

MANCHESTER TOWN BOARD - REGULAR MEETING AUGUST 10, 2021 - 6 P.M.

The 2021 Town Board Meeting was held at the Manchester Town Hall on Tuesday, August 10th, 2021 at 6:00 P.M., with the following members present:

David Phillips	Supervisor
Jaylene Folkins	Councilwoman
Matthew Shannon	Councilman

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

ABSENT: Isaac VanBortel, Councilman & Kevin Blazey, Councilman

CALL TO ORDER: Supervisor Phillips called the August 10th, 2021 Regular Board meeting to order at this time, 6:01 p.m.

➤ **RESOLUTION #97 - APPROVAL OF MINUTES, REGULAR MEETING JULY 13th, 2021, AS SUBMITTED**

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

VOTE: **AYES - 3** **NAYS - 0**

RESOLVED, to approve the minutes from the Regular Meeting held on July 13th, 2021, as submitted.

➤ **RESOLUTION #98 - APPROVAL OF SUPERVISOR’S MONTHLY FINANCIAL STATEMENT**

On motion of Councilman Shannon, seconded by Councilwoman Folkins, 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 #99 - APPROVAL OF TOWN CLERK’S MONTHLY REPORT**

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

VOTE: **AYES - 3** **NAYS - 0**

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

-- Dog Licenses (111 N & R; 0-PB; o-Exempt; 0-Tag)	\$	1,756.00
-- State Surcharge Fees	\$	137.00
-- Late Fees (Dog Licenses)	\$	110.00
-- Transfer Station	\$	3,860.30
-- Zoning Fees	\$	1,764.40
-- Fax Fees	\$	0.00
-- DEC Licenses	\$	185.00
-- Certified Copy (3-M)	\$	140.00
-- Bingo Fees	\$	45.90
-- Marriage License (3)	\$	200.00
-- Bingo License (0)	\$	0.00
-- Game of Chance License (0)	\$	0.00
TOTAL COLLECTED	\$	8,198.60
PAID TO NYSDEC	\$	174.79
PAID TO STATE	\$	137.00
PAID TO SUPERVISOR (TOWN)	\$	7,774.31
PAID TO NYS DEPT. OF HEALTH	\$	112.50
PAID TO NYS RACING & WAGERING	\$	0.00

August 10, 2021

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

- Town Clerk monthly report
- Supervisor's monthly report

- a. Manchester Fire Department monthly reports – June 2021 & January 1 – June 30, 2021
- b. Village of Clifton Springs Fire Department June 2021 Report
- c. Town of Manchester Account Collateralization – June 2021
- d. Clifton Springs Quarterly Newsletter
- e. NYSEG/RG&E July Communications
- f. State Comptroller Distribution Summary for Judge Schaertl
- g. State Comptroller Distribution Summary for Judge Liberty
- h. Charter Communications Channel update
- i. Charter Communications Channel increase
- j. Water request from Brent & Katie Bardun
- k. CAA Council Information re: Recreational Marijuana
- l. NYS Office of Cannabis, License Types
- m. NYS Office of Cannabis, Overview
- n. Employee Record for new court clerk
- o. Manchester Fire Department monthly report July 2021
- p. Resignation Letter, Ike VanBortel

➤ **RESOLUTION #100 – APPROVAL TO AUTHORIZE THE RESIDENTS OF 3997 DEWEY ROAD TO OBTAIN PUBLIC WATER SUPPLY FROM THE VILLAGE OF MANCHESTER, PENDING THE TOWN'S LETTER OF AGREEMENT BETWEEN THE PARTIES INVOLVED**

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

VOTE:

AYES - 3

NAYS - 0

WHEREAS, the residents of 3997 Dewey Road have submitted a letter of request to the Town Board of Manchester to allow them to hook-up to the Village of Manchester waterline; **WHEREAS**, the Town of Manchester does not currently have a public waterline in that said area as of this date and time; and

WHEREAS, the Village of Manchester has informed the above-mentioned parties that the permission of the Town of Manchester is required prior to fulfilling this request; therefore, be it

RESOLVED, to give the Village of Manchester permission to run a tap to the said locations on Dewey Road, as requested; and be it

FURTHER RESOLVED, that the letter of agreement between the parties involved will be submitted and filed, with the understanding of the involved parties, that the agreement is allowing the hook-up at this time and date with the understanding that if/when the Town of Manchester has a waterline in that area, that the involved parties will then have to connect to the Town of Manchester water service and disconnect from the Village of Manchester waterline.

