

Town of Orangeville
Board Meeting
3529 Route 20 A, Warsaw, New York 14569
May 9, 2024

The Town Board of Orangeville met to audit the town accounts and transact other such business as is necessary at this time.

Present were Town Board Members:

- Susan May Supervisor
- Hans Boxler, Jr. Councilman
- Andrew Flint Councilman
- James Herman Councilman
- Joseph Ahl Councilman

Others Present:

- Rosann A. Lowder, RMC-Town Clerk
- Tess Phillips, Deputy Town Clerk
- Lisa Perez, Bookkeeper
- Wade Roggow, Highway Superintendent
- Thomas Suto, Zoning Officer

Guests:

Name	Town of Residence	Name	Town of Residence
Cynthia Goral	Orangeville		
Allen Young	Orangeville		

Supervisor May called the board meeting to order at 7:00 p.m. at the town hall located at 3529 Rt. 20A, Warsaw, New York.

Supervisor May opened with the Pledge of Allegiance; all were thanked for attending the meeting.

Supervisor May introduced Mr. Allan Young, from Wyoming Hills Association. Mr. Young stated that there are 43 lots and 33 owners in their Association. They would like to the Board to consider having a special assessment district and making a 30-year municipal bond and take over maintenance of the road. If it cost \$400,000 to widen and make the road into and through the association to code. This cost would be then placed into the special district and into each of the owners taxes. They have a 25-foot right of way and would keep the back loop as a one-way direction. The association has two meetings

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a year. There are 9 full time residents, 13 houses and campers on the front two lots.

Mr. Roggow discussed that the road would have to be built to the Towns specifications. Supervisor May stated that she will discuss this with the town Attorney and thanked Mr. Young for coming before the Board.

Supervisor May told the Board that Daniel White is coming in on Tuesday to meet with Mary Kern.

The letter that was drafted by the Town Attorney was discussed with the Board. On a motion by Mr. Flint, seconded by Mr. Herman to send the letter to Reisdorf Fuel. Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

[See below]

Reisdorf Oil & Propane
16 Clinton St.
PO Box 395
Batavia, New York 14020

Re: Account No. 108770

Dear Mr. Peca,

The Town has had an opportunity to discuss the invoices attached to your February 16, 2024 letter with the Town Attorney. It has come to our attention that based on the dates of the invoice provided, which range from between December 2008 – October 2013, it appears that any claims which Reisdorf Oil & Propane may have had to collect any payments owed under such invoices are barred by the applicable statute of limitations, and henceforth, are no longer collectable.

Please be advised that if Reisdorf Oil & Propane brings any actions to secure payment for the allegedly unpaid invoices, the Town will consider the action to be frivolous and will seek to be awarded with any costs and attorney's fees incurred in defense of such an action. We hope that this matter does not have a negative impact on the continuing business relationship between the Town of Orangeville and Reisdorf Oil & Propane.

If you have any further questions, please feel free to contact the Town Offices.

Sincerely,

Susan May, Supervisor
Town of Orangeville
3529 Rt. 20A
Warsaw, New York 14569

CC: Lisa Perez, Bookkeeper

Supervisor May discussed the decommission bond for the turbines. Mr. DiMatteo will send a letter explaining that if they do not move forward, we will write a letter regarding their procrastination and unwillingness to complete this action.

On a motion by Mr. Flint, seconded by Mr. Herman to have Mr. DiMatteo send correspondence if Invenergy does not move forward. Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

Supervisor May requested to have a motion to approve the April 11, 2024 meeting minutes. On a motion by Mr. Herman, seconded by Mr. Ahl to approve the meeting minutes. Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

Supervisor requested a motion to approve the Supervisors Report. A motion was made by Mr. Ahl, seconded by Mr. Flint to approve the Supervisor Report. [4] May Boxler Flint Herman Ahl. Noes [0] Carried

Supervisor May discussed with the Board that Lynn from Invenergy brought the check for \$5,000. Also completed a photo-op with Supervisor May.

