

**MANCHESTER TOWN BOARD - REGULAR MEETING  
MAY 11<sup>th</sup>, 2021 - 6 P.M.**

The 2021 Town Board Meeting was held at the Manchester Town Hall on Tuesday, May 11<sup>th</sup>, 2021 at 6:00 P.M., with the following members present:

<b>David Phillips</b>	<b>Supervisor</b>
<b>Kevin Blazey</b>	<b>Councilman</b>
<b>Isaac VanBortel</b>	<b>Councilman</b>
<b>Jaylene Folkins</b>	<b>Councilwoman</b>
<b>Matthew Shannon</b>	<b>Councilman</b>

**OTHERS PRESENT:** Jill A Havens, Town Clerk; Steve DeHond, Code Enforcement Officer; Jason Lannon, Highway Superintendent; William Murphy, Deputy Highway Superintendent; Jennifer Fagner, Assessor; Kevin Lyke, Water Superintendent  
**Town of Manchester Residents:** Elaine Liberio, Bill & Brycie Goodell; Michael Buttaccio, Village of Manchester Mayor, Charles Fine, Village of Manchester Trustee, and Lorna Wright, Genesee Land Trust

**ABSENT:** (none)

**CALL TO ORDER:** Supervisor Phillips called the May 11<sup>th</sup>, 2021 Regular Board meeting to order at this time, 6:00 p.m.

➤ **RESOLUTION #56 - APPROVAL OF MINUTES, REGULAR MEETING APRIL 13<sup>th</sup>, 2021, AS SUBMITTED**

On motion of Councilman Blazey, 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 April 13<sup>th</sup>, 2021, as submitted.

➤ **RESOLUTION #57 - APPROVAL OF SUPERVISOR'S MONTHLY FINANCIAL STATEMENT**  
On motion of Councilman VanBortel, 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 #58 - APPROVAL OF TOWN CLERK'S MONTHLY REPORT**  
On motion of Councilman VanBortel, 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 (103 N & R; 0 - PB; 1-Exempt; 0-Tag)	\$	1,622.00
-- State Surcharge Fees	\$	125.00
-- Late Fees (Dog Licenses)	\$	70.00
-- Transfer Station	\$	2,186.24
-- Zoning Fees	\$	1,423.40
-- Fax Fees	\$	0.00
-- DEC Licenses	\$	35.00
-- Certified Copy (0-M, 7-D)	\$	70.00
-- Bingo Fees	\$	0.00
-- Marriage License (0)	\$	0.00
-- Bingo License (0)	\$	0.00
-- Game of Chance License (1)	\$	25.00
<b>TOTAL COLLECTED</b>	<b>\$</b>	<b>5,556.64</b>

PAID TO NYSDEC	\$	33.06
PAID TO STATE	\$	125.00
PAID TO SUPERVISOR (TOWN)	\$	8,459.18
PAID TO NYS DEPT. OF HEALTH	\$	0.00
PAID TO NYS RACING & WAGERING	\$	0.00

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

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- a. Supervisors Monthly Report Town Clerk Monthly Report
- b. Town Clerk Monthly Report
- c. Turner Schrader American Legion Memorial Day Parade Notice
- d. Charter Communications, June 1<sup>st</sup> channel lineup
- e. Charter Communications, June 1<sup>st</sup> channel lineup
- f. Charter Communications, June 2<sup>nd</sup> upcoming changes
- g. Finger Lakes Railway Corp. PILOT payment
- h. Manchester Fire Department Report – January-February 2021
- i. Village of Newark water rate increase
- j. Job Description - Constable
- k. Ontario County Economic Development, list of services
- l. Village of Manchester Request for Funding
- m. Charter Communications, Electronic forms enrollment
- n. Lorna Wright, Information Farmstead Allowable Uses
- o. COVID-19 Resources
- p. Note from Supervisor
- q. Manchester Fire Department Report – January - April, 2021
- r. Resignation Letter from Bill Burnett from Transfer Station, Supervisor

- **RESOLUTION #59 - APPROVAL OF THE CREATION OF AN ADDITIONAL CONSTABLE, PART-TIME POSITION FOR THE TOWN OF MANCHESTER**  
On motion of Councilman Blazey, seconded by Councilwoman Folkins, the following resolution was unanimously ADOPTED:

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

**RESOLVED**, to approve the creation of an additional constable position for the Town of Manchester, as submitted

- **RESOLUTION # 60 – REAPPOINTMENT OF CAROLE KERN REAPPOINTMENT OF CAROLE KERN TO CONTINUE SERVING AS THE HEALTH OFFICER FOR THE TOWN OF MANCHESTER - 4 YEAR TERM**

