

**MANCHESTER TOWN BOARD - REGULAR MEETING & Public
Hearing: M-3 Rail Enabled Industrial District
May 14, 2019 - 6 P.M.**

The Regular Monthly Meeting of the Manchester Town Board was held tonight, May 14, 2019, 6:00 p.m. at the Manchester Town Hall with the following members present:

Jeffery Gallahan	Supervisor
David Phillips	Councilman
Donald Miller, Jr.	Councilman
Kevin Blazey	(ABSENT)
Jaylene Folkins	Councilwoman

OTHERS PRESENT: Jill Havens, Town Clerk; Steve DeHond, Code Enforcement Officer; Jason Lannon, Highway Superintendent; Jennifer Fagner, Temporary Appointed Assessor; Jeffrey Graff, Town Attorney; Nichole Ruggles, Deputy Town Clerk; Maria Rudzinski, Ontario County Senior Planner; Bill O'Hanlon & Matt Kerwin, Leonard's Express; Pat Nicoletta, MRB Group; Bill Mueller, Sue & Bill Burnett, Pat Dean, Ruby Morrison, Matt Schaertl & Keith Brown, Town Residents; Bruce Habberfield & Veronica Fields, Finger Lakes Rail.

CALL TO ORDER: Supervisor Gallahan called the May 14, 2019 Regular Board meeting to order at this time, 6:00 p.m.

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 29th day of May, 2019, at 5:00 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 amend the Town of Manchester Zoning Local Law as follows:

1. Establishing a new Rail Enabled Industrial Zoning District and regulations applicable to this new district;
2. Amending existing regulations pertaining to the Zoning Map and the Schedule of Bulk and Coverage Controls;
3. Adopting a new Schedule of Bulk and Coverage Controls that adds restrictions and controls intended to regulate development in the new Rail Enabled Industrial District.

This local law would also amend the Zoning Map of the Town of Manchester by rezoning the following thirteen (13) tax map parcels from their current zoning to the newly created M-3 Rail Enabled Industrial District:

Existing Zoning		
	<u>Tax Account Number</u>	<u>District Classification</u>
1.	32.00-2-77.000	M-1
2.	32.00-2-78.000	M-1
3.	44.00-2-4.000	M-1
4.	44.00-2-6.000	M-1
5.	44.00-2-7.111	M-2
6.	44.00-2-7.112	M-2
7.	44.00-2-18.200	A-1
8.	44.00-2-18.100	A-1
9.	44.00-2-21.111	A-1
10.	44.00-2-55.000	M-1
11.	44.00-2-63.100	A-1
12.	44.00-2-64.000	M-1
13.	44.00-2-65.000	M-1

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.

Jill A. Havens, Town Clerk

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Supervisor Gallahan asked if anyone wished to speak regarding the M-3 Rail-Enabled Industrial District:

Mr. Keith Brown, 3657 County Road 13, owner of parcel #11 included in the proposed M-3 Rail Enabled District: How is this proposed district going to change how my property is to be assessed? It is farmland and is always going to be farmland. Will that continued to be assessed at an agricultural rate?

Maria Rudzinski: An M-3 district allows agricultural use as a permitted use, therefore, as long as it continues to be used for farming, it will continue to be assessed at an agricultural rate. If in the future, farming of that property stops, then changes could be made in the way it is assessed.

****Jennifer Fagner, Appointed Acting Assessor and Jeffery Graff, Town Attorney agree with this response to Mr. Brown's question****

Mr. Matt Schaertl, 4286 Shortsville Road: According to taxny.gov, if the agricultural district laws allow for a reduced property tax bills for land and agricultural purpose it has to remain in an agricultural district, is it possible to have a parcel classified as an agricultural district and also an M-3?

Maria Rudzinski: Absolutely. Currently there is an agricultural local zoning classification on a couple of the parcel that are included in the proposed M-3 district. At the local level, that specifies what the local land use is. When the zoning classification changes, to the proposed M-3, agricultural use is specifically included so that those parcels can continue to be used for agriculture. To get the agricultural assessment you do not have to be in one of the state agricultural districts.

Ms. Patricia Dean, 3643 County Road 13: I live just a couple of houses down from this proposed M-3 district, will I still remain in an agricultural zone?