~ **Brief Discussion/Presentation – Newark Water Rates** – The Village of Newark has increased its water rates to the Village of Clifton Springs by 20% last year and another 10% this year. Since the Town of Manchester does get some of their water supply from the Village of Newark, we are anticipating an increase to us at some point soon also.

~ **Brief Discussion/Presentation – Town of Manchester Newsletter** – Town Clerk, Jill Havens would like to start implementing a Town of Manchester Newsletter to get any/all pertinent information out to the Town Residents. The newsletter can include information from all the offices in the Town of Manchester (Town Clerk, Code Enforcement, Highway, Water, Assessor, etc.). The Newsletter could be quarterly or biannually with the first one to be disbursed along with the Tax Bills at the end of December and then again in June, just before summer.

~ **Brief Discussion/Presentation – Cannabis Zoning** – The need for more information regarding retail dispensaries and on-site consumption licenses is apparent before a decision can be made as to whether the Town of Manchester will opt-in or opt-out of the zoning for such businesses within the Town of Manchester. A decision does need to be made by the Town by the Opt-out deadline of December 31st, 2021.

~ **Brief Discussion/Presentation – Building Security Committee** – Councilman Matt Shannon was appointed as the chairman of the Building Security Committee which will also include the department heads of the Town Hall and Highway and Water Departments to determine the needed security updates to the Town of Manchester buildings.

August 10, 2021

- **RESOLUTION #101 – APPOINTMENT OF SOLE ASSESSOR, JENNIFER FAGNER**
On motion of Councilwoman Folkins, seconded by Councilman Shannon, the following resolution was unanimously ADOPTED:

VOTE: AYES - 3 NAYS - 0

WHEREAS, the previous appointment was to the position of Assessor for the Town of Manchester

RESOLVED, to approve appointment of Assessor, Jennifer Fagner to the position of Sole Assessor for the Town of Manchester to remain in effect for the remainder of the six-year term to expire October 1, 2025.

- **RESOLUTION #102 – APPROVAL TO APPOINT KRISTIN ECKERT TO THE POSITION OF COURT CLERK, PART-TIME**
On motion of Councilman Blazey, seconded by Councilwoman Folkins, the following resolution was unanimously ADOPTED:

VOTE: AYES - 3 NAYS - 0

RESOLVED, to approve the appointment of Kristin Eckert of 21 Pearl Street, Lyons, NY to the position of Court Clerk, part-time at a pay rate of \$14.50/hour to work up to 24 hours per week effective August 9, 2021.

- **RESOLUTION # 103 – APPROVAL TO ACCEPT LETTER OF RESIGNATION, ISAAC VANBORTEL, COUNCILMAN**
On motion of Councilwoman Folkins, seconded by Councilman Shannon, the following resolution was unanimously ADOPTED:

VOTE: AYES – 3 NAYS - 0

RESOLVED, to accept the letter of resignation, as submitted with regret and gratitude for his service to the residents of the Town of Manchester, to be effective August 8, 2021.

