

**MANCHESTER TOWN BOARD - REGULAR MEETING  
JULY 14<sup>th</sup>, 2020 - 6 P.M.**

The 2020 Town Board Meeting was held at the Manchester Town Hall on Tuesday, July 14<sup>th</sup>, 2020 at 6:00 P.M., with the following members present:

<b>Jeffery Gallahan</b>	<b>Supervisor</b>
<b>David Phillips</b>	<b>Deputy Supervisor/Councilman</b>
<b>Kevin Blazey</b>	<b>Councilman</b>
<b>Isaac VanBortel</b>	<b>Councilman</b>
<b>Jaylene Folkins</b>	<b>Councilwoman</b>

**OTHERS PRESENT:** Jill A Havens, Town Clerk; Steve DeHond, Code Enforcement Officer; Jason Lannon, Highway Superintendent; Kevin Lyke, Assistant Water Superintendent; Jennifer Fagner, Assessor; Eric Schaertl, Town Justice; **TOWN RESIDENTS:** Kathleen Vienna, Patricia Skolny, Pauline Sowa, Jim Lynch & Terri Valenti; **Town Engineer:** Pat Nicoletta, MRB Group; **STANTEC/SUNEAST DEVELOPMENT:** Mike Beckner, Mike Mantell and Greg Elko

**ABSENT:** William Murphy, Deputy Highway Superintendent/ Assistant Water Superintendent

**CALL TO ORDER:** Supervisor Gallahan called the July 14<sup>th</sup>, 2020 Regular Board meeting to order at this time, 6:00 p.m.

➤ **RESOLUTION #54 - APPROVAL OF MINUTES, REGULAR MEETING JUNE 9<sup>th</sup>, 2020, AS SUBMITTED**

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

**VOTE:                              AYES - 5                              NAYS - 0**

**RESOLVED,** to approve the minutes from the Regular Meeting held on June 9<sup>th</sup>, 2020, as submitted.

➤ **RESOLUTION #55 - APPROVAL OF SUPERVISOR'S MONTHLY FINANCIAL STATEMENT**

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

**VOTE:                              AYES - 5                              NAYS - 0**

**RESOLVED,** to approve the Supervisor's Monthly Report as submitted. See Minute Book Attachment for report.

➤ **RESOLUTION #56 - APPROVAL OF TOWN CLERK'S MONTHLY REPORT**

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

**VOTE:                              AYES - 5                              NAYS - 0**

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

-- Dog Licenses (181 N & R; 0-PB; 0-Exempt; 2-Tag)	\$	2,952.00
-- State Surcharge Fees	\$	247.00
-- Late Fees (Dog Licenses)	\$	100.00
-- Transfer Station	\$	4,718.08
-- Zoning Fees	\$	4,493.20
-- DEC Licenses	\$	140.00
-- Certified Copy (3-M, 4-D)	\$	70.00
-- Bingo Fees	\$	0.00
-- Marriage License (1)	\$	40.00
-- Photocopies	\$	0.00
-- Bingo License (0)	\$	0.00
-- Game of Chance License (0)	\$	0.00
<b>TOTAL COLLECTED</b>	<b>\$</b>	<b>12,760.28</b>

PAID TO NYSDEC	\$	132.26
PAID TO STATE	\$	247.00
PAID TO SUPERVISOR (TOWN)	\$	6,326.93
PAID TO NYS DEPT. OF HEALTH	\$	22.50
PAID TO NYS RACING & WAGERING	\$	0.00
PAID TO NYS COMPTROLLER	\$	0.00

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**At this time, Supervisor Gallahan invited SunEast Development to address the board.**

**Mike Mantell, STANTEC:** Thank you for the opportunity to bring this project to the Board. I am a Civil Engineer with Stantec. I am here on behalf of SunEast Development with regards to the proposed 20 MW Solar Facility at 3169 County Road 13 IN THE Town of Manchester. I also have Mike Beckner and Greg Elko with me from SunEast Development to help answer any questions that you may have. Last month we came before the Town of Manchester's Planning Board and they recommended that we come here tonight to discuss our potential solar project with you, the Manchester Town Board. SunEast is a clean energy development company with offices in Connecticut and Pennsylvania; they are also currently developing about 750 MW worth of solar in New York and New England. They were awarded 120MW worth of solar projects in 2018 and that includes this Manchester project. They were also awarded another 200MW worth of solar projects from NYSERDA. SunEast is a big player in the solar development of this area and throughout the Northeast.

