

MANCHESTER TOWN BOARD - REGULAR MEETING OCTOBER 12, 2021 - 6 P.M.

The 2021 Town Board Meeting was held at the Manchester Town Hall on Tuesday, October 12th, 2021 at 6:00 P.M., with the following members present:

David Phillips	Supervisor
Kevin Blazey	Councilman
Jaylene Folkins	Councilwoman
Matthew Shannon	Councilman

OTHERS PRESENT: Jill Havens, Town Clerk; Jason Lannon, Highway Superintendent; William Murphy, Deputy Highway Superintendent; Kevin Lyke, Water Superintendent; Len Kataskas, Town Historian; Janis Catalano, Bookkeeper & Jennifer Fagner, Assessor **Town of Manchester**
Residents: Elaine Liberio

ABSENT: Steve DeHond, Code Enforcement Officer

CALL TO ORDER: Supervisor Phillips called the October 12th, 2021 Regular Board meeting to order at this time, 6:00 p.m.

➤ **RESOLUTION #119 - APPROVAL OF MINUTES, REGULAR MEETING SEPTEMBER 14th, 2021, AS SUBMITTED**

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

VOTE: AYES - 4 NAYS - 0

RESOLVED, to approve the minutes from the Regular Meeting held on September 14th, 2021, as submitted.

➤ **RESOLUTION #120 - APPROVAL OF MINUTES, BUDGET WORKSHOP, SEPTEMBER 20th, 2021, AS SUBMITTED**

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

VOTE: AYES - 4 NAYS - 0

RESOLVED, to approve the minutes from the Budget Workshop held on September 20th, 2021, as submitted.

➤ **RESOLUTION #121 - 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.

➤ **RESOLUTION #122 - APPROVAL OF TOWN CLERK’S MONTHLY REPORT**
On motion of Councilman Blazey, 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 (106 N & R; 3-PB; 1-Exempt; 0-Tag)	\$	1,885.00
-- State Surcharge Fees	\$	159.00
-- Late Fees (Dog Licenses)	\$	80.00
-- Transfer Station	\$	3,691.27
-- Zoning Fees	\$	1,847.00
-- Fax Fees	\$	0.00
-- DEC Licenses	\$	4,259.00
-- Certified Copy (3-D)	\$	30.00
-- Bingo Fees	\$	44.76
-- Marriage License (5)	\$	200.00
-- Bingo License (0)	\$	0.00
-- Game of Chance License (0)	\$	0.00
TOTAL COLLECTED	\$	12,196.03

PAID TO NYSDEC	\$	4,032.95
PAID TO STATE	\$	136.00
PAID TO SUPERVISOR (TOWN)	\$	7,891.58

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PAID TO NYS DEPT. OF HEALTH \$ 112.50

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

- a. Supervisor’s Monthly Report
- b. Town Clerk’s Monthly Report
- c. NYC Dep. Of Public Service re: internet access survey
- d. Proposed Fire Contracts for Port Gibson, Villages of Clifton Springs, Palmyra, Manchester & Shortsville
- e. Manchester Fire Department, September Report
- f. Manchester Fire Department, August Report
- g. NYMIR, National Cyber Security Month
- h. Office of the State Comptroller, Fiscal Stress Report
- i. Draft Copy of Cannabis Law
- j. Grape Lakes Dental, Ribbon Cutting Ceremony
- k. Assemblyman Gallahan, Blanket Drive
- l. T.O.M. Monthly Investment Report
- m. Code Enforcement Report
- n. Map of Leonard’s Express Driveway
- o. Proposed amendments to 2021 Budget for retirement
- p. Budget Modifications to 2022 Budget

➤ **RESOLUTION #123 – APPROVAL TO SET DATE AND TIME FOR A PUBLIC HEARING FOR FIRE DISTRICT CONTRACT AGREEMENTS**

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

VOTE: AYES - 4 NAYS - 0

RESOLVED, to set a Public Hearing on Tuesday, November 9, 2021, beginning at 6:00p.m. to consider extending the fire contracts with: the Manchester Fire District, Clifton Springs Fire District, Shortsville Fire District, Port Gibson Fire District, and Palmyra Fire District. It is proposed that the rates for the aforementioned districts are as follows:

<u>Department</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
Manchester Fire District	\$ 56,968.00	\$ 58,358.00	\$ 59,748.00
Clifton Springs Fire District	\$ 56,225.00	\$ 57,596.00	\$ 58,967.00
Port Gibson Fire District	\$ 34,594.00	\$ 35,438.00	\$ 36,282.00
Shortsville Fire District	\$ 25,580.00	\$ 26,165.00	\$ 26,750.00
Palmyra Fire District	\$ 9,252.00	\$ 9,478.00	\$ 9,704.00

At such time and place all persons interested in the subject thereof concerning the same shall be heard. Written comments may also be directed to the Manchester Town Clerk, Manchester Town Hall, 1272 County Road 7, Clifton Springs, New York, 14432, on or before 4:30 p.m. on the 9th day of November, 2021.