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

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

**WHEREAS**, the term of the Health Officer, Carole Kern, expired in February, 2021, Mrs. Kern has expressed her interest in being reappointed to this position; therefore, be it **RESOLVED**, to approve of the re-appointment of Carole Kern to serve as Town of Manchester Health Officer for another four (4) year term to expire in February, 2025

~ **Brief Discussion/Presentation – Lorna Wright, Genesee Land Trust** – Brycie & Bill Goodell are interested in placing a conservation easement on their farm to ensure that it always stays available for agriculture. As the holder of the easement, Genesee Land Trust will be responsible for the annual monitoring and enforcement of the terms of the conservation easement. A conservation easement is permanent, transferring with the land to the next owner into perpetuity. The house will be considered part of the farm and will not be able to be sub-divided from the land in the future. The proposed trust includes the farm on Hackett Road, zoned agricultural and the parcel owned by the Goodell’s on the west corner of Route 96 & Hackett Road which is currently zoned light industrial. The new zoning code in that is in creation will have this corner parcel zoned rural residential, with that in mind, Lorna Wright has submitted a proposal that would place a 10-acre Farmstead Area on the 40-acre parcel fronting Route 21. This would allow the future owners of the property to build a home or commercial enterprise. Farmstead Area allowable uses include:

- Residential
- Agricultural
  - Barns, Equipment Storage, Crop Processing & Storage, riding arenas
  - Greenhouses
  - Farm Stands and Farm Stores
  - Agritainment & Tourism – corn mazes, hay rides, farm stays, Bakeries and Restaurants, Special Events (festivals, weddings, birthdays), petting zoos, etc.
  - Cideries, Wineries, Breweries, Distilleries
- Rural Enterprise
  - Bed & Breakfast
  - Outdoor Recreation
  - Child Day Care
  - Art Studio
  - In-home Business (law practices, accountant, etc.)

Things that are not allowed include junk yards, gas stations and similar operations

- **RESOLUTION #61 – APPROVAL TO ACCEPT THE GENESEE LAND TRUST, AS RECEIVED FROM BILL & BRYCIE GOODELL**  
On motion of Councilwoman Folkins, seconded by Councilman Blazey, the following

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resolution was unanimously ADOPTED:

VOTE: AYES – 5 NAYS - 0

WHEREAS, the Town of Manchester, received a request from the Goodells to support Genesee Land Trust’s NYS Farmland Implementation Grant Application which will allow them to sell an agricultural conservation easement the entirety or portions of Tax Parcel Nos. 20.00-1-56.100 and 32.00-1-33.100 totaling approximately 280 acres located on Hackett Road in the Town of Manchester; and

WHEREAS, the importance of, and, actions necessary to maintain economically viable agriculture are addressed in the update of the Town Comprehensive plan; and

WHEREAS, the Town Board has determined that it is consistent with the current Town; and

WHEREAS, the Town of Manchester recognizes that many other strategies must be implemented in addition to the purchase of agricultural conservation easements to maintain agriculture; Now, therefore, be it

RESOLVED, that the Town of Manchester supports the Genesee Land Trust’s application to the NYS Department of Agriculture and Markets Farmland Protection Implementation Grant Round 17B or Round 18 to acquire agricultural conservation easements on the above listed parcels contingent on a 10-acre Farmstead Area being established on parcel number 32.00-1-33.100 fronting on Rt. 21.

~ Brief Discussion – Michael Buttaccio, Village of Manchester Mayor – Mayor Buttaccio and Village Trustee, Charles Fine would like the Town Board to reconsider their deletion from the 2021 Town Budget the \$3,266.67 that for the last 50 years has been allotted for the Village of Manchester Youth Program. The Town Board explained that the reason this was omitted from the 2021 Budget was due to the fact that the COVID-19/Coronavirus Pandemic prevented the Summer Youth Program from taking place in 2020 after those funds were already dispersed for that purpose, therefore the Town Board assumed that the funds were being held until the program could be restarted when the Pandemic Restrictions loosened. Mayor Buttaccio explained that while there was no Summer Youth Program, those funds were used to resurface the Tennis Court and installed two (2) new pickleball courts at the park where the Youth Program is held. The Town Board is not sure if that was the correct use of those funds. Further discussion is need between the Town Board Members before a decision can be made. The Town Board will revisit this matter at the June 8<sup>th</sup>, 2021 Town Board Meeting.