Jeffrey Graff, Town Attorney: Yes. If you are not one of the 13 listed properties to be included in the new proposed M-3 Rail Enabled Industrial District, your zoning will not change.

Ms. Dean: What does industrial rail mean?

Supervisor Gallahan: That goes back to the Comprehensive Study that we completed a year and a half ago, Industrial Rail is 7.5 miles of the Rail Corridor that we did a study on that is considered Industrial Rail, where we want our concentrated development to take place.

Mr. Brown: Do you know what the hours of operation are going to be?

Steve DeHond: It will be a 24 hour - 7 days a week, 365 days a year.

Ms. Dean: County Road 13 will now be a trucking route?

Supervisor Gallahan: County Road 13 is the designated route to the south entrance of the plant to keep the traffic out of the Village of Shortsville. This is also the way it was for GLK Foods, there will be no changes from how it was run previously.

Mr. Schaertl: What is the difference between an industrial zone and a rail-enabled industrial zone?

Maria Rudzinski: the only difference is that the rail is already in place and that those parcels have the ability to use the rail. How the rail isn't actually specified but the access to use it is there.

Supervisor Gallahan reviewed the changes made to the proposed M-3 Rail-Enabled Industrial District as submitted by the Town of Manchester Planning Board on May 2, 2019 as follows:

F. Site Plan Approval - Addition of #6 - A pre-construction meeting shall be requested by the Developer and scheduled through the Code Enforcement Officer prior to the start of construction of a development. The Developer, his Contractor and Design Engineer shall meet with all utility representatives, the Code Enforcement Officer, Town Engineer, appropriate Department representatives and project observers to discuss the overall project, its impacts and schedules. A schedule of construction shall be presented in writing at this meeting by the site contractor.

G. Dimensional requirements - 1. To clarify the required provisions - Removal of the statement " If considered by NYS DEC storm water management regulations applicable at the time of application as"

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H. Landscaping & Buffering - Replace 2.

" HVAC units and dumpsters shall be kept to the rear of the front line of the main structure and shall be screened from view" with "Mechanical

appurtenances are to be properly screened by landscaping and rooftop mechanical units are to be screened from public view. The location, size and proposed method of screening is subject to consideration through the site plan review process and must be depicted on site plan and elevation drawings. All dumpsters in a permanent location shall be enclosed and surrounded by a fenced area with a secured gate in front and landscaping around the remaining three sides where applicable. In no instance shall the dumpster be visible from along the public way."

I. Vehicle traffic pedestrian flow design - Remove # 15 - This was previously addressed in Sec. 325-75 M (4)

Mr. Bill O'Hanlon, Leonard's Express: With regards to letter "I" number 5 of the proposed Local Law, which currently states "Pedestrian walkways shall be completely and clearly marked and maintained to provide pedestrian safety." We certainly agree with that statement; however, we just read it and have a concern that pedestrian walkways in general in an industrial complex like this would be definitely required or only required when deemed appropriate by the planning board. We were thinking the addition of language such as "if deemed appropriate" would help to clarify this for us.

Pat Nicoletta, MRB Group: I feel that would be an appropriate addition as well, but it is at the discrepancy of the Town Board.

Mr. O'Hanlon: Not sure if it is a discrepancy or not but under letter "J. Maintenance" Which reads " The improvements on a lot or parcel and the use or uses permitted on a lot or parcel must be designed and maintained to mitigate smoke, dust, noise, odors, glare or other deleterious by-products according to measures specified in the site plan or pursuant to the State Environmental Quality Review process." contains very similar language to letter "E. General Requirements", number 1, which states "The production, processing and assembly operations including storage and/or processing of raw materials on site shall maintain standards and prevent such materials and operations related to the industry so as not to produce smoke, dust, noise, odors, glare or any other deleterious by-products which can be detected beyond the lot or parcel line on which such operation is located."

Although there are slight differences that maybe we could clarify the differences in these statements.

Supervisor Gallahan: How would we be able to enforce letter E, number 1, in regards to railcar noise?

Attorney Graff: The term mitigate indicates that steps are being taken to lessen the degree of impact.

Supervisor Gallahan: If we changed the wording to correlate to that of letter J, that would eliminate the confusion.

Mr. Matt Kerwin, Attorney for Leonard's Express: With respect to regulations that are currently in the Town Code 325-75, it gets to the point where you can waive certain requirements of part of the site plan review provided that certain conditions are met under certain parts of the processes. Has there been any discussion or consideration of including a similar waiver provision in this new law given that there is going to be a site plan provision?

