# MANCHESTER TOWN BOARD - REGULAR MEETING February 8<sup>th</sup>, 2022 - 6 P.M.

The 2022 Town Board Meeting was held at the Manchester Town Hall on Tuesday, February 8<sup>th</sup>, 2022 at 6:00 P.M., with the following members present:

David Phillips	Supervisor
Kevin Blazey	Councilman
Matthew Shannon	Councilman
Jaylene Folkins	Councilwoman
Scott DeCook	Councilman

**OTHERS PRESENT:** Jill A Havens, Town Clerk, Steve DeHond, Code Enforcement Officer; Jennifer Fagner, Assessor; Jason Lannon, Highway Superintendent; William Murphy, Deputy Highway Superintendent; Kevin Lyke, Water Superintendent; Town Residents: Elaine Liberio & Tammy Worden

CALL TO ORDER: Supervisor Phillips called the February 8<sup>th</sup>, 2022, Regular Board meeting to order at this time, 6:00 p.m. Due to publishing error, Tax Cap Override Public Hearing to be moved to the March 8<sup>th</sup>, 2022 meeting at 6:00P.M.

RESOLUTION #24 - APPROVAL OF MINUTES, REGULAR MEETING January 11<sup>th</sup>, 2022, and SPECIAL MEETING, January 31<sup>st</sup>, 2022, AS SUBMITTED

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

## VOTE: AYES - 5 NAYS - 0

**RESOLVED,** to approve the minutes from the Regular Meeting held on January 11<sup>th</sup>, 2022, and Special Meeting held on January 31<sup>st</sup>, 2022, as submitted.

### RESOLUTION #25 - APPROVAL OF SUPERVISOR'S MONTHLY FINANCIAL STATEMENT

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

VOTE: AYES - 5 NAYS - 0

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

### RESOLUTION #26 - APPROVAL OF TOWN CLERK'S MONTHLY REPORT On motion of Councilman Shannon, seconded by Councilman Blazey, the following resolution was unanimously ADOPTED:

VOTE: AYES – 5 NAYS - 0

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

<ul> <li>Dog Licenses (80 N &amp; R; 1 - PB; 0-Exempt; 0-Tag)</li> <li>State Surcharge Fees</li> <li>Late Fees (Dog Licenses)</li> <li>Transfer Station</li> <li>Zoning Fees</li> <li>DEC Licenses</li> <li>Certified Copy (3-M, 13-D)</li> <li>Bingo Fees</li> <li>Marriage License (0)</li> <li>Bingo License (0)</li> <li>Game of Chance License (0)</li> </ul>	\$\$\$\$\$\$	$\begin{array}{c} 1,338.00\\ 115.00\\ 100.00\\ 3,743.93\\ 923.00\\ 25.00\\ 160.00\\ 11.46\\ 0.00\\ 0.00\\ 0.00\\ 0.00\end{array}$
TOTAL COLLECTED	\$	6,420.54
PAID TO NYSDEC PAID TO STATE PAID TO SUPERVISOR (TOWN) PAID TO NYS DEPT. OF HEALTH PAID TO NYS RACING & WAGERING	\$\$\$\$	23.62 115.00 6,281.92 0.00 0.00

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

- a. Town Clerk Monthly Report for January 2022
- b. Supervisors Monthly Report for January 2022
- c. Clifton Springs Fire Department Report December 2021
- d. Clifton Springs Fire Department Report January 2022
- e. D.O.H. water sampling plan for Atwater Street
- f. D.O.H. water sampling plan for Field Street
- g. Ontario County Resolution for Phase 3 of Round House
   h. T.O.M Bank Account Collateralization 31 December 2021
- i. Senior Citizen Tax Exemption Table
- j. Clifton Springs Library Letter of Appreciation
- k. Ontario County Public Works Mutual Aid Agreement
- I. NYSEG Emergency Contact List
- m. Transfer for February Meeting
- n. E-Mail Communications regarding tax warrant overpayment
- o. RPTL Tax Exemption Form
- p. Resignation Letter from Brian Hockenberry

### RESOLUTION #27 - RESOLUTION TO REFUND EXCESS AMOUNT OF TAX MONEY TO TOWN CLERK/TAX COLLECTOR

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

VOTE: AYES – 5 NAYS - 0

**WHEREAS**, the original tax warrant (\$1,118,940.71) submitted to the Tax Collector by Ontario County was incorrect and a new corrected tax warrant (\$1,118,153.10) was received from the Ontario County Treasurer, the new warrant shows an overpayment to the Town of Manchester in the amount of \$787.60,

**RESOLVED**, to approve the refund to the Tax Collector in the amount of \$787.60.

RESOLUTION #28 - APPROVAL TO ACCEPT BANK COLLATERIZATION DATED DECEMBER 31, 2021, AS SUBMITTED

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

VOTE: AYES – 5

NAYS – 0

**RESOLVED,** to approve the Town of Manchester Bank Collateralization Report, as submitted. See Minute Book Attachment for report.

