

August 13, 2019

At this time, Supervisor Gallahan asked Town of Manchester Resident, Alma O'Connor of 3089 Greig Street to address the Board.

Alma O'Connor: First of all, there were a couple of things in the last meeting minutes that I don't recall because I was nervous and didn't catch it all. About the problem being in my drain, they never did find where my drain was connected. So, the plug in the line was not in my line, it was in the Town's line. There was another pipe that ran out from the Town's line and I asked if that was my line and I was told "no, that seems to be coming from the Ludwig home", which is the house next to mine. They never did find mine, so I don't know how you can determine that there is a plug in my line and also that the Town didn't attach it. I don't remember to tell you the truth.

Supervisor, Jeff Gallahan: So, you are saying that the drain line that comes out of your basement that connects to our line, they never actually found where it connects to our line?

Alma O'Connor: No.

Highway Superintendent, Jason Lannon: We didn't look for that, we were looking for our plug. I never said that she had the plug, if I did, I misspoke. There was never a plug. We scoped it with our camera and couldn't get far enough, so we hired someone to scope it and we found a plug quite a way past where we assumed her line came out, past her property.

Alma O'Connor: I don't think any of you on the board were around when this was originally done, to know whether the Town did or didn't approve it. Also, I got Bill & Gail Daniels, he is the property owner across from mine, I gave this information to Wayne Holtz back when he was the Superintendent or whatever, Mr. Daniels showed me where there is a pipe under the road that comes out on his property. He is also a little unhappy now as well, because surface water is coming up and over to his property. Sometimes his property gets so wet that sometimes cars and trucks go off the road and make ruts on the edge of his property and he has to try and mow around it. There is a drain over there. Then the statement from the minutes by Willie Murphy, "You would end up having to go across the road, which is still going to take it right down past her house." I don't understand that.

Deputy Highway Superintendent, Willie Murphy: On a hard rain, if we were to put in a drain and ditch across the road, that drain is not going to collect everything, it is still going to go into your ditch line.

Alma O'Connor: You are talking down Greig Street and Garnsey joints?

Willie Murphy: Yes. Correct.

Alma O'Connor: There is a great big pipe coming out on the Daniels property that's under the road.

Willie Murphy: It's back though. That's where it crosses by the truck property, I am assuming.

Alma O'Connor: Well, it's on my side of the trucking terminal. It's right at the point where the roads come together. It's not too many feet off of Greig Street.

Willie Murphy: Right but that's on the upper side of Greig and your drain is on the lower side of Greig, not Greig, Garnsey Road.

Alma O'Connor: Alright, if I am saying the water comes down off of Garnsey Road and went right into that under the ground there and goes right into the canal.

Willie Murphy: You can't get it to there. You are so far away from that intersection with that pipe; That is the one that they wanted us to clean out with that tree there, it crosses that big intersection.

Alma O'Connor: No. You mean where the tree has recently fallen down?

Willie Murphy: Yes. That is where that pipe is, somewhere back in there. You are on two (2) opposite sides of the road and couldn't connect into that pipe.

Alma O'Connor: I don't want to connect into it. Why can't the water that comes down Garnsey Road go into that pipe? Instead of coming down to the point and into that ditch next to me, it could go underground and under the road.

Willie Murphy: Because on a hard rain, no matter what you put in that corner, it's not going to stop it.

Alma O'Connor: Even with it being a much bigger pipe?

Jason Lannon: I don't think you can get water to that pipe. If that's the pipe that former Highway Superintendent, Wayne Holtz and I were talking about this morning. I don't know specifically the pipe that you are talking about but I have a lot of faith in Wayne and he said, "there is no way to get water to it." Now I haven't taken any grade shots, so I don't know for myself but if Wayne says that, I believe him.

Willie Murphy: You wouldn't be able to "T" into it, you would have to expose it exactly where that other one is exposed. Which then you are putting more water on someone else's property, which will be the next problem.

Jason Lannon: Across the street?

Willie Murphy: Yes.

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Alma O'Connor: I still don't understand. If you dig everything down to where you think that pipe crosses under the road and get into that pipe, it's a much bigger pipe than the 4-inch pipe you have running down in front of my house.

Willie Murphy: I don't think with the grade difference that you would be able to get from one side to the other.

Jason Lannon: And that's what Wayne said.

Alma O'Connor: You're coming right straight down a hill and it goes right straight down, right on down to the canal, what could be easier? It doesn't have to go up anywhere.

Jason Lannon: I guess what I don't understand is, I don't know that a tax payer should be telling us how to do our job. I mean, we have done the best we can to get water down through there.

Alma O'Connor: Yes, but now you are putting your water on me.

Jason Lannon: So, you want us to put it on the guy across the street from you instead.

Alma O'Connor: No, he wants it on his property, he said he would take it in that stream. Well, it's always been a stream until Johnson kind of messed things up with his trucking terminal. There is still water going down that stream to the canal.

Jason Lannon: I have no intention of changing anything with the way it goes right now.

Alma O'Connor: Well, my attorney says that is considered your water now.

Jason Lannon: Correct and that is going into a road right-of-way pipe.