After a brief discussion, the Manchester Town Board decided to leave the proposed Local Law as written without the addition of a waiver provision. The addition of new waiver provisions or the deletion of current waiver provisions within the Town Zoning Code will be decided during the process of writing the new updated Town Zoning Code in the future.

Attorney Graff: Another change that was made to the proposed Local Law that was discovered by Shaun at MRB Group was on the Attachment 1 page of the law, the last column for the M-3 district originally referenced **§325-18.1 G. 3**, which was incorrect, it now reads correctly as **§325-18.1 G. 4**.

Ms. Veronica Fields, Finger Lakes Rail: In the rail-enabled district, currently what is the difference between light industrial and industrial? Our concern is going to come in with how this is defined so as not to limit our ability to utilize that as a rail-enabled district.

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Attorney Graff: I would say light industry is but one of the eleven (11) permitted uses allowed within the district, they could also do any of the other 10 permitted uses including manufacturing, production, processing and assembly operations, multi-modal

transfer of goods and materials, etc. Whatever the town has written in their code that is considered light industry is what would be a permitted use in that district.

Supervisor Gallahan asked if anyone else wished to speak regarding the Proposed M-3 Rail-Enabled Industrial District, repeated three times, hearing none, closed the Public Hearing at this time, 7:08 p.m. and resumed the Regular Meeting at this time, 7:08 p.m.

RESOLUTION #59 - APPROVAL OF MINUTES, REGULAR MEETING April 9th, 2019 AS SUBMITTED.

On motion of Councilman Phillips, seconded by Councilwoman Miller, the following resolution was unanimously ADOPTED:

VOTE: AYES - 4 NAYS - 0

RESOLVED, to approve the minutes from the Regular Meeting held on April 9, 2019, as submitted.

RESOLUTION #60 - APPROVAL OF SUPERVISOR'S MONTHLY FINANCIAL STATEMENT

On motion of Councilman Phillips, seconded by Councilwoman Folkins, 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 #61 - APPROVAL OF TOWN CLERK'S MONTHLY REPORT

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

VOTE: AYES - 4 NAYS - 0

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

-- Dog Licenses (159 N & R; 1-PB; 1-Exempt; 0-Tag)	\$	2,600.00
-- State Surcharge Fees	\$	211.00
-- Late Fees (Dog Licenses)	\$	480.00
-- Transfer Station	\$	3,951.10
-- Zoning Fees	\$	3,296.80
-- DEC Licenses	\$	428.00
-- Certified Copy (5-M, 10-D)	\$	150.00
-- Bingo Fees	\$	73.39
-- Marriage License (2)	\$	80.00
TOTAL COLLECTED	\$	11,270.29
PAID TO NYSDEC	\$	404.37
PAID TO STATE	\$	211.00
PAID TO SUPERVISOR (TOWN)	\$	10,609.92
PAID TO NYS HEALTH DEPT.	\$	45.00

Supervisor Gallahan asked if Mr. Eugene Martin from Kanga Roof, wished to address the Board at this time: Mr. Martin presented the Town Board with estimates for new roofs to be installed on both the Salt Barn and the Town Hall buildings. Estimates we provided for both shingled roof options and metal roof options for both buildings. (See minute book for the provided handouts).

MANCHESTER TOWN BOARD - REGULAR MEETING (CONT.)

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

- a. Town Clerk monthly report
- b. Supervisors monthly report
- c. 4/19, Justice Court Fund
- d. 4/5, NYSDOT, Paul Spitzer, speed reduction request for Bunker Hill Rd. denied
- e. 4/24, Turner Schrader Post, Harry Sheets, Memorial Day Parade invite
- f. 4/19, MFD April report
- g. 4/19, MFD March report
- h. 4/19, Citizens Hose, Carnival parade invite
- i. 4/11/19, Lori Reals, CSFD March report

RESOLUTION #62 - INTRODUCING LOCAL LAW, AS AMENED AND CALLING A PUBLIC HEARING

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

VOTE: AYES - 4 NAYS - 0

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 entitled "A Local Law Amending the Town of Manchester Zoning Local Law, Changing the Zoning District Classification of Certain Parcels and Amending a Portion of the Town of Manchester Zoning Map", attached hereto as Exhibit 1; and