### RESOLUTION #29 - RESOLUTION TO INCREASE THE SENIOR CITIZENS EXEMPTION LIMITS

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

OTE:	AYES – 5	NAYS – 0

**RESOLVED**, to increase the Senior Citizens Exemption Limits from \$15,000 to \$17,100 and \$20,700 SS to \$23,750 SS.

### RESOLUTION #30 – APPROVAL TO EXTEND THE ONTARIO COUNTY MUTUAL AID AGREEMENT, AS SUBMITTED

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

VOTE: AYES – 5 NAYS – 0

**RESOLVED** to approve extending the Ontario County Mutual Aid Agreement, as presented.

RESOLUTION #31 – APPROVAL TO APPOINTMENT OF TAMMY WORDEN TO THE ZONING BOARD OF APPEALS

- On motion of Councilman Blazey, seconded by Councilman Shannon, the following resolution was unanimously ADOPTED:
  - VOTE: AYES 5 NAYS 0

**RESOLVED,** to approve the appointment of Tammy Worden, 3041 Wilber Road, Clifton Springs, NY 14432, to fill the vacancy on the Zoning Board of Appeals for the remainder of the five (5) year term to expire on 12/31/2023.

### RESOLUTION #32 – APPROVAL TO ACCEPT LETTER OF RESIGNATION, BRIAN HOCKENBERRY, CROSSING GUARD

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

> VOTE: AYES – 5 NAYS - 0

**RESOLVED**, to accept the letter of resignation, as submitted from Brian Hockenberry, Crossing Guard to be effective as of February 19, 2022.

### RESOLUTION #33 - AUDIT OF JUSTICE SCHAERTL AND JUSTICE LIBERTY RECORDS On motion of Councilwoman Folkins, seconded by Councilman Blazey, the following resolution was unanimously ADOPTED:

#### VOTE: AYES - 4 NAYS - 0

**RESOLVED**, to note that Judge Eric Schaertl and Judge Michael Liberty have submitted their books & checkbooks to the Board for their review & audit; therefore, it is

FURTHER RESOLVED, that the Town Justice(s) Schaertl's and Liberty's books for 2021 Fines and Forfeitures have been reviewed and audited by this Board at this time.

# **Department Reports:**

- a. **HIGHWAY SUPERINTENDENT, Jason Lannon reported the following:** 
  - Weather has been tough on the equipment the last few weeks
  - MEO, Joe VanOpdorp is out for 4-6 months on medical leave.
  - Fire Protection went out for 2-3 minutes at the shop •
    - Alarm company had it out for 2-3 minutes • No issues were found.

    - All highway employees are signed up for the 811 Dig Safe refresher course in April o New employees, Emma & Dana are not eligible for the refresher, they will have to take the initial 4-hour course at a later date.
- WATER SUPERINTENDENT, Kevin Lyke reported: b.
  - Installing meters have done +/- 230 total so far
  - o Dana and Kevin working well together
  - **Village of Manchester** 
    - Reviewing Out-of-District vs. In-District users for the debt service with the 0 Town of Manchester

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

- Eight (8) building permits in January.
- Collected \$478.00 in fees.
- Estimated Construction Costs \$91,977.00.
- Twenty-three (23) fire inspections were done last month.
- Leonard's Express Refrigerated Building construction is moving along.
- Steve & Marty are signed up to do online Continuing Education a few hours a month beginning in June 2022.
- **Code Updates** 
  - Solar Code still moving along with the Planning Board.
  - Zoning Code is still being worked on with Ontario County.

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

- 10 Transfers in January
- The Office has been consistently steady with phone calls, people stopping in, exemptions, etc.
- We sent out notices to all remaining farmland owners that they have until March 1<sup>st</sup> to submit their Aq. Exemptions.
  - After that fate, they will not be accepted.
- I signed up for 2 classes starting in March going into April. After these 2 classes, I will only have 1 remaining which I will be taking this summer. After this, I will have completed my certification for NYS.

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

Tax Collection – has been the theme for the month of January.

- Trying to catch up from all the confusion and incorrect payments received from the incorrect billing at the beginning of January.
- The extension from the Town Board has been a big help and was received positively from Town Residents.

### f. BUDGET, Supervisor Dave Phillips, reported the following:

The finances of the Town of Manchester are strong and healthy as of the end of January. The 4<sup>th</sup> quarter Sales Tax exceeded 2020's by almost 16% and 2019's by almost 20%. The total amount for sales tax in 2021 increased over 2020 by 23% and over 2019 18%.