Zoning Officer Report: Information is in the packets, there were 3 building permits issued

Highway Superintendent Report

Open bids for concrete

1-Brad Veley - \$63,500

2-A. Davis Concrete LLC - \$52,000

The bids and the work required were discussed by the Board and the Highway Superintendent. On a motion by Mr. Ahl, seconded by Mr. Herman to put the concrete work on hold, until we do further investigation on the plan. We will not approve or accept any of the bids at this time that were opened. Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

We have received the bid from Cyncon for the body & equipment for the new truck, replacing #205 truck; \$144,915.00. On a motion by Mr. Flint, seconded by Mr. Ahl to accept the bid. Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

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Chips Funding 2024 Funding will be \$246,467.97 is down \$872.49 from 2023 which was \$247,346.46.

Resolution to raise the 2024 DA5112.2 amount to \$246,467.97. On a motion by Mr. Flint, seconded by Mr. Ahl to the above resolution. Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

Mr. Roggow discussed the below letter to be sent to Senator Borrello regarding the CHIPS funding changes. He is asking permission for the Board and himself to sign and send to the Senator.

On a motion by Mr. Ahl, seconded by Mr. Flint to sign and send the letter to Senator Borrello. Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

The Honorable George Borrello
Fenton Building
2-6 E. Second St., Suite 302
Jamestown, NY 14701

Dear Senator Borrello:

I am the Highway Superintendent for the Town of Orangeville, which is included in your District. I am writing to ask that you help correct a NYSDOT policy related to the CHIPS, EWR, PAVE-NY, and STR highway funding programs. Per a July 2023 update to the NYSDOT Program Guidelines, *“CHIPS, EWR, PAVE-NY, and STR allow the following resurfacing project sub types with a 5-year service life: (1) micro surfacing; (2) paver placed surface treatment; (3) single course surface treatment involving chip seals or oil and stone; or (4) double course surface treatment involving chip seals or oil and stone. Under NYSDOT policy, if a municipality is reimbursed expenditures on one of these four resurfacing treatments, the municipality is not eligible for reimbursement a second treatment at the same location for another ten (10) years.”* This policy has long been ignored by NYSDOT and its enforcement will result in the deterioration of roadways and increase property taxes.

NYSDOT has always allowed preventative maintenance of roads as eligible expenses under these programs even though they did not meet a 10-year service life. The basis of the 10-year services life is related to the bonds that NYSDOT uses to back programs such as CHIPS. What has changed is that the department never looked back to see whether the same roads were being treated twice within a 10-year period of time.

Most county and town highway departments use preventative maintenance treatments like chipseal (oil & stone), micro paving, or paver placed surface treatments to extend the life of the road. They are by far the most economical choice to maintain roads and

provide the best cost to benefit for the taxpayers. While these treatments commonly must be reapplied after 5-7 years, they often do last 10 years or longer and they remain part of the road base, often for decades. These treatments certainly improve the value of road, which is the asset against the bonds. These are all excellent reasons why NYSDOT accepted them as eligible expenses under the programs.

The lookback policy is going to require county and town highway superintendents to either defer maintenance outside of the 10-year lookback period or switch to more expensive reconstructions and overlays, which will severely limit the mileage that can be repaired each year. To make up for these limitations, municipalities will either need to increase taxes to raise local funds for preventative maintenance or let roads decline.

I ask that you please contact NYSDOT to eliminate the lookback policy. These programs have operated very effectively over the past 20 years and I would hate for such a small thing to disrupt their success and popularity. I am glad to provide specifics related to our preventative maintenance program. Please update my office on your conversations with the Department.

Very truly yours,

Mr. Roggow discussed with the Board that it is now taking two years when we order a truck, so requesting a one-year BAN for \$118,254.00 for plow / wing / box.