WHEREAS, the Town Board of the Town of Manchester has reviewed the draft of the aforementioned proposed Local Law 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 May 29, 2019, at 5:00 p.m. at the Manchester Town Hall, 1272 County Road 7, 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" and 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 May 14, 2019, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Jeffery L. Gallahan, Councilman	<u>X</u>	___
David Phillips, Councilman	<u>X</u>	___
Donald E. Miller, Jr., Councilman	<u>X</u>	___
Kevin Blazey, Councilman	(ABSENT)	___
Jaylene Folkins, Councilwoman	<u>X</u>	___

Dated: May 14, 2019

Jill A. Havens, Town Clerk

SEAL

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RESOLUTION #63 - APPROVAL OF AN AMENDMENT TO THE EMERGENCY MANAGEMENT PLAN, AS SUBMITTED

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

VOTE: AYES - 4 NAYS - 0

RESOLVED, to approve a grammatical error amendment to the Emergency Management Plan for the Town of Manchester, on page 3.

RESOLUTION #64 - APPROVAL OF EMERGENCY MANAGEMENT PLAN, AS AMENDED
On motion of Councilman Phillips, seconded by Councilman Miller, the following resolution was unanimously ADOPTED:

VOTE: AYES-4 NAYS-0

RESOLVED, to approve the Emergency Management Plan for the Town of Manchester, as recommended by NYS Audit Personnel, as follows:

EMERGENCY MANAGEMENT PLAN
TOWN OF MANCHESTER
ONTARIO COUNTY, NEW YORK

Adopted 12/1993

Updated: 06/2004, 03/2006, 07/2011, 6/2012, 11/2012, 09/2016, 05/2019

PURPOSE

The purpose of this plan is to cite the authority, formulate procedures, and provide guidance for coordinated action in rendering assistance to the citizens within the Town of Manchester in the event of a disaster.

BASIS

Disaster planning is based on the New York State Defense Emergency Act, the regulations and orders of the State Defense Council and the State Civil Defense Commission, the Emergency Plan for Natural Disasters of the State of New York, the National Plan for Natural Disaster Mobilization, and the New York State Emergency Assistance Program.

The Town of Manchester recognizes that planning and preparatory actions are required before an emergency. Emergency preparedness allows the Town to prepare and react to emergency situations to save life and property if the Town is threatened or hit by a disaster and major emergency.

The Town Board shall have the primary responsibility to see that everything is done to prepare for any disaster and to provide for the safety and security of the community during a disaster.

MOBILIZATION

Designate Emergency Operations Center (EOC)

The Emergency Operations Center (hereafter referred to as the EOC) for the Town will be in the Town Hall, or an alternative location if necessary. Once the Town Supervisor or designee has declared an emergency exists, the EOC will be staffed on an as needed basis until the declared emergency subsides. The EOC will forward all warnings, directives, information, etc. to various local departments as appropriate. This will be done through the use of department representatives, telephones located in the EOC, radios in the Police, Fire and Public Works Departments and in the offices of cooperating agencies. Each member assigned to the EOC will be familiar with this plan, particularly with the section pertaining to each responsible person's service duties.

ATTACHMENT: Model Disaster Declaration Form and summary of the statutes.

ESSENTIAL EMERGENCY OPERATIONS RECORDS

The Town Clerk, functioning as the EOC, is responsible for the maintenance and availability of records, documents, plans and other materials required to discharge their and others' functions during an emergency.

ATTACHMENT: List of current employees of the Town Clerk's office to be called as needed and a list of the plans and materials required for essential emergency operations.

SEQUENCE OF ACTION

The Town Supervisor, members of the Town Board, Department Heads, and other designated personnel will assemble as soon as possible at the EOC upon notification of the existence of an emergency.

MANCHESTER TOWN BOARD - REGULAR MEETING (CONT.)

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ATTACHMENT: List of Town Board members, Department Heads and staff with their names, addresses and phone numbers.

To cope with the effects of an emergency, appropriate steps will be taken at the EOC to mobilize fully the available personnel, resources, facilities, supplies and materials in the Town according to the guidelines set forth in this plan.