This 20MW ground mounted solar facility is proposed on existing farmland that is zoned A-1 is an allowed use in this zone. The facility consists of the solar array with a security fence around the perimeter with a gate at the access point. It has a stone access road off County Road 13 that traverses the site providing access throughout the site. There is inverter space around the facility and then a substation at the south end of the site. The site is approximately 179.6 acres with a residence and outbuildings on the northeast side, these buildings will remain after construction. The facility within the project that will be fenced in will be 130.8 acres.

The plant interconnect for that area is down along the National Grid 150KV transmission line on the south side of the property. We will go from the substation area down to connect to that transmission line. The panels are single-access tracking panels that will start the day facing to the east and track the natural movement of the sun across the sky end the day facing west, for maximum solar capture. The panels at maximum height are 14 feet. The project meets all the Town bulk and setback requirements. As far as lot coverage, which will include the panels, inverters, substation area and the existing buildings, it is about 21.4% which is well below the maximum for the town code requirements. There are some areas of steeper topography that we would need to grade to get the site to the approximately 10% slope that we would want in order to install the panels. There will be no impact to the existing wetlands on the site. None of the grading or construction will impact those areas. We will provide landscape screening on the northern side of the project, along County Road 13, along part of the fence line and along the neighboring residential properties to help screen the visibility of the site. We have provided a decommissioning plan for your review. Storm water pollution prevention plan is also provided. For this site, there should be no additional run-off added once the construction is completed.

The project does have many benefits, it does provide 20MW from a clean and safe energy source. It provided tax revenue and job creation during construction of the site, as well as revenue to local businesses during the construction period. There will be essentially no traffic impact. It is a temporary facility, after its life of 20-25 years, this site can be returned to its prior use as opposed to having a building or something more permanent constructed here. With that, I ask for any questions from the Board.

**Councilman VanBortel:** How come you left out the 17 acres of trees you will have to also cut down?

**Mike Mantell:** That is part of it. Yes, there are some trees on the site that will have to come down in order to accommodate the facility. We tried to minimize that as much as possible. While the site is not within an area of concern for any endangered species or threatened wildlife, we are going to cut any trees over 3 inches in diameter during the months of DEC allotted time November 1<sup>st</sup>-March 31<sup>st</sup>, in order to not impact any Northern Long-Eared Bat habitat, even though it is technically not shown within that area.

**Supervisor Gallahan:** In relation to Councilman VanBortel's question, in your decommissioning plan, you state that you are going to add 17 tillable acres to this site. Where are those acres coming from?

**Mike Mantell:** After those few trees are taken down for the project, when the life of the project is complete and the materials are removed, those acres will be tillable and usable for farming purposes.

**Supervisor Gallahan:** So, there are in fact 17 acres of trees you are taking down, not just a few.

**Mike Mantell:** Correct. Not all of them are large trees.

**Supervisor Gallahan:** Ok. I just wanted to clarify that.

**Councilman Blazey:** How many acres of actual panels will you have there?

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**Mike Mantell:** The area within the fence is approximately 131 acres.

**Councilman Blazey:** Are you going to cover all 131 acres with panels?

**Mike Mantell:** There will be 20 foot spacing between the panels and then spacing from the panels to the fence. The panels would not cover the entire 131 acres.

**Councilman Phillips:** I was looking at the decommissioning plan and there is a little wording in there that I questioned. One of the things it says is that you are going to return it back to its original use, then it says topsoil can be added and then it may be seeded. So, does the words "can" and "may" mean that you are going to leave it for somebody else to do or should we say, "will be added and will be seeded"?