- General Fund
  - Received property tax money in January.
- Zoning Fund & Highway Fund
  - Received property tax money in January.
  - Received 4<sup>th</sup> quarter Sales Tax at the end of January.
  - Received a boost when Leonard's Express paid a permit fee of \$22,500 in December 2021.

### • Refuse & Garbage Fund

- Ended January 2022 stronger than expected and continues to maintain a steady balance.
- Central Water District & County Road 13 Water District
  - Continued collecting 1<sup>st</sup> quarter water payments.
  - Also received the unpaid 2021 water amounts that went onto tax bills.
    - This was the first time since the pandemic that the Town was able to relevy unpaid water bills.
  - Both water funds remain financially stable.

### RESOLUTION #34 – APPROVAL OF TRANSFERS

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

VOTE:	AYES - 5	NAYS - 0
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**RESOLVED,** to approve the following Transfers:

From:	Amount:	To:	Reason:
INTERFUND TRAN General Fund A		Central Water (SW5)	To cover the transfer of ARPA Funds for the purchase of parts. (See Minute Attachment Book for Details)
<b>GENERAL FUND</b> A688 A688 A688	\$242.25 \$242.25 \$441.37	A1410.1 A3510.1 A1110.1	Reimbursement COVID pay. Reimbursement COVID pay. Reimbursement COVID pay.

### ADDENDUM ITEMS:

### **BOARD MEMBER ITEMS:**

- Councilwoman Folkins:
- Councilman DeCook:
- Councilman Blazey:
- Councilman Shannon:
- Supervisor Phillips:
  - 1.) FEMA is updating flood plan maps and has asked the Town's for updates
  - 2.) Cannabis opt-in/opt-out, Ontario County has forwarded zoning information to Towns that have opted out.
  - 3.) Ontario County has leftover COVID tests available to Towns that are interested in handing them out.

RESOLUTION #35 – RESOLUTION INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING

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

VOTE: A	YES – 5	NAYS – 0
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WHEREAS, the Town Board of the Town of Manchester, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, the Town Board of the Town of Manchester has reviewed the draft of the aforementioned proposed Local Law attached hereto as \*Exhibit "1" and deems it in the best interests of the Town of Manchester to proceed in accordance with the Code of the Town of Manchester and the Laws of the State of New York in adopting said Local Law,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on March 8, 2022, at 6:00 p.m. at the Manchester Town Hall, 1272 County Road 7, Town of Manchester, New York; and be it further

**RESOLVED**, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as \*Exhibit "2"; and be it further

**RESOLVED,** that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Manchester sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Manchester for its consideration; and be it further

**RESOLVED,** that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

\*See Minute book attachment for Exhibit "1" & Exhibit "2".

I, Jill A. 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 February 8<sup>th</sup>, 2022, by the following vote:

	Aye	<u>Nay</u>
David Phillips Matthew Shannon	<u>_X</u> _X_	
Kevin Blazey Jaylene Folkins		_
Scott DeCook	X	

Dated: February 8<sup>th</sup>, 2022

Jill A. Havens, Town Clerk

SEAL

### RESOLUTION #36 - AUDIT OF CLAIMS APPROVAL On motion of Councilwoman Folkins, seconded by Councilman Blazey, the following resolution was unanimously ADOPTED:

### VOTE: AYES - 5 NAYS - 0

**RESOLVED**, to approve to pay the 2022 bills as follows:

- **GENERAL FUND**, in the amount of \$54,658.50 as set forth on the Abstract #002 dated 2/8/2022;
- **ZONING FUND**, in the amount of \$4,750.28 as set forth on the Abstract #002 dated 2/8/2022;
- **REFUSE & GARBAGE FUND,** in the amount of \$320.23 as set forth on the Abstract #002 dated 2/8/2022;
- **HIGHWAY FUND,** in the amount of \$154,633.77 as set forth on the Abstract #002 dated 2/8/2022;
- **WATER FUND**, in the amount of \$2.095.49 as set forth on the Abstract #002 dated 2/8/2022;
- FIRE DISTRICTS, in the amount of \$182,619.00 as set forth on the Abstract #002 dated 2/8/2022;
- **TRUST & AGENCY FUND**, in the amount of \$14,012.48 as set forth on the Abstract #002 dated 2/8/2022;

**ADJOURNMENT:** There was no other business before the Board at this time, Councilwoman Folkins moved to adjourn the meeting, 6:35 p.m., seconded by Councilman Blazey, unanimously APPROVED.

Respectfully Submitted,

Jill A. Havens, Town Clerk

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

$\triangleright$	Regular meeting:	March 8, 2022 - 6:00 P.M.
	Includes: Public Hearings:	Tax Cap Override, 2021 Budget
	Regular meeting:	April 12, 2022 - 6:00 P.M.
≻	Regular meeting:	May 10, 2022 - 6:00 P.M.
	Regular meeting:	June 14, 2022 - 6:00 P.M.
	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.