1. The Town Supervisor or the designated emergency coordinator is responsible for the notification and declaration of an emergency or disaster. (See attached Model Disaster Declaration.)
2. Each Department Head in the Town is responsible for assuring maximum effectiveness and utilization of all personnel and equipment of the department to accomplish the Town's responsibilities. Each Department Head will retain control of the assigned department and implement orders received from the EOC. Each Department Head is to bring to the EOC a list of all employees in his/her department.
3. The Town will seek the cooperation and aid of any or all surrounding communities as needed during an emergency or disaster.
4. The Town will contact the Ontario County Office of Natural Disaster/Civil Defense regarding any emergency or disaster situation. Civil Defense assistance will be requested when local or mutual aid societies are exhausted.

ATTACHMENT: Listing of County Officials and methods of contact.

5. All requests for county assistance of any nature by any department will be approved by the Town Supervisor, unless prior mutual aid assistance agreements are in place, and will be made to the County Civil Defense Director by direct phone contact or by one of the normally used radio frequencies.

Military assistance requests will be made by the Town Supervisor to the County Civil Defense Office which will forward it to the New York State Emergency Management Office.

6. The American Red Cross is recognized as the agency responsible for mass care to persons immediately following a disaster. Local Red Cross Chapters will extend natural disaster relief assistance to individuals and families and will assume administrative and financial responsibility in providing such assistance. The American National Red Cross has been assigned this responsibility by the Congress of the United States. The Red Cross chapter responsible for the Town and the notification list is attached.

RESPONSIBILITIES AND FUNCTIONS

The responsibilities and functions listed below recognize only basic duties. Each of the position descriptions may be altered or expanded to suit the needs of the Town as indicated by the disaster. One person or department may fill one or more of the below listed descriptions.

1. The Town Supervisor is responsible for the conduct of disaster operations within the Town. He or she shall use any and all facilities, equipment, supplies, personnel and other resources in such a manner as may be necessary or appropriate to cope with the disaster. He or she shall direct the activities of all agencies within the Town against the effects of the emergency in conformance with the approved plans for rescue and relief of their people, the recovery and the rehabilitation of the community. He or she shall utilize services of the EOC and its staff for implementation of necessary measures to achieve emergency operations.
2. The Town Board, as the elected body of the people, shall take all appropriate steps to prepare for any disaster or emergency.
3. The Town Clerk is responsible for the maintenance and availability of essential records, documents and other materials, required during the emergency.
4. The Emergency Coordinator, as appointed by the Town Supervisor directs the implementation of the comprehensive plan for the EOC under the direction of the Town Supervisor. Also, under the direction of the Town Supervisor, the Emergency Coordinator coordinates the emergency operation of the EOC, prepares estimates of the situation, advises the Town Supervisor of operational priorities and recommends requests for assistance from the Ontario County Civil Defense Office.
5. The Fire Chief and Fire Officers will be responsible for the direction of all action to contain and extinguish fires resulting from emergencies and the removal of trapped and injured persons from damaged buildings and flooded areas. The local Fire Chief may call upon the Ontario County Fire Coordinator or the Ontario County Civil Defense Office, under mutual aid, for advice and/or assistance concerning fire related emergencies, relief operations, and coordination of emergency shelter and feeding operations.

MANCHESTER TOWN BOARD - REGULAR MEETING (CONT.)

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1. Personal Responsibility - By accepting your account password and accessing the Town's network or Internet system, you agree to adhere to this Policy.
2. Term of Permitted Use - Network and Internet access extends throughout the term of your employment, provided you do not violate the Town Computer Network, Internet Usage and Social Media Policy. The Town of Manchester may suspend access at any time for technical reasons, policy violations, or other concerns.
3. Purposes and Use - The Town of Manchester offers access to its Network and Internet system for Town business purposes only. If you are unsure whether an activity constitutes appropriate Town business use, ask your department head or the Director of Information Services.
4. Netiquette Rules - You must use the Network and Internet appropriately. The Town of Manchester will determine what materials, files, information, software, communications, and other content and activity are permitted or prohibited, as outlined below.
5. Banned Activity - The following activities are a sample of those that violate the Town's computer network and Internet usage policy. If you are unsure about whether an activity violates the Town's policy, please contact your department head.
 - A. Using, transmitting, receiving, or seeking inappropriate, offensive, vulgar, suggestive, obscene, abusive, harassing, belligerent, threatening, defamatory (harming another person's reputation by lies), or misleading language or materials.
 - B. Revealing personal information, such as the home address, telephone number, or Social Security number of another person. Revealing your personal information is done at your own risk.
 - C. Making ethnic, sexual, or gender-related slurs or jokes.
 - D. Activities that may or do cause harm or damage to others' property.

