county residents? Who would run it? Right now, a list of questions is being created and will move forward in getting the questions answered. There is a lot of fact finding being done. Trying to make a plan that best serves the County.

Question was raised regarding our trucks on 97. There would be no sense in us updating them if we are all going to work together trucking. Dave Phillips agreed this was another great point to be considered.

* RESOLUTION #14 – APPROVAL OF FUND TRANSFERS

Interfund transfer $212.03 from General Fund A to Central Water Fund SW5(ARPA)

$2,000 General Fund from A9060.8 to A1450.4 for increase in election funds

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

VOTE: AYES - 3 NAYS - 0

 RESOLVED, to approve the fund transfers

ADDENDUM ITEMS - none

BOARD MEMBER ITEMS:

* Councilwoman Folkins:

1.) She and Councilman Blazey met with the Judges and Town Clerks office for the annual audit. A review was done of the Judges books and they are satisfied with the results and the audit is completed with them. The reason for that is due to the change in Town Clerks and changes in the bookkeeping. We didn’t see any issues and don’t anticipate any problems but need more time to audit. The Town Clerks audit will continue February 21st at 4:30pm.

* Councilman DeCook

 1.)

* Councilman Shannon:
* Councilman Blazey:

1.)

* Supervisor Phillips: Ontario County News:
1. Civil Service rules – There is a Public Hearing regarding the State has changed the provisions so that the Counties have more flexibility to do the tests on a different schedule and/or hire people provisionally. This is to help get people into vacant positions.
2. Meeting on 2/13/23 at FLCC about infrastructure in the County. Particularly about treated water both fresh/potable water and treated water. Lake demand at peak times is going to 85% of the permitted allowable draw set by the DEC. This could be an issue in about 5 years as the area grows and develops. Towns all seem to be doing their own thing on this and meetings like this help to look at resources and have a unified regional resource approach. The landfill was also discussed.
3. Round House continues to go forward.
* RESOLUTION #15 – MOTION TO APPROVE OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

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#  On motion of Councilwoman Folkins seconded by Councilman DeCook, the following resolution was unanimously ADOPTED:

#  VOTE: AYES - 3 NAYS - 0

RESOLVED, to approve the official undertaking of municipal officers

* RESOLUTION #16 – MOTION TO APPROVE VOUCHERS

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#  On motion of Councilman De Cook seconded by Councilwoman Folkins, the following resolution was unanimously ADOPTED:

#  VOTE: AYES - 3 NAYS - 0

RESOLVED, to approve January vouchers

ADJOURNMENT: There was no other business before the Board at this time; Councilman DeCook moved to adjourn the meeting, 7:02 p.m., seconded by Councilwoman Folkins, unanimously APPROVED.

*Respectfully Submitted,*

*Devon R Hayes, Town Clerk*

\*\*Next Meeting(s):

* *Regular meeting: March 14, 2023 - 6:00 P.M.*
* *Regular meeting: April 11, 2023 - 6:00 P.M.*
* *Regular meeting: May 9, 2023 - 6:00 P.M.*
* *Regular meeting: June 13, 2023 - 6:00 P.M.*
* *Regular meeting: July 11, 2023 - 6:00 P.M.*
* *Regular meeting: August 8, 2023 - 6:00 P.M.*
* *Regular meeting: September 12, 2023 - 6:00 P.M.*
* *Regular meeting: October 10, 2023 - 6:00 P.M.*
* *Regular meeting: November 14, 2023 -6:00 P.M.*
* *Regular meeting: December 12, 2023 - 6:00 P.M.*