Department Reports:

- a. **HIGHWAY SUPERINTENDENT, Jason Lannon reported the following:**

- **Road Work**
 - Wedging starting the week of August 16th, 2021.
 - Mowing of guard rails is underway.
 - The Villager has been doing milling this week for use on Stafford Road
 - Been hauling gravel (1A) for next year’s road work.
- **CHIPS Payment**
 - New York State has implemented a new portal to get CHIPS money.
- **Employment Needs**
 - The highway department has a need to hire a part-time laborer to work miscellaneous jobs with the Transfer Station, Water Department and Highway Department.
 - Could potentially be a year-round position approximately 15-20 hours/week.
- **Lawn Mower**
 - The current zero-turn mower is too small to mow some of the bigger areas we have to mow such as the Town Hall property, would like to purchase a larger zero-turn for those areas and use the current mower for mainly cemetery mowing within the Town of Manchester
 - Estimates were provided from Twin Pines Power Equipment, American Equipment, LLC., Martins Outdoor Power and Erie Power Equipment, Inc. (on file in the Minute attachment book in the Town Clerk’s Office).

- **RESOLUTION # 104 - APPROVAL TO ACCEPT THE ESTIMATE RECEIVED FROM TWIN PINES POWER EQUIPMENT FOR NEW FERRIS ZERO-TURN MOWER ISX2200 61” FX730V EFI 26HP W/SUSPENSION SEAT**
On motion of Councilwoman Folkins, seconded by Councilman Shannon, the following resolution was unanimously ADOPTED:

VOTE: AYES - 3 NAYS - 0

RESOLVED, to accept the estimate from Twin Pines Power Equipment Sales & Service, 1300 NY 14A, Penn Yan, NY 14527, for a cost of \$9,239.17.

August 10, 2021

b. WATER SUPERINTENDENT, Kevin Lyke reported:

- **Hydrant repairs and service underway.**
 - Having a new tool being custom made to make this an easier task.
- **Flushers will be fixed by next week**
- **Meter reads**
 - Reading monthly but still only billing quarterly.
- **Self-Certification Form**
 - The Town of Manchester currently requires a self-certification form for a deferred payment plan for water accounts that are in arrears due to the COVID-19 Pandemic.
 - Would also like the requirement of a financial statement by applicants in order to help determine the repayment plan for those accounts.

➤ **RESOLUTION # 105 - APPROVAL TO REQUIRE A FINANCIAL STATEMENT ALONG WITH A SELF-CERTIFICATION FORM FOR WATER CUSTOMERS WHO ARE SELF-CERTIFYING TO DEFER WATER PAYMENTS**

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

VOTE: AYES - 3 NAYS - 0

RESOLVED, require a financial statement be completed by water customers who are self-certifying to continue deferring water payment without risk of water shut-off in order to help better set up a repayment plan.

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

- **Thirteen (13) building permits in July.**
- **Collected \$1,726.00 in fees.**
- **Estimated Construction Costs \$438,463.00.**
- **Nine (9) fire inspections were done last month in the villages & the town.**

~ **Brief Discussion/Presentation – Permit Fee** – It was decided that Leonard’s Express who is starting the first phase of the approved construction project which includes the new roadway off of Walters Lane will not have to pay a permit fee for this portion of the project. The fees will all be collected with the construction of the 112,000 square foot refrigerated warehouse, which is also an approved phase of this project. As previously determined, all legal and engineering costs with all phases of the projects will be passed on to Leonard’s Express for payment.

d. ASSESSOR, Jennifer Fagner, reported the following:

- **Assessor’s Aide, Lon Rogers took his exam**
 - Results expected in 3-4 months.
- **SCAR hearing date is still unknown.**
- **Training**
 - Completes class requirement for Assessor (see Minute Attachment Book)
 - Attending another conference in October

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

- **Department of Transportation Report**
 - Gurnee Road – determination that a speed reduction is not warranted at this time.
 - Prohibited Parking on State Route 96 – Notice of Certification received.
- **Flu Clinic**
 - Public is welcome – September 28th, 10am-11am.
- **Annexation Information for Village of Shortsville**
 - Currently being reviewed by Town Attorney, Jeff Graff before we proceed with scheduling a joint Public Hearing with the Village of Shortsville.