Examples of Banned Activity:

1. Downloading or transmitting copyrighted materials without permission from the copyright holder. Even when materials on the Network or the Internet are not marked with the copyright symbol, ©, employees should assume all materials are protected under copyright laws—unless explicit permission to use the materials is granted.
2. Using another employee's account and password to trick recipients into believing someone other than you is communicating or accessing the Network or Internet.
3. Intentionally uploading a virus, harmful component, or corrupted data.
4. Using unlicensed software on the "company's" computer equipment.
5. Jeopardizing the security of access to the network by disclosing or sharing passwords.
6. Engaging in commercial activity. Unless defined within your job responsibilities, employees may not engage in commercial activity over the internet. Employees may not solicit or advertise the sale of any goods or services. Employees may not divulge private information—including credit card numbers and Social Security numbers—about themselves or others.
7. Fantasy sports, social networking sites, day trading, sites of a pornographic nature, video uploading sites (i.e.: you tube).

The Internet access you are granted is the property of the Town of Manchester and is intended solely for conducting Town business. The Town, as owner of the Internet system, reserves the right to monitor the amount of time employees spend on the Internet and to monitor the sites visited. There is no expectation of privacy in the use of the Town Computer, its network or Internet.

The Town of Manchester policies including, but not limited to, equal employment opportunity, sexual, gender-based and anti-harassment, computer use, internet and information systems, and code of conduct apply with equal force to comments made in social media communications.

The conduct of computer users who access the Internet or send e-mail containing the Town's domain address (i.e. _____@manchesterny.org) may be perceived as reflecting on the character and professionalism of the Town of Manchester. All Internet users are expected to do so in a responsible and professional manor. Do not put anything in an e-mail that you would not or do not want to be disclosed publically. There is no expectation of privacy in the use of the Town Computer, its network or Internet.

The use of any trademark, design or logo owned by the Town of Manchester on a social media network or personal blog must be approved in advance by the Town Board.

Please do not leave a session running if you leave your work area, or are gone for an extended period of time.

Internet services shall not be used to disrupt or interfere with network users, services or equipment. Employee Internet usage is subject to content filtering and will be monitored. There is no expectation of privacy in the use of the Town Computer, its network or Internet.

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RESOLUTION #70 - APPROVAL OF TRANSFERS

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

VOTE: AYES - 4 NAYS - 0

RESOLVED, to approve the following transfers:

<u>From:</u>	<u>Amount:</u>	<u>To:</u>	<u>Reason:</u>
<u>GENERAL FUND</u>			
A1990.4	\$ 919.98	A1220.2	To cover cost of Supervisor's new computer.

RESOLUTION #71 - APPROVAL OF BUDGET AMENDMENTS

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

VOTE: AYES - 4 NAYS-0

RESOLVED, to approve the following budget amendments:

Increase Revenues - Highway Fund – DB3501 – Consolidated Highway Aid – by \$14,884.23
and
Increase Appropriations - Highway Fund – DB5112.2 – Permanent Improvements – Capital -
by \$14,884.23

This is to record the extra amounts received from New York State for CHIPS and Pave NY projects.

NO ADDENDUM ITEMS

BOARD MEMBER ITEMS:

- **Councilman Miller:** Donna Kay Abbott has resigned as the cleaner for the Highway Barn effective May 20, 2019, what will we be doing as far as a cleaning service?
 - That decision will be up to the Town Clerk to decide based on the estimate that was given for new services. The Town Board would like to hire one person to clean BOTH buildings.
- **Councilwoman Folkins:**
 - 1.) Historic Port Gibson Walking Tour was Saturday, May 11, 2019. This event was a phenomenal success. We had over 50 people join us for this event. Thank you to all who helped make it a success including the Port Gibson Fire Department for their hospitality and support with the event, Steve DeHond and Jill Havens for their help in getting materials together for viewing by the public about Historic Port Gibson and the Highway Department for allowing use of their safety vests
 - 2.) Any new information regarding the Town Court Records that are stored upstairs?
 - Supervisor Gallahan met with OSC from the 7th Judicial, which is the personal secretary to Judge Doran and discussed this. When a Town Judge retires, resigns or passes away, his/her records become property of the Town. Therefore, those types of records upstairs are included in records retention duties of the Town Clerk's Office. Perhaps adding to the budget for next year the hiring of an intern to handle those records next summer and get those records gone through.
- **Councilman Phillips:** None
- **Supervisor Gallahan:**
 - 1.) Sent out an email regarding the Engineering Grant for the Round House that is being shared by Ontario County, IDA, Village of Manchester, Finger Lakes Rail and the Town of Manchester. The Town of Manchester's share of that would be \$5,000.00. We have \$1,000 in a fund already set aside for it. The other \$4,000 would need to come from the General Fund in order to participate in that. It is a \$20,000 matching grant for a total of \$40,000.