**Mike Mantell:** Well, that will be only on an as needed basis.

**Councilman Phillips:** Then down in the next paragraph, you have "Contractor shall be responsible for obtaining any required permits and approvals. Who do you mean by contractor? Is that the current operator or the contractor that is going to be doing the decommissioning?"

**Mike Mantell:** The one that would be doing the decommissioning.

**Councilman Phillips:** I think I would like to see wording in there that includes the owner/operator in that also. Again, down below, it states "financial security may be required for decommissioning by the Town" that should read **will be required** by the Town. Then on the back, where you talk about the Surety Bond for decommissioning, the total adjusted cost comes to \$1.293 million. You then discounted that amount for a Surety Bond, and you put in salvage costs of \$1.293 million and you want to have a Bond total commissioning costs of \$69,000. Would you want to go with the \$69,000 or the \$1.293 million?

**Mike Mantell:** in recognizing that there would be value to all the item on there on the sellers list. We have done an estimate on there using a recycling facilities numbers for the amount of each of these materials that you would get and then applied the 3% rate to that. That is how these are estimated. This is also an estimate for 15 years. After those 15 years we could go back and take another look at it.

**Supervisor Gallahan:** It is reviewable every 5 years according to your documentation here.

**Councilman Phillips:** I believe that it is in the Town's best interest to take the \$1.293 million instead of the \$69,000, what happens if we take the \$69,000 and these values do not come up?

**Mike Beckner, SunEast Development:** It would be helpful if you could retain council, make a list of your requests and everyone could then get together to hash out the details of the decommissioning plan. Every town has different requests and requirements for these, and they are the biggest obstacle for us to overcome with these projects, but I am sure we can find a common ground for both of us on this. I can tell you that we have not paid more the \$250,000 in a bond in any town in the state.

**Discussion** continued regarding the need for common ground and satisfaction of both parties on a Decommissioning Plan that can be obtained with the help of the Town Attorney(s) and SunEast Attorney(s).

**Supervisor Gallahan:** Let me explain to you why this Board is very concerned and very hesitant about a decommissioning plan. We currently have one solar project in this town, and it has now gone bankrupt and is up for taxes. We are not sure if the decommissioning plan we had with them covers this situation. We do not want our residents in Manchester on the hook.

**Councilman Phillips:** What is the maximum height of the panels?

**Mike Mantell:** 14 feet.

**Supervisor Gallahan:** these panels, to my understanding, all face south, so that we are not looking at a glare situation, correct?

**Mike Mantell:** Correct, these panels will all be facing slightly south to minimize any potential glare to traffic on County Road 13.

**Mike Beckner:** The newer panels are also anti-glare. They are not the same as the old fixed tilt used to be.

**Councilwomen Folkins:** I know that we brought up the issue of life span, with these being fairly new, what is the potential of contamination to the land?

**Mike Beckner:** There is none. There is nothing there that could be toxic in any way. No hydraulic fluids or anything that would prevent the land from being converted back once the project has reached its end.

**Engineer, Pat Nicoletta, MRB Group:** Right now, where we are is with the Town Planning Board, we have started to review the SEQR but they have not acted on the SEQR. At the next Planning Board meeting, July 21, 2020, they will declare the Intent to be Lead Agent. After 30 days have passed from that, then the Planning Board can make the determination. I have the Planning Board comments here from the June 23<sup>rd</sup>, 2020

meeting for your reference. One of the things that did come up at the meeting with them also was the salvage value and the cost of the project. This Board may also want to consider is an estimate of taxes for this project for the Town.

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**Mike Beckner:** As far as the taxes go, we intend to file an application with the County and the IDA for a PILOT. That is typically the way the revenue situation works because these are not permanent fixtures, so its different from a building. This will, however, be the first solar project on a commercial scale in the county.

**Supervisor Gallahan:** Pat, when so you expect the first Public Hearing to be held regarding this project?

**Pat Nicoletta:** I would expect it to be at either the August or September Planning Board meeting.

**Supervisor Gallahan:** That is when the public will be invited and encouraged to ask questions about this project. Any other questions from the Board?