➤ **RESOLUTION #124 – APPROVAL TO SET DATE, TIME & LOCATION FOR THE JOINT PUBLIC HEARING ON PETITION FOR ANNEXATION OF TERRITORY IN THE TOWN OF MANCHESTER TO THE VILLAGE OF SHORTSVILLE**

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

VOTE: AYES – 4 NAYS – 0

WHEREAS, a petition, pursuant to General Municipal Law Article 17, has been received by the Town Board of the Town of Manchester and the Village Board of the Village of Shortsville for the annexation of the entirety of Tax Parcel # 44.00-1-3.120 from the Town to the Village

RESOLVED, to set a Public Hearing on Tuesday, November 9, 2021, beginning at 6:05p.m. to consider such petition will be held by the Town Board of the Town of Manchester and the Village Board of the Village of Shortsville, at the Manchester Town Hall, 1272 County Road 7, Clifton Springs, New York

~ **Brief Discussion/Presentation – 2022 Budget Modifications – as follows:**

- 1. Workers Compensation Changes:
 - a. Lower A9040.8 - Workers Compensation by \$4,457.00 to \$64,143.00
 - b. Lower B9040.8 - Workers Compensation by \$123.00 to \$1,777.00
 - c. Lower DB9040.8 - Workers Compensation by \$1,854.00 to \$26,637.00

The above changes reflect a decrease in the anticipated amount owed to Ontario County as a result of receiving the apportionment figures for Workers Compensation at the end of September.

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2. State Retirement Changes:

- a. Raise A9010.8 – State Retirement by \$62.13 to \$31,669.00
- b. Lower B9010.8 – State Retirement by \$3,549.20 to \$11,004.31
- c. Lower CR9010.8 – State Retirement by \$1,289.49 to \$1,053.00
- d. Lower DB9010.8 – State Retirement by \$20,958.13 to \$48,102.00

The above changes are a result of receiving the State Retirement Projection at the end of September for the payment due in December 2022.

3. Historian Changes:

- a. Raise A7510.4 – Historian – Contractual Expense by \$10,700.00 to \$11,000.00

The above change will cover the cost of the Yard Site Redevelopment Project for the Roundhouse for 2022.

4. Zoning – Outside Village Change:

- a. Lower B2110 – Zoning Fees by \$3,500.00 to \$22,500.00

The above changes for appropriations and revenues will offset the B fund balance to \$155.15, a decrease of \$172.20.

➤ **RESOLUTION #125 – APPROVAL OF TENTATIVE BUDGET AS AMENDED TO BE THE PRELIMINARY 2022 BUDGET FOR THE TOWN OF MANCHESTER**
On motion of Councilwoman Folkins, seconded by Councilman Blazey, the following resolution was unanimously ADOPTED:

VOTE: AYES – 4 NAYS – 0

RESOLVED, to approve the 2022 Tentative Budget with changes, as amended, to be the 2022 Preliminary Budget for the Town of Manchester.

➤ **RESOLUTION #126 – SETTING THE PUBLIC HEARING FOR THE PRELIMINARY 2022 BUDGET FOR THE TOWN OF MANCHESTER**
On motion of Councilwoman Folkins, seconded by Councilman Blazey, the following resolution was unanimously ADOPTED:

VOTE: AYES – 4 NAYS – 0

RESOLVED, to set the Public Hearing for the 2021 Preliminary Budget to be held Tuesday, November 9th, 2021 at 6:10 p.m. at the Manchester Town Hall, 1272 Co. Rd. 7, Clifton Springs, NY 14432.

➤ **RESOLUTION #127 – INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING**
WHEREAS, the Town Board of the Town of Manchester, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Manchester that would otherwise be allowed under Article 4 of the Cannabis Law; and
WHEREAS, the Town Board of the Town of Manchester has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of Manchester to proceed in accordance with the Code of the Town of Manchester and the Laws of the State of New York in adopting said Local Law,
WHEREAS, this action by the Town Board is a "Type II" action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5, thereby requiring no further action by the Town Board, in that Part 617.5 (c) states that actions that are not subject to review under SEQRA include, "(33) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list" and subsection (26) on this list includes "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment". This action involves routine or continuing agency administration and management in that it will enact a law specifically permitted by the New York State Cannabis Law that does not include any new programs or a major reordering of priorities that may affect the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on November 9th, 2021, at 6:15 p.m. at the Manchester Town Hall, 1272 County Road 7, Manchester, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

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RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Manchester for its consideration; and be it further

RESOLVED, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

I, Jill Havens, Town Clerk of the Town of Manchester do hereby certify that the Town Board of the Town of Manchester adopted the aforementioned resolution on October 12th, 2021, by the following vote:

	Aye	Nay
David Phillips	<u>X</u>	---
Kevin Blazey	<u>X</u>	---
Jaylene Folkins	<u>X</u>	---
Matthew Shannon	<u>X</u>	---