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

The month of July showed overall improvement in most of the fund finances for the Town

- **General Fund**
 - Received the first tranche payment from the federal government for the local ARPA Coronavirus Local Fiscal Recovery Fund in the amount of \$232,128.50.
 - Money is to be transferred to other funds as needed to pay expenses.
 - It is to remain in the General Fund for reporting purposes unless transferred to other funds according to the State Comptroller’s Bulletin.
 - General Fund finances have remained steady over the past few years as the end of July.

- **Zoning Fund & Highway Fund**
 - Received second quarter sales tax at the end of the July that far exceeded expectations.
 - The increase was over \$138,000 from 2020's second quarter and even exceeded pre-pandemic second quarter sales tax by more than \$74,000.
- **Refuse & Garbage Fund**
 - Refuse & Garbage Fund is relatively consistent with regards to its financial condition at the end of July, as it was at the end of June.
 - The revenues have not yet begun to reflect the rate increase but it is hoped they will soon.
- **Central Water District & County Road 13 Water District**
 - Central Water and County Road 13 Water District are still collecting water payments for the 3rd quarter and revenues for July reflect this.
 - AARPA Funding for Coronavirus Recovery Plan appears to be giving the Town of Manchester \$464,000 to be used specifically for water, sewer, broadband infrastructure, security, etc.
 - More information to follow.

➤ **RESOLUTION #106 – APPROVAL OF TRANSFERS**

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

VOTE: **AYES - 3** **NAYS - 0**
RESOLVED, to approve the following Transfers:

From:	Amount:	To:	Reason:
<u>HIGHWAY FUND</u> DB5140.1	\$9,239.17	DB5130.2	To cover cost of new lawn mower.

BOARD MEMBER ITEMS:

- **Councilman VanBortel: ABSENT**
- **Councilwoman Folkins:**
 - 1.) COVID Relief money will require further discussion.
- **Councilman Blazey: ABSENT**
- **Councilman Shannon:**
 - 1.) Historian – Any news?
 - a. Supervisor Phillips has left a message for the appointed historian
- **Supervisor Phillips:**
 - 1.) Hunt Associates has been in discussion with the Village of Clifton Springs to install sidewalks from Clifton Springs to Midlakes School with grant funding.
 - a. Original plan was to go along State Route 96 but after some discussion a better option may be to use the old railroad bed.
 - b. Project is still in discussion.

➤ **RESOLUTION #107 - AUDIT OF CLAIMS APPROVAL**

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

VOTE: **AYES - 3** **NAYS - 0**

RESOLVED, to approve to pay the 2021 bills as follows:

- **GENERAL FUND**, in the amount of \$47,733.74 as set forth on the Abstract #008 dated 8/10/2021;
- **ZONING FUND**, in the amount of \$2,587.75 as set forth on the Abstract #008 dated 8/10/2021;
- **REFUSE & GARBAGE FUND**, in the amount of \$1,146.44 as set forth on the Abstract #008 dated 8/10/2021;
- **HIGHWAY FUND**, in the amount of \$61,310.59 as set forth on the Abstract #008 dated 8/10/2021;
- **WATER FUND**, in the amount of \$38,540.01 as set forth on the Abstract #008 dated 8/10/2021;
- **TRUST & AGENCY FUND**, in the amount of \$11,606.41 as set forth on the Abstract #008 dated 8/10/2021.

August 10, 2021

ADJOURNMENT: There was no other business before the Board at this time; Councilwoman Folkins moved to adjourn the meeting, 7:10 p.m., seconded by Councilman Shannon, unanimously APPROVED.

Respectfully Submitted,

Jill A. Havens, Town Clerk

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

- *Regular meeting: September 14, 2021 - 6:00 P.M.*
- *Regular meeting: October 12, 2021 - 6:00 P.M.*
- *Regular meeting: November 9, 2021 -6:00 P.M.*
- *Regular meeting: December 14, 2021 - 6:00 P.M.*