Alma O'Connor: But you are putting it on me and Mr. Daniels.

Jason Lannon: That was old Route 31 before when all of this took place.

Alma O'Connor: Yes. What does that have to do with it? You still can't put your water on me.

Jason Lannon: Even if we did put new drainage pipe in, we would not allow you to hook to it. So, if I dig that drainage pipe up today, I have talked to two (2) highway superintendents of towns that border the Town of Manchester that would not allow it either because of what happens with the town taking on a heck of a liable by flooding another homeowner.

Alma O'Connor: But you don't know where this water is going.

Jason Lannon: I truly don't understand the big deal about putting a check valve in. It's not a lot of money to put one in.

Alma O'Connor: The quotes seem to think it was. They were thousands of dollars.

Jason Lannon: I googled them; it was \$50 just to buy it. Then you have to have it installed.

Alma O'Connor: Well, both the people I asked said that they would have to dig up my cellar, go down to the footer and find my pipe. And that would cost thousands of dollars.

Jason Lannon: I'm not sure where we go from here. You know where I stand on this issue.

Supervisor, Jeff Gallahan: Alma, what is your solution? What would you like to see done?

Alma O'Connor: Well, I am not an engineer. I don't know. I don't think you got an engineer to do that job, did you?

Supervisor, Jeff Gallahan: No. This all stemmed from water coming off the hill into your yard. So, we put the culvert in to divert that water down and around.

Alma O'Connor: And now it comes up my cellar.

Supervisor, Jeff Gallahan: So, if you had a check valve, it wouldn't happen, correct?

Alma O'Connor: I don't know. I don't know.

Supervisor, Jeff Gallahan: Well, water can't come up that pipe and into your cellar if you have a check valve.

Jason Lannon: Or another solution would be to pump it out and daylight it, let it run down the drain. Unless that becomes a problem with our road, we would track that. We would have to work with you in that route. If it becomes an icing problem, we would cut the shoulder so that it keeps going down the road.

Willie Murphy: You would end up with a ditch because it is going to come out on the road.

Supervisor, Jeff Gallahan: How many estimates did you get for your check valve?

Alma O'Connor: Two (2).

Supervisor, Jeff Gallahan: And who were they?

Alma O'Connor: One was Ken Morrison and the other one asks that his name not be mentioned for some reason.

Supervisor, Jeff Gallahan: I would suggest a third estimate. I can't imagine digging down 4-feet next to your basement is a \$4,000 job.

Alma O'Connor: Well, I don't know that it is a \$4,000 job, they just said several thousand.

Supervisor Gallahan: They put water lines in a couple hundred feet for a lot less than that.

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Ken Morrison: Starting from square one, I am guessing the house was built back 50 years ago, apparently whether it was ok with the Town or not, there was a gravity drain put in and hooked into the existing piping out front, correct? I met Willie out there and it has been dug up and verified that her drain is not plugged, correct?

Willie Murphy: I don't know about her drain; our pipe is not.

Ken Morrison: But you don't know where her pipe comes out, correct?

Willie Murphy: Right.

Ken Morrison: So, it is very possible that the end of the pipe is plugged, correct? If we don't know where it comes out at.

Jason Lannon: Well, we did see the end of the pipe in the camera when we went through and it's not plugged, we just don't know where it comes out at. Kevin, you were there.

Highway Employee, Kevin Lyke: It is not plugged. Kevin from Clifton Springs and I scoped both ways. We went down in there and we went out until we met a "T", so we know we hit the road. We went through her drain; we were right down in her basement and we scoped it out and we hit a "T". It is not plugged from her house out. Then we went from the other side of her driveway west to past the "T" as far as the camera scope would allow us to go.

Ken Morrison: So, my point is... you don't know exactly where the end is.

Kevin Lyke: No.

Ken Morrison: So, it could be plugged up is what I am getting at. Now, my understanding is that she has only had the problem in the last couple years since the culvert in the back yard was installed.

Supervisor, Jeff Gallahan: At her request.

Ken Morrison: Right, because the water was running down into the backyard. Willie was making the comment to me also, if they did the piping out front and changed that out, they would need to have that engineered. So, was there any engineering done on the culvert before that was put in to determine where that water was going?

Jason Lannon: That was before my time.

Ken Morrison: So, we are adding more water to that 4-inch pipe that runs down in front of her house, obviously it can't get out fast enough and its backing up into her house. So, doing that has created another problem.

Supervisor, Jeff Gallahan: Put a check valve in, then it won't go back into her house.

Ken Morrison: Her drain was pre-existing and it was working.

Jason Lannon: But it was pre-existing on an old Route 31 and that wasn't the Towns. I believe we can look back into the Town Clerk's paperwork for when the Town of Manchester took possession of that. Before that happened, the Town had nothing to do with that. I spoke with two (2) other Highway Superintendent's that border the Town of Manchester and asked them their protocol because we have nothing in our Code Books for this situation. Their protocol is, they don't even like the idea of a check valve, they won't allow it. They aren't saying that there aren't some hooked but as they come to them, they make them unhook. They do not want them hooked to the Town drain because of liability.

