

**MANCHESTER TOWN BOARD - REGULAR MEETING
February 9th, 2021 - 6 P.M. & PUBLIC HEARING RE: TAX CAP
OVERRIDE, 2022 BUDGET - 6 P.M.**

The 2021 Town Board Meeting was held at the Manchester Town Hall on Tuesday, February 9th, 2021 at 6:00 P.M., with the following members present:

David Phillips	Supervisor
Kevin Blazey	Councilman
Isaac VanBortel	Councilman
Jaylene Folkins	Councilwoman

OTHERS PRESENT: Jill A Havens, Town Clerk; Steve DeHond, Code Enforcement Officer; Jennifer Fagner, Assessor; Jason Lannon, Highway Superintendent; William Murphy, Deputy Highway Superintendent/Water Superintendent and Kevin Lyke, Assistant Water Superintendent; Pat Nicoletta, MRB Group; Matt Schaertl, Zachary Anderson, Amanda Bement and Elaine Liberio, Town of Manchester Residents

ABSENT: None

PUBLIC HEARING OPENED: Supervisor Phillips opened the Public Hearing re: Tax Cap Override for the 2022 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 9th day of February, 2021, 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 2022 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 Phillips asked if anyone wished to be heard re: Tax Cap Override, 2022 Budget. Repeated three (3) times, hearing none, Closed the Public Hearing and resumed the Regular Meeting at this time, 6:03 p.m.

CALL TO ORDER: Supervisor Phillips called the February 9th, 2021 Regular Board meeting to order at this time, 6:03 p.m.

➤ **RESOLUTION #23 - APPROVAL OF MINUTES, REGULAR MEETING JANUARY 12th, 2021, AS SUBMITTED**

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

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

RESOLVED, to approve the minutes from the Regular Meeting held on January 12th, 2020, as submitted.

➤ **RESOLUTION #24 - APPROVAL OF SUPERVISOR'S MONTHLY FINANCIAL STATEMENT**

On motion of Councilman Blazey, 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 9, 2021

- **RESOLUTION #25 - APPROVAL OF TOWN CLERK’S MONTHLY REPORT**
 On motion of Councilman VanBortel, seconded by Councilwoman Folkins, the following resolution was unanimously ADOPTED:

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

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

-- Dog Licenses (99 N & R; 3 - PB; 0-Exempt; 0-Tag)	\$	1,128.00
-- State Surcharge Fees	\$	101.00
-- Late Fees (Dog Licenses)	\$	20.00
-- Transfer Station	\$	3,616.62
-- Zoning Fees	\$	785.00
-- DEC Licenses	\$	0.00
-- Certified Copy (2-M, 4-D)	\$	140.00
-- Bingo Fees	\$	0.00
-- Marriage License (3)	\$	40.00
-- Bingo License (0)	\$	0.00
-- Game of Chance License (1)	\$	0.00
TOTAL COLLECTED	\$	5,830.62
PAID TO NYSDEC	\$	0.00
PAID TO STATE	\$	101.00
PAID TO SUPERVISOR (TOWN)	\$	5,707.12
PAID TO NYS DEPT. OF HEALTH	\$	22.50
PAID TO NYS RACING & WAGERING	\$	0.00

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. 12/31, Charter Communications
- d. Manchester Fire Department Report – Annual Report for 2020
- e. Village of Clifton Springs Fire Department Report – November 2020
- f. Village of Clifton Springs Fire Department Report – December 2020
- g. Distressed Provider Assistance Sales Tax Withholding Schedule
- h. Street Lighting LED Conversion quote
- i. Constellation Energy Environmental Report
- j. USDA Property Access Request
- k. O.C. Department of Finance Payment Report, Mary Gates
- l. Resignation Letter, Mark Pappert, Crossing Guard
- m. Bank Account Collateralization, December 2020
- n. 1/29/2021, Letter from Amanda Bement