(Hearing none)

Thank you for the presentation tonight.

**Steve DeHond, Code Enforcement Officer:** Pat is also here tonight to introduce the new Engineering Plan book that we have been working on the last few months.

**Supervisor Gallahan:** Yes, ok, Go ahead Pat.

At this time Town Engineer, Pat Nicoletta distributed the draft version of the Site Design & Development Criteria Manual for the Town Board's review and follow-up at the August 11<sup>th</sup>, 2020 Town Board Meeting. An advisory committee of Councilman Phillips and Councilman Blazey will review in depth the manual together and report back to the Town Board at the August Meeting. All Town Board Members are, however, encouraged to review independently before the August 11<sup>th</sup>, 2020 Meeting.

***At this time, Supervisor Gallahan invited Town Resident, James Lynch to address the board.***

**James Lynch, Town Resident:** Between last meeting and this meeting, I was made aware of some "Letters to the Editor" and there were some things that I was concerned about. Someone I barely now, told me that if I am really worried about it, to come to the Town Board Meeting and address my concerns. So, I am here because these letters made light of some concerns regarding funding, loans, and the way the Town Board functions. So instead of just believing these claims, I am here to find out what is the truth?

**Supervisor Gallahan:** Ok. Those allegations were in regard to an audit that was performed by the Comptroller's Office, an audit that was requested by the Town of Manchester not by the Comptroller's Office. June 14<sup>th</sup>, 2014, we were awarded our first grant in over 26 years. Everybody that was here at that time, knew nothing about grants because it had been so long since we were awarded a grant. This grant came from Senator Mike Nozzolio's office, it was a reimbursable grant for the transfer station. The amount of that grant was \$50,000. When we were awarded that grant, we filled out the paperwork, sent it to Albany., it came back, and everything was copasetic. The project was underway, when I asked Senator Nozzolio how long does it take to get the money back for these grants because we are going to spend this money in January of 2015 at the latest. Senator Nozzolio assured me that we would have the money back in 6-8 months. We sat down as a Town Board, did our Budget Workshops, we took the \$50,000 and used it as revenue since we were going to have it in 6-8 months. 2015 comes and goes, no money from New York State for this grant. In 2015, we collected \$335,000 for the General Fund in tax money. What is \$50,000 of that? What percentage is that? It is pretty hefty. We took it on the chin. So, I went to Nozzolio's Office, told him it has been well over 12-14 months and we still do not have any money here. Senator Nozzolio assured me, once again, that I would have my money that year, 2016, without a problem. So, again, the Town Board had their Budget Workshop and put it in as a revenue of \$50,000 since we are going to have it. It has been 2 years now. The money still never came. Now we are \$100,000 in the hole on grant money that we did not get that we budgeted for, for 2 years plus the \$50,000 that we spent on the Transfer Station on a \$335,000 total tax. What is the percentage of that? Not good. I went back to Nozzolio's Office. I called the Grant Office, left a message, they get back to you, if you are lucky within a month. They called me back and informed me that they had not received any of our paperwork. So, I filled out the paperwork again, certified mailed it back to Albany with registered receipt, they signed for it and it came back. Another six (6) months go by, I hear nothing. Back to Senator Nozzolio's Office, requested help from him to get this money. Called the Grant Office again, they claimed they did not have the paperwork, I told them I have the green certified return receipt card signed by their office, they have the paperwork. They continued to say they did not have it. I went back to the Town Attorney's Office to fill out the paperwork again and mailed it back to them again, Certified Registered Return Receipt Mail. Meanwhile, besides the run-around I am getting for this grant, we are on the hook for \$150,000. So, I talked to the

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bookkeeper and I always hear that the State Comptroller's Office is here to help. So, we called the Comptroller's Office and ask for an audit. The lady at the Comptroller's Office said to me, "Supervisor Gallahan, I have been here 28 years and you are the first guy to call here and ask for an audit". I told her; we need help. We have money coming from the State that we don't have, we are in a pickle here, we have been doing things here the same way for 35 years and have never been audited, come on up and help us out. They came, that sat here and did a 3-month audit. They came up with some recommendations.

