

**MANCHESTER TOWN BOARD - REGULAR MEETING
February 11th, 2020 - 6 P.M. & PUBLIC HEARING RE: TAX CAP
OVERRIDE, 2021 BUDGET - 6 P.M.**

The 2020 Town Board Meeting was held at the Manchester Town Hall on Tuesday, February 11, 2020 at 6:00 P.M., with the following members present:

Jeffery Gallahan	Supervisor
Kevin Blazey	(ABSENT)
David Phillips	Councilman
Isaac VanBortel	Councilman
Jaylene Folkins	Councilwoman

OTHERS PRESENT: Jill A Havens, Town Clerk; Steve DeHond, Code Enforcement Officer; Jason Lannon, Highway Superintendent; William Murphy, Deputy Highway Superintendent/Water Superintendent; Kevin Lyke, Assistant Water Superintendent.

PUBLIC HEARING OPENED: **Supervisor Gallahan** opened the Public Hearing re: Tax Cap Override for the 2021 Budget at this time, 6:00 p.m. and read the legal notice which was posted at the Town Hall and published in the Daily Messenger as follows:

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 11th day of February, 2020, at 6:00 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 permit the Town Board to adopt a budget for the 2021 fiscal year that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

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

PUBLIC HEARING CLOSED / REGULAR MEETING RESUMED: **Supervisor Gallahan** asked if anyone wished to be heard re:Tax Cap Override, 2021 Budget. Repeated three (3) times, hearing none, Closed the Public Hearing and resumed the Regular Meeting at this time, 6:02 p.m.

CALL TO ORDER: Supervisor Gallahan called the February 11, 2020 Regular Board meeting to order at this time, 6:02 p.m.

➤ **RESOLUTION #16 - APPROVAL OF MINUTES, ORGANIZATIONAL MEETING, January 7, 2020 and REGULAR MEETING January 14, 2020, AS SUBMITTED**

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

VOTE: **AYES - 4** **NAYS - 0**

RESOLVED, to approve the minutes from the Organizational Meeting and Regular Meeting held on January 14th, 2020, as submitted.

➤ **RESOLUTION #17 - 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.

February 11, 2020

- **RESOLUTION #18 - APPROVAL OF TOWN CLERK'S MONTHLY REPORT**
On motion of Councilman Phillips, seconded by Councilwoman Folkins, the following resolution was unanimously **ADOPTED**:

VOTE: AYES - 5 NAYS - 0

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

-- Dog Licenses (107 N & R; 1 - PB; 3-Exempt; 0-Tag)	\$	1,799.00
-- State Surcharge Fees	\$	153.00
-- Late Fees (Dog Licenses)	\$	330.00
-- Transfer Station	\$	3,673.02
-- Zoning Fees	\$	3,018.00
-- DEC Licenses	\$	30.00
-- Certified Copy (3-M, 4-D)	\$	70.00
-- Bingo Fees	\$	83.32
-- Marriage License (2)	\$	80.00
-- Bingo License (1)	\$	487.50
-- Game of Chance License (1)	\$	25.00
TOTAL COLLECTED	\$	9,749.09

PAID TO NYSDEC	\$	28.34
PAID TO STATE	\$	153.00
PAID TO SUPERVISOR (TOWN)	\$	9,215.25
PAID TO NYS DEPT. OF HEALTH	\$	45.00
PAID TO NYS RACING & WAGERING	\$	292.50
PAID TO NYS COMPTROLLER	\$	15.00

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

- a. 2/1, Town Clerk Monthly Report
- b. 2/1, Supervisors Monthly Report
- c. 1/30, Shortsville Manchester Chamber
- d. 2/4, Justice Court Fund
- e. 1/22, NYS Ag & Markets, David Chico, Shelter Inspection Report
- f. 1/22, Justice Court Fund
- g. 1/13, CSFD, Lori Reals, CSFD Monthly report
- h. 1/15, MFD 12 Month Report, Supervisor Gallahan Resolution for Workers Comp Expense
- i. MFD Officers Listing
- j. 1/8, OC Dept. of Finance, Mary Gates, Payment Report
- k. 2/3, OCBOS, Resolution, Acceptance of Funds, Roundhouse Project