- **RESOLUTION #26 - RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF MANCHESTER OF LOCAL LAW NO. 1 OF 2021**
 On motion of Councilwoman Blazey, seconded by Councilman VanBortel, 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 9, 2021, 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 9, 2021 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 9, 2021, 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 9, 2021

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Manchester hereby adopts said Local Law No. 1 of 2021, 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 9, 2021, by the following vote:

	<u>Aye</u>	<u>Nay</u>
David Phillips	<u>X</u>	—
Isaac VanBortel	<u>X</u>	—
Kevin Blazey	<u>X</u>	—
Jaylene Folkins	<u>X</u>	—

Dated: February 9, 2021

Jill Havens, Town Clerk

SEAL

RESOLUTION #26 – RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF MANCHESTER OF LOCAL LAW NO. 1 OF 2021 (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 2022 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 9, 2021, by the following vote:

	<u>Aye</u>	<u>Nay</u>
David Phillips	<u>X</u>	—
Isaac VanBortel	<u>X</u>	—
Kevin Blazey	<u>X</u>	—
Jaylene Folkins	<u>X</u>	—

Dated: February 9, 2021

Jill Havens, Town Clerk

SEAL

February 9, 2021

~ **Brief Discussion** – Solar Farm Application Fee – currently our fee is \$150, this is considerably low in comparison to surrounding towns. Councilwoman Folkins has gathered information regarding the fees from the surrounding towns fees and their purpose for charging a higher rate.

➤ **RESOLUTION #27 - RESOLUTION ACCEPTING THE NEW RATE FOR SOLAR FARM APPLICATION FEE**

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

VOTE: **AYES – 4** **NAYS - 0**

RESOLVED, to increase the Town of Manchester’s Application Fee for Solar Farms from \$150 to a charge of \$4 per kW application fee.

➤ **RESOLUTION #28 - APPROVAL TO GRANT PROPERTY ACCESS TO THE USDA FOR THE PURPOSE TO TRAP FOR AN INVASIVE PEST**

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

VOTE: **AYES – 4** **NAYS – 0**

RESOLVED, to approve to grant property access to the United States Department of Agriculture to trap for the invasive pest, European Cherry Fruit Fly (ECFF).

➤ **RESOLUTION #29 – APPROVAL TO ACCEPT LETTER OF RESIGNATION, MARK PAPPERT, CROSSING GUARD**

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

VOTE: **AYES – 4** **NAYS - 0**

RESOLVED, to accept the letter of resignation, with regret, as submitted from Mark Pappert, Crossing Guard to be effective as of February 5, 2021.

➤ **RESOLUTION #30 - RESOLUTION OF APPRECIATION TO MARK PAPPERT, RED JACKET SCHOOL CROSSING GUARD FOR OUTSTANDING SERVICE AND DEDICATION TO THE CHILDREN AND RESIDENTS OF THE TOWN OF MANCHESTER**

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

WHEREAS Mark Pappert has served as School Crossing Guard for the past fourteen (14) years in the Town of Manchester at the Manchester-Shortsville Central School District; now be it

RESOLVED, that this Town Board, on behalf of its members both past and present, and the Town Employees wish to express our appreciation and gratitude to Mr. Pappert for his dedicated service and commitment to the children and residents of the Town of Manchester and we wish her well in him retirement!!!

Supervisor David Phillips
Councilwoman Jaylene Folkins
Councilman Isaac VanBortel
Councilman Kevin Blazey

➤ **RESOLUTION # 31 – APPROVAL TO APPOINT CALEB ALDERIDGE TO THE POSITION OF TRANSFER STATION ATTENDENT, PART-TIME**

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

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

RESOLVED, to approve the appointment of Caleb Alderidge, 3213 Freshour Road, Canandaigua, NY 14424 to the position of Transfer Station Attendant, part-time at a pay rate of \$13.00/hour.

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At this time, Supervisor Phillips acknowledged the Town of Manchester Resident Amanda Bement, and asked for her to address the Town Board.