Some of the things that were in that letter to the editor were out-and-out lies. For example:

1. You heard it at the beginning of this meeting, Supervisor Eddinger was here 28 years, Supervisor Gallahan has been here 11 years, and every month this comes out, this is the Supervisor's Monthly Financial Statement of the Town of Manchester and it's passed by resolution every month. We have them on file here and I have every one of them right here with me from this year if anyone wants to look at them it is not a problem. These are a matter of public record and are available to the public for their review.
2. There were discrepancies in the article that said the money was spent by the Town Supervisor without the Town Board's knowledge; Every single voucher, I don't care of it is for 50 cents goes in front of this board and is voted on by resolution at the end of the night in regard to whether we pay it or we don't pay it every month. That is the way it happens, transparency. Again, these are a matter of public record and are available to the public for their review.
3. Did we have to raise taxes? Yes. We were in a pickle. We had to raise taxes. There are thirteen (13) taxing jurisdictions (towns) in Ontario County. Thirteen towns collect taxes in Ontario County, there are some towns that don't have any town tax, but they have either a landfill or a lake. Out of those 13 towns, seven of those towns to date have a town tax rate that is greater than the Town of Manchester's tax rate. It's right here, highlighted, on this sheet of paper if anyone would like to come take a look at it. I will also have it available to view in my office.
4. Every year the State Comptroller's Office does a fiscal stress financial indicator. The latest one out is 2018, 2019 is not done yet and they rate your town. They give the towns a rating of 0 to 100, the lower the number the better. Our worst year we were at 28.8, this year (2018), we were at 3.3. All indications that for 2019 we are at 0 fiscal stress. All this information is here for anyone to look at, if you do not have time to look tonight, call me, I have an open-door policy. If you cannot get in here or do not want to come in here, call me and I will bring the information to you. We do a 6-year General Cash Fund Flow report, as well as a 5-year Budget Analysis, all of which is available for public review at any time.

Our Cash Flow for 2015, we started the year at \$170,000 and ended the year at \$63,000, 2016 we started at \$63,000 and ended at \$99,000. We tightened our belt and it got a little better. 2017 we started at \$99,000 and ended at \$192,000, that is when we had the audit. 2018 we started at \$192,000 and ended at \$248,000. 2019 started at \$248,000 and ended at \$385,000. 2020 started at \$385,000 and today our fund balance is currently \$486,229, so the town is currently in good financial shape as far as the General Fund goes, which we were audited for. With all that being said, if the Town Board Members would like to add anything or if you have any questions, I would be happy to answer any questions.

**Pauline Sowa, Village of Manchester Resident:** I live in the Village, so I get a double whammy, Village Tax and Town Tax. The 24% tax increase, was that because you ran out of money that year?

**Supervisor Gallahan:** What year are you speaking of?

**Pauline Sowa:** Well, the year you had to borrow \$135,000 because you could not make the payroll from September to December.

**Supervisor Gallahan:** That was not the reason. That was what you read in the paper. That was not the reason.

**Pauline Sowa:** What was the reason? If we have all that money, why are we borrowing money?

**Supervisor Gallahan:** We could have made payroll, but we could not have made expenses. Payroll was not a problem. Payroll was never a problem.

**Pauline Sowa:** Well, if you have all that money, why are we borrowing money?

**Supervisor Gallahan:** We had to borrow \$135,000 to cover expenses until we got the grant money from the State. We budgeted for that money and it never came. That was one of the criteria for the grant money, we had to use unsubstantiated revenue. In other words, the revenue was not guaranteed to come to us, and we put it in the budget, the \$50,000 for the grant. We budgeted for it twice and did not get it.

**Pauline Sowa:** All this money you have now, why can't you borrow from a fund and then repay a fund?

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**Supervisor Gallahan:** We can do that now. We have the money to do that now, now we are solvent.

**Pauline Sowa:** How solvent is the Town of Manchester today?

**Supervisor Gallahan:** Here is the report from the Comptroller's Office if you would like to read it. We are very solvent. That \$135,000 loan is paid off and gone. It's been paid in full.