➤ RESOLUTION #62 – APPROVAL TO INCREASE THE RATES AT THE TRANSFER STATION

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

VOTE: AYES - 5 NAYS - 0

RESOLVED, to approve increasing the rate of household garbage from \$0.14/lb to \$0.16/lb and electronic waste from \$0.40/lb to \$0.42/lb, effective June 1, 2021.

➤ RESOLUTION #63 – APPROVAL TO ACCEPT LETTER OF RESIGNATION, BILL BURNETT, TRANSFER STATION SUPERVISOR

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

VOTE: AYES – 5 NAYS - 0

RESOLVED, to accept the letter of resignation, as submitted from Bill Burnett, Transfer Station Supervisor to be effective immediately, May 11<sup>th</sup>, 2021.

**Department Reports:**

a. HIGHWAY SUPERINTENDENT, Jason Lannon reported the following:

- Daewoo Excavator sold for \$35,400, which is much higher than was budgeted.
  - Would like to create a new reserve fund for repairs and put \$10,000 of that into that fund.
  - \$10,000 to also go into the established reserve fund for purchase of new equipment.
- Chips Sealing has already started towards the North end of town.
- Yearly safety training is happening this year – highway crew will attend in two groups.



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- Zoning fund remains solid about where it was in April 2020.
- Refuse & Garbage Fund is still able to pay its bills even though revenues remained flat in April 2020.
- The Highway Fund is currently doing much better than in recent years.
  - The potential for more CHIPS funding and better than expected sales tax have helped this financial stability.
- Central Water was able to transfer the 2021 budgeted amounts to both General and Highway Funds earlier than in 2020 due to better-than-expected quarter collections.
  - County Road 13 Water District is also doing well financially.
- NYS Department of Labor Unemployment Insurance is unexpectedly refunding the Town \$7,908.63 due to an order from the DOL Commissioner relating to the pandemic.

➤ **RESOLUTION #66 – APPROVAL OF TRANSFERS**

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

**VOTE:                                      AYES – 5                                      NAYS – 0**

**RESOLVED**, to approve the following Transfers:

From:	Amount:	To:	
General Fund – A1990.4	\$2,000.00	A1910.4	To cover 2021 insurance renewal

**NO ADDENDUM ITEMS**

**BOARD MEMBER ITEMS:**

- **Councilman VanBortel:**
  - 1.)
- **Councilwoman Folkins:**
  - 1.) Check with Town Attorney Jeff Graff for moratorium information.
  - 2.) Historian – any update?
- **Councilman Blazey:**
  - 1.)
- **Councilman Shannon:**
  - 1.)
- **Supervisor Phillips: Ontario County News:**
  - 1.) Transfer Station Hours for Memorial Day
    - a. Saturday hours 9am-12:30pm; CLOSED Monday for the Holiday
    - b. Town Clerk will make flyers for Transfer Station and Town Hall

➤ **RESOLUTION #67 - AUDIT OF CLAIMS APPROVAL**

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

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

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

- **GENERAL FUND**, in the amount of \$109,763.40 as set forth on the Abstract #05 dated 5/11/2021;
- **ZONING FUND**, in the amount of \$5,718.63 as set forth on the Abstract #05 dated 5/11/2021;
- **REFUSE & GARBAGE FUND**, in the amount of \$493.83 as set forth on the Abstract #05 dated 5/11/2021;
- **HIGHWAY FUND**, in the amount of \$6,363.13 as set forth on the Abstract #05 dated 5/11/2021;
- **WATER FUND**, in the amount of \$29,919.67 as set forth on the Abstract #05 dated 5/11/2021;
- **TRUST & AGENCY FUND**, in the amount of \$11,606.41 as set forth on the Abstract #05 dated 5/11/2021.

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➤ **RESOLUTION #68 - APPROVAL TO ENTER INTO EXECUTIVE SESSION PER SECTION NYS 105**

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

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

**RESOLVED**, to enter into executive session for the purpose of discussing employment issues, 7:55p.m., in attendance were: Town Board Members.

➤ **RESOLUTION #69 - 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**:

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

**RESOLVED**, to go out of executive session at this time, 8:37p.m. and resume the regular meeting.

**ADJOURNMENT:** There was no other business before the Board at this time; Supervisor Phillips moved to adjourn the meeting, 8:39 p.m., seconded by Councilman Shannon, unanimously **APPROVED**.

*Respectfully Submitted,*

*Jill A. Havens, Town Clerk*

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

- *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.*