Amanda Bement, Town Resident: I reside at 1608 County Road 19 in Shortsville. I have some real concerns over the safety and speed limit near my house. On 2 different occasions this winter, we have had drivers go through our yard due to not slowing down for the turn from County Road 13 on to County Road 19. People speeding through this intersection is also a daily occurrence.

~**Brief Discussion** was held with the Highway Superintendent and it was agreed that the best first approach to this issue is to request a speed reduction with the Ontario County Highway Department.

- **RESOLUTION #32 – APPROVAL TO FORWARD THE SPEED REDUCTION REQUEST TO ONTARIO COUNTY DEPARTMENT OF PUBLIC WORKS AND/OR NYS DOT**
On motion of Councilman VanBortel, seconded by Councilman Blazey, the following resolution was unanimously ADOPTED:

VOTE: AYES-4 NAYS-0

WHEREAS a letter of concern has been received from Town Resident, Amanda Bement, 1608 County Road 19, Shortsville, NY 14548 regarding the speed limit and safety of the intersection at County Road 19 & County Road 13 and this Town Board is in agreement with having the said area investigated; therefore, it is

RESOLVED, to approve of forwarding the paperwork required to Ontario County Public Works Department &/or NYS DOT to investigate the area along Country Road 19 & County Road 13

~ **Brief Discussion – Water Street Culvert** – There is a new grant opportunity for bridge updates with New York State. The deadline for the application is April 2021. Matt Schaertl has spoken with an MRB Engineer regarding the specifics needed for the grant to increase approval odds. Further information will be forthcoming as Matt Schaertl learns more regarding the grant application process.

~ **Brief Discussion – Trout Pond** – Resident Matt Schaertl and Supervisor Dave Phillips are requesting that a support letter be sent to the Rotary regarding Town Board's support of the proposed trout pond in the Village of Shortsville.

~**Brief Discussion – Transfer Station Mask Policy** – There has been a few issues regarding people getting out of their vehicle without a mask. Transfer Station Employees and Town Residents would like signage to be in place for customers to wear a mask if they chose to get out of their vehicle.

- **RESOLUTION # 33 – APPROVAL TO UPDATE THE STREET LIGHTING IN THE TOWN OF MANCHESTER TO USE OF LED LIGHTS**
On motion of Councilman Blazey, seconded by Councilwoman Folkins, the following resolution was unanimously ADOPTED:

VOTE: AYES-4 NAYS-0

WHEREAS a quote was received to buy out 30 unexpired lights at a cost of \$1,543.61 and convert them to all LED lights which will save the Town \$2,010.00 per year; therefore, it is

RESOLVED, to approve the quote and update the street lighting in the Town of Manchester.

Department Reports:

- a. **HIGHWAY SUPERINTENDENT, Jason Lannon reported the following:**
- **2003 Sterling is undergoing spring repairs.**
 - **2007 Dump Truck is having box repairs but will need it fixed correctly, current estimate for that is approximately \$1500 with a local welding shop.**
- b. **WATER SUPERINTENDENT, Kevin Lyke reported:**
- **Village of Manchester has ordered the new water meter equipment.**
 - **Town of Manchester has ordered 30 retrofit meters**
 - **Still working on hydrants**

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- c. **CODE ENFORCEMENT OFFICER, Steve DeHond, reported the following:**
 - Two (2) building permits in January.
 - Collected \$90.00 in fees.
 - Estimated Construction Costs \$57,000.00.
 - Twenty-two (22) fire inspections were done last month in the three villages & the township – yearly inspections.
 - 2020 Annual Report was submitted.
- d. **ASSESSOR, Jennifer Fagner, reported the following:**
 - Ontario County is consolidating Agriculture Districts 6, 8, & 9 into Consolidated District 1
 - The 510 Notices will be going out by the end of the week.
 - Informals to start right after.
 - All informals will be over the phone, as directed by Ontario County.
- e. **TOWN CLERK, Jill Havens, reported the following:**
 - DECALS – nothing new to report regarding the application.
 - EZ-Pass – nothing new to report regarding the application to sell them at the Town Clerk’s Office.
- f. **BUDGET, Supervisor Dave Phillips, reported the following:**
 - At the end of January, the Town has received all 2021 tax money from the Tax Collector.
 - Slight decline in the General Fund balance in comparison to previous years
 - Still in much better shape than it was 3 years ago.
 - Highway Fund collected its 4th quarter sales tax.
 - Decrease of \$33,524.34 from the previous year.
 - Overall decrease of 3.34% from the year 2020, which is much better than it was predicted.