**Pauline Sowa:** So how solvent is the Town of Manchester today? How much money do we have?

**Supervisor Gallahan:** \$486,229.

**Councilman VanBortel:** Now, two years ago we did not have that.

**Supervisor Gallahan:** At the end of 2015 we had \$63,000 and today we have \$486,229.

**Pauline Sowa:** I'm going to say then that the 24% increase in taxes is what brought all that money in.

**Supervisor Gallahan:** Over the last 3 years, yes.

**Pauline Sowa:** Do you have enough to lower the tax a little?

**Supervisor Gallahan:** If the COVID-19 didn't hit, it would a been a 0% or lower increase this year. Can you tell me what year your taxes did go down? Can you tell me that by chance?

**Pauline Sowa:** Well I was talking about the big 24% increase

**Supervisor Gallahan:** Can you tell me when your taxes went down? The year your taxes went down, I didn't have a room full of people. I did not even get a phone call. The Town Board never got a phone call. In 2014, the Town Tax went down. None of us got a phone call from anybody. If you look back in the history, we had two (2) bad years and those are the years we used the \$50,000 grant for revenue. Would we do that again? Absolutely not. Should we have done it? Absolutely not.

**Kathleen Vienna, Town of Manchester Resident:** So, you put that in before you got the grant, right?

**Supervisor Gallahan:** The grant criteria states that you have to spend the money to get the money. You don't spend the money you don't get the money. It's called a reimbursable grant.

**Councilman Phillips:** We finally did get the money.

**Supervisor Gallahan:** We got the money in 2019. Senator Pam Helming helped us finally get the grant money we were owed by New York State.

**Councilman Phillips:** Also, as a result from that, didn't we get a grant from Ontario County for recycling consolidation?

**Supervisor Gallahan:** We did. Yes, we did.

**Councilman Phillips:** It did work out. It just was not on the timeline we were told or that we expected.

**Supervisor Gallahan:** It took way too long. So, those are the misconceptions and non-truths in the "Letter to the Editor" that you were referencing, Jim. There were some points that were there, and I am happy to clarify them for you. We were not trying to hide anything from anybody. As a matter of fact, when the Comptroller was done with our audit, the audit came here, and we signed off on it. We then put three (3) notices in the Daily Messenger, public notices that the audit was done and where to find the audit results. The Town of Manchester put three (3) notices in the paper letting Town and County Residents know where to find the audit results. So, the transparency that was supposedly covered up is the furthest things from the truth, it was advertised in the paper. James, do you have any other questions for me or the Board?

**James Lynch:** No, thank you. I am good. Thank you for all the history and information.

**Supervisor Gallahan:** All this information is here, is anyone has any other questions, come and see me or call me and I will bring the information to you and block out time to review it with you.

**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. Supervisor's Financial Report
- c. Quarterly Investment Report
- d. 6/16 & 7/8 – Lauren Kelly, Charter Communications, Changes
- e. 6/8, Lori Reals, CSFD June Report
- f. 7/8, Lori Reals, CS Village Clerk, zoning change
- g. Justice Court Fund
- h. Bank Account Collateralization

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➤ **RESOLUTION #57 – APPROVAL TO REINSTATE TOWN CONSTABLE, MATTHEW G. CALABRESE, PART-TIME, AS NEEDED**

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

**VOTE: AYES - 5 NAYS - 0**

**RESOLVED**, to approve the reinstatement of Town Constable, Matthew G. Calabrese to the position, part-time as needed at a rate of pay of \$18.00/hour.

➤ **RESOLUTION #58 – APPROVAL OF MOWING CONTRACT BETWEEN ONTARIO COUNTY AND THE TOWN OF MANCHESTER, AS SUBMITTED**

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

**VOTE: AYES - 5 NAYS - 0**

**WHEREAS**, the Mowing Contract Agreement between Ontario County and the Town of Manchester has been received and reviewed by the Highway Superintendent and this Board, and found to be acceptable; therefore, be it

**RESOLVED**, to approve the Mowing Agreement, as submitted, and to authorize Supervisor Gallahan to sign the "Contract Agreement" on behalf of the Town of Manchester.