- **RESOLUTION #19 - RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF MANCHESTER OF LOCAL LAW NO. 1 OF 2020**
On motion of Councilwoman Folkins, seconded by Councilman Phillips, the following resolution was unanimously **ADOPTED**:

VOTE: AYES - 4 NAYS - 0

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Manchester for a public hearing to be held by said Town Board on February 11, 2020, at 6:00 p.m. at Manchester Town Hall, 1272 County Road 7, Town of Manchester, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Manchester, on February 11, 2020 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on February 11, 2020, at 6:00 p.m. at the Manchester Town Hall, 1272 County Road 7, Town of Manchester, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Manchester, after due deliberation, finds it in the best interest of the Town of Manchester to adopt said Local Law.

February 11, 2020

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Manchester hereby adopts said Local Law No. 1 of 2020, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Manchester, and to give due notice of the adoption of said local law to the Secretary of State of New York.

I, Jill 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 11, 2020, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Jeffery L. Gallahan	<u>X</u>	___
David Phillips	<u>X</u>	___
Isaac VanBortel	<u>X</u>	___
Kevin Blazey	<u> </u>	<u>Absent</u>
Jaylene Folkins	<u>X</u>	___

Dated: February 11, 2020

Jill Havens, Town Clerk

SEAL

RESOLUTION #19 – RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF MANCHESTER OF LOCAL LAW NO. 1 OF 2020 (CONT.)

RESOLUTION - SPECIAL DISTRICTS

WHEREAS, the Town Board of the Town of Manchester is the governing body of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof; and

WHEREAS, it is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Manchester, on behalf of the aforesaid special districts and/or fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Manchester, on behalf of the aforesaid special districts and/or fire protection districts, to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c; and

WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Manchester, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2021 on behalf of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

I, Jill 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 11, 2020, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Jeffery L. Gallahan	<u>X</u>	___
David Phillips	<u>X</u>	___
Isaac VanBortel	<u>X</u>	___
Kevin Blazey	<u> </u>	<u>Absent</u>
Jaylene Folkins	<u>X</u>	___

Dated: February 11, 2020

Jill Havens, Town Clerk

SEAL

February 11, 2020

Department Reports:

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

- **Equipment has held up very well this winter**
- **Jeremy is working on the NYMIR required Disconnect Switches**
- **The Highway Crew will be taking the Excavators Refresher Course in March**
- **Generators**
 - The last power outage, we were out for 3-4 hours and we can't open garage doors or anything when that happens.
 - I would like to possibly bring up the idea of getting generators for both the Town Hall Building and the Highway Building included into next year's budget.
 - The Highway Building already has a disconnect for a generator.
 - Jason to get quotes for a generator for both buildings
 - Supervisor Gallahan says previously grant money was trying to be secured for this project, we should look into that again.
- **Gas Line**
 - There are 2 sets of prints that were received via e-mail. The verbiage of the email was not sufficient
 - Town Attorney, Jeff Graff is going to have to take a look at all of that information for us

b. **WATER SUPERINTENDENT, Willie Murphy:**

- **Assistant Water Superintendent Kevin Lyke reported:**
 - The budget for our Water Reading Program/Software is \$30,000.00
 - Pending board approval, we would like to do a shared service with the Village of Manchester
 - Currently, the Village of Manchester is going to update everything.
 - We would be evenly splitting the cost with the Village for all the reading equipment for a cost to the Town of Manchester of \$10,430.20 and a day of training at a cost of \$698.00
 - Would like to also, purchase 96 Retro-Fit Regulators at a cost of \$194.05 per meter that work with the current meters the Town uses for a cost of \$18,628.80.
 - The Retro-Fit Meters will work on the current Badger Meters that the Town has, however, the Badger Meters are becoming obsolete and our distributor is no longer available.
 - Another option is to switch all the Badger Meters to the new Neptune Meters at a cost of \$246.75 per meter.