Ken Morrison: Yes, I know but this is pre-existing and is grandfathered in.

Councilman, David Phillips: That's a pretty big jump to say it's grandfathered in. We don't even know if the Town knew it was there to begin with.

Ken Morrison: But there you go, you are right. A code enforcement officer just told me this afternoon, that their protocol is, pre-existing non-conforming is considered grandfathered in. You need to know where the storm drain comes out at and make sure it's not plugged because if it was handling the water before the culvert got put in then obviously, you created a problem that wasn't there.

Jason Lannon: I can tell you right now, if we do go to all this work, I would urge the Town to either make her put a check valve in or have her disconnect. Why would the Town continue to take on all this liability otherwise? We can do all of this but I am still going to suggest that the Town either has her disconnect or at the least, make her put in a check valve. The Town can do as they wish but that would be my recommendation.

Ken Morrison: So, the Town is going to force her to spend money that she shouldn't have to spend to fix an issue that the Town of Manchester caused.

Supervisor, Jeff Gallahan: Let's take for example, there is a mobile home park in Lyons right now, all the electrical lines were put in that park on a hand-shake deal many years ago. They have all failed. So now, those people in Lyons have been without electric for months because they have to pay for that to have that done. Back when that was put in, they weren't grandfathered and it was put in illegally. It's the same principle that happened there is now happening here. Nobody in this room knows when that was put in, was it put in during the dark of night? Was that put in without the Town's permission? Did the Town even have the authority to give permission when that was a State Road? There are many things here that we don't know the answer to, but we do know that it can be solved easily with a check valve.

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b. WATER SUPERINTENDENT, Willie Murphy:

- **Jim Reed (Reedland Farms) - Hydrant**
 - Jim Reed wants hydrant hook-up like Bill Young is allowed to have.
 - Both of them do pay for the water they use respectively.
 - Mr. Reed is on the opposite side of the road as the hydrant, which makes hook-up not feasible.
- **Bill Young stopped today 8/13/19 and requested to have the meter hooked up**
 - Requesting temporary water hook-up for his cattle.
 - Willie Murphy recommends a time limit on the hook-up this year, last year he wasn't unhooked until October/November. A repair needed to be made to the hydrant last year.
 - This year allowing for a week-long hook-up should be sufficient.
 - Board agrees to the time limit on the hook-up and requests to have a letter drawn up, Supervisor Gallahan, Willie Murphy and Kevin Lyke to sign letter then it can be sent to Mr. Young stating the new time limit.

***** Town Clerk, Jill Havens expressed her gratitude to the Highway Department for pressure washing the Town Hall Building! It looks great!!! *****

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

- **There were fifteen (15) building permits issued in the Town of Manchester in July, ten (10) issued in Village of Clifton Springs, seven (7) in the Village of Shortsville and eight (8) in the Village of Manchester.**
- **Fees Collected - \$1,061.20.**
- **Estimated Construction costs - \$281,680.00**
- **Steve and Marty performed 8 fire inspections in the Town and the 3 Villages in July.**
- **Residents have voiced some concern over the mowing or lack thereof at the solar property on Route 21, which has been taken care of at this point.**
- **Shared Services Grant with Ontario County**
 - Steve & Jill met with Rosemary at the County to discuss what is needed to prepare for the conversion of paper records to electronic records for the past years of Town Board Meeting minutes and ALL permanent records from the Zoning Office that are currently stored upstairs.
 - Preparations have started with spreadsheets going back as far as 1972, needs to have this ready for the County by November 2019.
- **Councilman, Don Miller questioned the location of the junction boxes for the cable company on Route 21?**
 - Steve has been in contact with the Village Highway Superintendents and they have approved all the junction box locations.

d. ASSESSOR, Jennifer Fagner, reported the following:

- **The BAR met on July 8th, 2019. The Property owners never appeared for their Grievance. We went forward and the paperwork was signed and taken to the County for Final Roll.**
- **I have spent time working on the upcoming Reval along with filing before the upcoming Exemption season starts.**
- **I would like to touch base in regards to the Assessors Aide position. Can we interview and hire before the exam date so I have time to train?**
- **I will be spending time out of the Office collecting data for the upcoming Reval. I will put notice on my door so the Public will be aware of the times I am out of the Office and when I will return.**
- **My online class starts Oct. 21st – Nov. 14th, Fundamentals of Assessment Admin. I will be out of the Office on Nov. 15th as I will be in Batavia for the Exam. I have completed Ethics portion on Aug. 8th, 2019.**

➤ **RESOLUTION #110 - APPROVAL ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING EMPLOYMENT ISSUES**

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

VOTE:

AYES - 5

NAYS - 0

RESOLVED, to enter into executive session for the purpose of discussing employment issues, 7:51 p.m., in attendance were: Town Board Members, Assessor and Town Clerk.

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ADJOURNMENT: There was no other business before the Board at this time. Supervisor Gallahan moved to adjourn the meeting, 8:26 p.m., seconded by Councilman Blazey, unanimously APPROVED.

Respectfully Submitted,

Jill A. Havens, Town Clerk

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

- *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.*