**Brief Discussion** was held regarding the Policy Against Discrimination & Harassment Update, needs to be revised to reflect specifics for the Town of Manchester, will represent at the August 11<sup>th</sup>, 2020 Town Board Meeting.

**With the Boards Permission** – Supervisor Gallahan requests to deviate from the agenda and skip the discussion regarding Finger Lakes Railway Litigation and move on to Department Reports. **\*Granted\***

**Department Reports:**

- a. **HIGHWAY SUPERINTENDENT, Jason Lannon reported the following:**
  - **CHIPS reimbursement is due, they will cut the check on July 17<sup>th</sup>, 2020 for \$99,874.88**
    - Total CHIPS remaining to spent is \$90,570.45 to be on the safe side, figure a 20% cut is \$63,724, my suggestion is to wait until August to see what Sales Tax does before, we decide what to do with this.
    - I would like to proceed with the \$90,000 and get Outlet Road done.
    - Supervisor Gallahan reports that we won't have true Sales Tax numbers until at least the 3<sup>rd</sup> quarter in October due to new Executive Orders from Governor Cuomo.
    - Unfortunately, in October it would be too late in October for Highway repairs.
  - **Curran Road – Culvert Replacement almost complete.**
  - **Roadside mowing is occurring.**
  - **Water Services – Four (4) services have been replaced.**
  - **Mowing near Ashton Place is required by the Town of Manchester for DEC access.**
- b. **WATER SUPERINTENDENT, Willie Murphy:**
  - **Assistant Water Superintendent Kevin Lyke reported:**
    - Nothing to report.
- c. **CODE ENFORCEMENT OFFICER, Steve DeHond, reported the following:**
  - **Thirty-three (33) building permits in June.**
  - **Collected \$3,800.60 in fees.**
  - **Construction Costs \$678,791.00.**
  - **Marty and Steve have resumed fire inspections on existing business in the Town of Manchester and eleven (11) were completed in June.**
  - **Now up to five (5) new homes are being built in the Town of Manchester.**
  - **Leonard's Express has reached out inquiring about mowing and removal of dead trees on Walters Lane. I directed them to speak with Jason or Willie to arrange or coordinate this with them if needed.**

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- d. **ASSESSOR, Jennifer Fagner, reported the following:**
  - **I have been currently working on the Reevaluation for the Town of Manchester**
    - I would like to request a resolution for Sylvia Staples to assist in the support of this project, her request is for \$500-600 for her time. I will be receiving her contract soon.
    - Supervisor Gallahan informed the public that the Town of Manchester was due for a property reevaluation this year along with several other towns. As a board, we discussed it and made the decision to hold off on doing the reevaluation this year due to the COVID-19 pandemic and hardships, as to not add any more financial strain to our town residents.
  - **Final Roll has been completed and for view on the Ontario County web page.**
    - I will have it available to be posted on the Town of Manchester web page soon for convenience.
  - **Lon has been working on transfers, permits and updating AG files when time permits.**
  - **A Notice was sent to the State regarding classes being cancelled and concerns on how to complete them in a timely manner.**
    - They gave a year extension, please see attached email for that confirmation.

**NO TRANFERS**

**NO ADDENDUM ITEMS**

- **RESOLUTION #59 – APPROVAL ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING IMPEDING LITIGATION**  
On motion of Councilman VanBortel, seconded by Councilwoman Folkins, the following resolution was unanimously **ADOPTED**:

<b>VOTE:</b>	<b>AYES - 5</b>	<b>NAYS - 0</b>
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**RESOLVED**, to enter into executive session for the purpose of discussing impeding litigation, 7:10 p.m., in attendance were: Town Board Members and Town Clerk.

- **RESOLUTION #60 – APPROVAL TO GO OUT OF EXECUTIVE SESSION AND CONTINUE WITH THE REGULAR MEETING**  
On motion of Councilman Blazey, seconded by Councilman VanBortel, the following resolution was unanimously **ADOPTED**:

<b>VOTE:</b>	<b>AYES - 5</b>	<b>NAYS - 0</b>
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**RESOLVED**, to go out of executive session at this time, 8:01p.m., and resume the regular meeting.