Brief Discussion was held regarding the estimate for the new water meters and shared service with the Village of Manchester.

➤ **RESOLUTION #20 - APPROVAL TO ACCEPT THE ESTIMATE RECEIVED FROM TI SALES FOR THE NEW METER READING SOFTWARE AND TRAINING TO BE A SHARED SERVICE AND COST WITH THE VILLAGE OF MANCHESTER**

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

VOTE: **AYES - 4** **NAYS - 0**

RESOLVED, to accept the estimate from Ti Sales, 36 Hudson Road, Sudbury, MA 01776, for a cost of \$10,430.20 and a training cost of \$698.00.

NO ACTION was taken at this time regarding the replacement of the water meters themselves.

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

- **End of Year Report for 2019:**
 - **375 Permits issued in the Town and the 3 Villages in 2019**
 - **Fees Collected - \$21,608.80.00.**
 - **Estimated Construction costs - \$2,217,536.00**
 - **Steve and Marty inspected 43 buildings for fire safety in the Town of Manchester and 154 in the 3 Villages in 2019.**
- **Leonard's Express will be submitting their permit application in March for Planning Board Approval in April of 2020.**
- **Draft of the New Site Design & Development Code Updates is available to review.**

February 11, 2020

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

- **Enhanced Star**
 - The office has been very busy as exemptions are still coming in, deadline for exemptions is 3/1/2020. There have been many calls and a lot of confusion as the State is back to requesting financial information. People in the community are concerned as it is a scam. I made them aware that if they feel uncomfortable sending it via mail to call them directly. Also, Pam Helming sent out letters/pamphlets to the Community regarding Exemptions. People are calling concerned that there is something wrong with their Exemptions. I have attached a copy of what they are receiving, (minus the letter, sorry it did get cut off). ***see minute attachment book***
 - I have been working on the Reval and Lon is diligently working on entering the Exemptions, filing and taking phone calls. We both sat through a Webinar regarding the new and updated IVP system through the State. Our office will manually enter IVP's and not send them to the State, this way I know they were entered.
 - Thomas Crowell (who was on the BAR years ago) came in to see me as he has expressed returning to the BAR. He would have to go through the training again as I had enquired about the length of absence. I am, at this time, asking for a resolution for the acceptance of Thomas Crowell to the BAR. This would leave 1 vacancy. Can this be republished?

➤ **RESOLUTION #21 - APPOINTMENT OF THOMAS CROWELL TO THE BOARD OF ASSESSMENT REVIEW**

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

VOTE: AYES - 4 NAYS - 0

RESOLVED, to approve the appointment of Thomas Crowell, 3872 State Route 96, Shortsville, NY 14548, to fill the vacancy on the Board of Assessment Review.

NO TRANSFERS

NO ADDENDUM ITEMS

BOARD MEMBER ITEMS:

- **Councilman VanBortel:**
- **Councilwoman Folkins:**
 - 1.) Solar Laws & Regulations - Meeting scheduled for February 27, 2020 with the committee for the Zoning Board.
 - a. There is no clear answer.
 - b. We should reach out to the County for their guidance on this also.
 - c. Also, check in with our Ag Board also to get their feedback on preserving farmland in the area.
- **Councilman Blazey: (ABSENT)**
- **Councilman Phillips:**
 - 1.) Audit of both Judge Schaertl and Judge Denosky's books has been completed.

➤ **RESOLUTION #22 - AUDIT OF JUSTICE DENOSKY AND JUSTICE SCHAERTL RECORDS**

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

VOTE: AYES - 4 NAYS - 0

RESOLVED, to note that Judge Katherine Denosky and Judge Eric Schaertl have submitted her books and checkbook to the Board for their review & audit; therefore, it is

FURTHER RESOLVED, that the Town Justice(s) Denosky and Schaertl's books for 2019 Fines and Forfeitures have been reviewed and audited by this Board at this time.