NO TRANSFERS

NO ADDENDUM ITEMS

BOARD MEMBER ITEMS:

- **Councilman VanBortel:**
 - 1.) Town Clerk Financial Records were reviewed.
- **Councilwoman Folkins:**
 - 1.) Zoning Code Meeting set for March 4th, 2021 @ 5:30p.m.
 - 2.) Judges Books were reviewed by Supervisor Phillips & Jaylene
 - a. Judge Schaertl did a good job of organizing the books for review.
- **Councilman Blazey:**
 - 1.)
- **Supervisor Phillips:**
 - 1.) County Planning Committee has approved an extension for the contract regarding the Roundhouse.
 - 2.) Looking to update the Town Hall with some new paint.

➤ **RESOLUTION #34 - AUDIT OF JUSTICE DENOSKY AND JUSTICE SCHAERTL RECORDS**

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

VOTE: AYES - 4 NAYS - 0

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

FURTHER RESOLVED, that the Town Justice(s) Denosky and Schaertl's books for 2020 Fines and Forfeitures have been reviewed and audited by this Board at this time.

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- **RESOLUTION #35 - AUDIT OF TOWN CLERK FINANCIAL RECORDS FOR 2020**
On motion of Councilman VanBortel, seconded by Councilman Blazey, the following resolution was unanimously ADOPTED:

VOTE: AYES - 4 NAYS - 0

RESOLVED, to note that Town Clerk, Jill Havens has submitted her books and records to the established Town Board Audit Committee consisting of Board Members Kevin Blazey and Isaac VanBortel for their review & audit prior to the February 9th, 2021 Board Meeting.

- **RESOLUTION #36 - AUDIT OF CLAIMS APPROVAL**

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

VOTE: AYES - 4 NAYS - 0

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

- **GENERAL FUND**, in the amount of \$53,382.96 as set forth on the Abstract #02 dated 2/9/2021;
- **ZONING FUND**, in the amount of \$11,435.04 as set forth on the Abstract #02 dated 2/9/2021;
- **REFUSE & GARBAGE FUND**, in the amount of \$796.94 as set forth on the Abstract #02 dated 2/9/2021;
- **HIGHWAY FUND**, in the amount of \$77,063.11 as set forth on the Abstract #02 dated 2/9/2021;
- **FIRE DISTRICTS**, in the amount of \$178,163.00 as set forth on the Abstract #02 dated 2/9/2021;
- **WATER FUND**, in the amount of \$1,128.60 as set forth on the Abstract #02 dated 2/9/2021;
- **TRUST & AGENCY FUND**, in the amount of \$11,645.36 as set forth on the Abstract #02 dated 2/9/2021.

ADJOURNMENT: There was no other business before the Board at this time. Supervisor Phillips moved to adjourn the meeting, 7:32 p.m., seconded by Councilman Blazey, unanimously APPROVED.

Respectfully Submitted,

Jill A. Havens, Town Clerk

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

- *Regular meeting: March 9, 2021 - 6:00 P.M.*
- *Regular meeting: April 6, 2021 - 6:00 P.M.*
- *Regular meeting: May 11, 2021 - 6:00 P.M.*
- *Regular meeting: June 8, 2021 - 6:00 P.M.*
- *Regular meeting: July 13, 2021 - 6:00 P.M.*
- *Regular meeting: August 10, 2021 - 6:00 P.M.*
- *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.*