TOWN OF ORANGEVILLE RESOLUTION
AUTHORIZING A BOND ANTICIPATION NOTE
OF \$118,254.00 TO FINANCE PURCHASE OF 2024 WESTERN STAR
TRUCK & TENCO PLOW, WING & TRUCK BOX

Adopted: May 8, 2024

WHEREAS, the Town Board of the Town of Orangeville met at a regular board meeting at the Town Hall at 3529 Route 20A in Warsaw, New York, on the 8th day of May, 2024, commencing at 7:00p.m., at which time and place the following members were:

WHEREAS, all Board Members, having due notice of said meetings, and that pursuant to Article 7, Section 104 of the Public Officers Law, said meetings were open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town Board of the Town of Orangeville seeks authorization to finance the purchase of a 2024 Western Star Plow Truck and Tenco Plow, Wing & Truck Box for new through a Bond Anticipation Note (BAN No. 1 of 2024) in the amount of \$118,254.00; and

WHEREAS, the Town Board of the Town of Orangeville seeks to retain the services of Town Attorney David DiMatteo to request bid proposals for BAN No. 1 of 2024 from Five Star Bank, Tompkins Community Bank, Community Bank N.A., M & T Bank, and Greene County Commercial Bank; and

WHEREAS, the note date of the \$118,254.00 BAN No. 1 of 2024 shall be the 24th day of May, 2024.

NOW ON MOTION OF Mr. Joseph Ahl which has been duly seconded by Mr. Adnrew Flint, now therefore be it

RESOLVED, that the Town Board of the Town of Orangeville hereby authorizes the re-financing of a Bond Anticipation Note for the purchase of Western Star Plow Truck and Tenco Plow, Wing & Truck Box; and be it further

RESOLVED, that the above-mentioned note is being financed by the issuance of a Bond Anticipation Note, known as Bond Anticipation Note No. 1 of 2024 of \$118,254.00; and be it further

RESOLVED, that the Town Board of the Town of Orangeville herby retains the services of Town Attorney David DiMatteo to request bid proposals for BAN No. 1 of 2024 from Five Star Bank, Tompkins Community Bank, Community Bank N.A., M & T Bank, and Greene County Commercial Bank.

Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

- County is going to stock pile some milling tomorrow out back of our salt building.
- Picked our roller up from Monroe tractor had an electrical problem.
- New 206 is done should be heading back to dealer to do final checks not sure when it will land here.
- 4/13/2024 Plowed upper county roads
- 4/21/2024 – 4/25/2024 Weeps Gassman Road, Broom, Start grading roads.
- 4/29/2024 – 5/2/2024 County Training in Perry, installed driveway and ditched on Buffalo Road, installed farm driveway and ditched on Buffalo Road for Wests, Graded Grohs and Griffen Road.
- 5/6/2024 – 5/9/2024 Paved for Sheldon Monday and Tuesday, Graded Gassman and Quarry Road, Ditched Buffalo Road.

Town Clerk Report: The Towns total revenue for the month of April 2024 was \$302.00, \$135.00 for Zoning, \$117.00 for dog licenses, \$50.00 for registrar. To the general fund, \$222.00, Dogs were \$37.00, \$50.00 for registrar, \$135.00 for Zoning. We disbursed \$65.00 to Wyoming County, \$15.00 to Ag and Markets

for dogs. We are still looking at printers, as the small HP printers that we have are very costly to utilize d/t the rapid use of ink. (Looking for toner and or refillable ink.)

Correspondence: None

Supervisor May requested a motion to approve the 2024 Highway Fund Bills: Abstract #5 Vouchers #76 through #90 totaling \$173,940.28. A motion was made by Mr. Ahl seconded by Mr. Herman, to approve the payment of the Highway Fund bills. Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

Supervisor May requested a motion to approve the 2024. General Funds bills: Abstract #5 Vouchers #88 through #113, totaling \$14,458.13. A motion was made by Mr. Herman seconded by Mr. Ahl, to approve the payment of the General Fund bills. Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

The meeting was adjourned at 9:00pm on a motion by Mr. Herman, seconded by Mr. Flint to adjourn. Ayes [4] May Boxler Flint Herman Ahl. Noes [0] Carried

Respectfully submitted

Rosann A. Lowder, RMC

Rosann A. Lowder, Registered Municipal Clerk
Town of Orangeville