- **RESOLUTION #61 – APPROVAL TO ACCEPT CHALIFOUXLAW, PC TO REPRESENT THE TOWN OF MANCHESTER IN THE FINGER LAKES RAILWAY LITIGATION**  
On motion of Councilman VanBortel, seconded by Councilwoman Folkins, the following resolution was unanimously **ADOPTED**:

<b>VOTE:</b>	<b>AYES - 5</b>	<b>NAYS - 0</b>
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**WHEREAS**, the Retainer Contract Agreement between Ontario County and the Town of Manchester, along with other surrounding Towns and Villages has been received and reviewed by the Town Supervisor and this Board, and found to be acceptable; therefore, be it

**RESOLVED**, to approve the Retainer Contract Agreement, as submitted, on the recommendation of Ontario County to allow Chalifoux Law, PC, 15 Fishers Road, Suite 125, Pittsford, NY 14534 to continue to jointly represent the Town of Manchester in the Finger Lakes Railway litigation, with the Towns and County sharing fees and expenses, each paying a one-sixth share and to authorize Supervisor Gallahan to sign the " Retainer Contract Agreement" on behalf of the Town of Manchester.



July 14, 2020

**BOARD MEMBER ITEMS:**

- **Councilman VanBortel:**
- **Councilwoman Folkins:**
  - 1.) Thursday, July 23<sup>rd</sup> @ 5:00P.M. – Zoning Code Update Meeting
- **Councilman Blazey:**
  - 1.) Fire Hydrant Maintenance – following up regarding this discussion from last month.
    - a. Supervisor Gallahan will contact Fire Chiefs to see if they are willing to help with this task.
- **Councilman Phillips:**
  - 1.) New businesses coming to the Village of Manchester including and ice cream shop, diner and a bakery.
- **Supervisor Gallahan:**
  - 1.) RG&E is upgrading their substation located at the end of State Street.

➤ **RESOLUTION #62 - AUDIT OF CLAIMS APPROVAL**

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

<b>VOTE:</b>	<b>AYES - 5</b>	<b>NAYS - 0</b>
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**RESOLVED, to approve to pay the 2020 bills as follows:**

- **GENERAL FUND**, in the amount of \$22,333.20 as set forth on the Abstract #007 dated 7/14/2020;
- **ZONING FUND**, in the amount of \$8,830.65 as set forth on the Abstract #007 dated 7/14/2020;
- **REFUSE & GARBAGE FUND**, in the amount of \$899.72 as set forth on the Abstract #007 dated 7/14/2020;
- **HIGHWAY FUND**, in the amount of \$3,426.13 as set forth on the Abstract #007 dated 7/14/2020;
- **WATER FUND**, in the amount of \$7,217.67 as set forth on the Abstract #007 dated 7/14/2020;
- **TRUST & AGENCY FUND**, in the amount of \$9,917.76 as set forth on the Abstract #007 dated 7/14/2020

**JUSTICE REPORT:** The monthly reports from Justice Schaertl for the months of March, April and June 2020, were submitted and reviewed by the Board at this time and the monthly report from Justice Denosky for the month of June 2020, was submitted and reviewed by the Board at this time.

**ADJOURNMENT:** There was no other business before the Board at this time. Supervisor Gallahan moved to adjourn the meeting, 8:21 p.m., seconded by Councilman Phillips, unanimously **APPROVED**.

**Respectfully Submitted,**

**Jill A. Havens, Town Clerk**

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

- **Regular meeting:** **August 11, 2020 - 6:00 P.M.**
- **Regular meeting:** **September 8, 2020 - 6:00 P.M.**
- **Regular meeting:** **October 13, 2020 - 6:00 P.M.**
- **Regular meeting:** **November 10, 2020 -6:00 P.M.**
- **Regular meeting:** **December 8, 2020 - 6:00 P.M.**