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RESOLUTION #72 - APPROVAL OF THE TOWN OF MANCHESTER'S PARTICIPATION IN THE ENGINEERING GRANT FOR THE ROUND HOUSE.

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

VOTE: AYES - 4 NAYS-0

RESOLVED, to approve the using \$5,000 to participate in the matching grant with Ontario County, IDA, Village of Manchester and Finger Lakes Rail. \$4000 of which will be taken from the General Fund.

RESOLUTION #73 - AUDIT OF CLAIMS APPROVAL

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

VOTE: AYES - 4 NAYS-0

RESOLVED, to approve to pay the 2019 bills as follows:

- **GENERAL FUND**, in the amount of \$30,466.28 as set forth on the Abstract #005 dated 05/14/2019;
- **ZONING FUND**, in the amount of \$13,624.64 as set forth on the Abstract #005 dated 05/14/2019;
- **REFUSE & GARBAGE FUND**, in the amount of \$1,078.69 as set forth on the Abstract #005 dated 05/14/2019;
- **HIGHWAY FUND**, in the amount of \$7,782.43 as set forth on the Abstract #005 dated 05/14/2019;
- **WATER FUND**, in the amount of \$4,145.75 as set forth on the Abstract #005 dated 05/14/2019;
- **TRUST & AGENCY FUND**, in the amount of \$7,817.41 as set forth on the Abstract #005 dated 05/14/2019;

JUSTICE REPORT: The monthly report from Justice Denosky and Justice Schaertl for the months of March 2019 & April 2019, was submitted and reviewed by the Board at this time.

RESOLUTION #74 - APPROVAL OF APPOINTING JENNIFER FAGNER TO THE POSITION OF ACTING ASSESSOR, FULL-TIME

On motion of Councilman Phillips, seconded by Councilman Miller, the following resolution was unanimously ADOPTED:

VOTE: AYES - 4 NAYS-0

WHEREAS, there is currently a vacancy for the position of Sole Assessor, and applications have been received, reviewed and the candidates have been interviewed; and it is the recommendation of the interview committee to approve the appointment of Jennifer Fagner to the full-time position of "Acting Assessor" at this time; therefore, be it

RESOLVED, to approve of appointing Jennifer Fagner, 893 County Road 7, Clifton Springs, N.Y. to the full-time position of "Acting Assessor" to begin as of 05/13/2019 at a salary of \$40,000 annually, effective upon the approval of this resolution; and be it

FURTHER RESOLVED, the term for this position will be to fill the current vacancy of the former Assessor(s), which expires on 10/01/2019.

ADJOURNMENT: There was no other business before the Board at this time. Supervisor Gallahan moved to adjourn the meeting, 8:24 p.m., seconded by Councilman Phillips, unanimously APPROVED.

Respectfully Submitted,

Jill A. Havens, Town Clerk

May 14, 2019

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

- *Special Meeting: May 29, 2019 - 5:00 P.M. - M-3 Rail-Enabled Industrial Public Hearing*
- *Regular meeting: June 11, 2019 - 6:00 P.M.*
- *Regular meeting: July 9, 2019 - 6:00 P.M.*
- *Regular meeting: August 13, 2019 - 6:00 P.M.*
- *Regular meeting: September 10, 2019 - 6:00 P.M.*
- *Regular meeting: October 8, 2019 - 6:00 P.M.*
- *Regular meeting: November 12, 2019 - 6:00 P.M.*
- *Regular meeting: December 10, 2019 - 6:00 P.M.*