Dated: October 12th, 2021

Jill Havens, Town Clerk

SEAL

- **RESOLUTION #128 - APPROVAL TO ADJUST 2021 BUDGET TO ALLOW MOVING RETIREMENT PAYMENT FROM 2022 TO DECEMBER 2021**
On motion of Councilman Blazey, seconded by Councilman Shannon, the following resolution was unanimously ADOPTED:

VOTE: AYES – 4 NAYS - 0

RESOLVED, to apply the following Budget Amendment for 2021 to move the annual payment for State Retirement from January back to December, in an effort to pay no late interest on this annual payment

- 1.) This amendment refers to the General Fund:
 - a. Increase Revenues: General Fund A2610 – Fines & Forfeited Bail - by \$31534.00
 - b. Increase Appropriations: General Fund A9010.8 – State Retirement - by \$31,354.00
- 2.) This amendment refers to the Zoning – Outside Village Fund:
 - a. Increase Revenues: Zoning Fund B1120 – Non-Property Tax Distribution by County (Sales Tax) – by \$14,435.20
 - b. Increase Appropriations: Zoning Fund B9010.8 – State Retirement by - \$14,435.20
- 3.) This amendment refers to the Refuse & Garbage Fund:
 - a. Increase Revenues: Refuse and Garbage Fund CR2650 – Sales of Scrap and Excess Materials – by \$2,320.36
 - b. Increase Appropriations: Refuse and Garbage Fund CR9010.8 – State Retirement – by \$2,320.36
- 4.) This amendment refers to the Highway Fund – Outside Village:
 - a. Increase Revenues: Highway Fund DB1120- Non-Property Tax Distribution by County (Sales Tax) – by \$68,491.44
 - b. Increase Appropriations: Highway Fund DB 9010.8 – State Retirement by \$68,491.44

~ **Brief Discussion/Presentation – Leonard’s Express Driveway Modifications** – with the improvements being done to the driveway for Leonard’s Express, there is some concern about adjusting the area of the driveway between County Road 13 and Walter’s Lane, which is owned by the Town of Manchester. They would like to clear some trees to improve visibility, relocate existing stop sign and remove existing culvert. Councilwoman Folkins suggests looking into an easement situation which will allow this to take place, Supervisor Phillips will get more information before proceeding.

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Department Reports:

- a. **HIGHWAY SUPERINTENDENT, Jason Lannon reported the following:**
- **Mowing**
 - Last round of mowing about to be started
 - **1A have all been hauled in**
 - **Road Work**
 - Paving of 1-mile of Stafford Road complete.
 - Shoulder work completed, as well.
 - Currently milling & paving for Shortsville
- b. **WATER SUPERINTENDENT, Kevin Lyke reported:**
- **Hydrants**
 - 62 hydrants in the Town of Manchester have issues
 - Another 22 of them have broken valve boxes
 - **New Water Meters**
 - 95 new meters have been installed
 - 550 additional Neptune Meters to be ordered from Ti Sales at a cost of \$239.46 per meter for a total cost of \$144,202.50 to be paid out of the ARPA Coronavirus Local Fiscal Recovery Fund
- c. **CODE ENFORCEMENT OFFICER, Steve DeHond (absent), submitted report to Supervisor for September:**
- **Seven (7) building permits in September.**
 - **Collected \$470.00 in fees.**
 - **Estimated Construction Costs \$92,800.00.**
 - **Twenty-Seven (27) fire inspections were done last month in the villages & the town.**
- d. **ASSESSOR, Jennifer Fagner, reported the following:**
- Many incoming calls & people stopping to change over to Enhanced Star
 - We have been trying to relay to anyone switching over to the Enhanced Star in the MH Parks that starting in 2022, NYS will be switching them to Credit Checks. No longer will the MH Park owners be receiving the residents STAR exemption.
 - I am applying values to all new construction as many permits have been submitted to my office from Zoning.
 - Lon went to Ontario County today to pick up transfers, there were only 3.
 - I have been corresponding with the State regarding my classes, in hopes that my next class will be in December/January; uncertain at this time, as it depends on where NYS is with COVID.
- e. **TOWN CLERK, Jill Havens, reported the following:**
- **DECAL Sales have been decreasing in October, since DMP's aren't currently on sale until November 1st, for 2nd round sales.**
 - **Credit Card Payments**
 - Still waiting for SmartPay to get our website set up so we can accept online payments for water, transfer station, dog license, tax bills, etc.
- f. **BUDGET, Supervisor Dave Phillips, reported the following:**
As in previous months, the Town's finances continue in a positive and healthy direction.
- **General Fund**
 - Received the annual AIM payment from New York State in the amount of \$71,295.00.
 - This amount has not changed in over 30 years.
 - General Fund finances are doing better than in recent years.
 - **Zoning Fund & Highway Fund**
 - Zoning Fund is showing no major difference in either revenues or expenditures for the month of September and remains steady financially.
 - Highway Fund received the September CHiPS payment of \$248,558.55 and was able to pay back the money it had borrowed earlier this year from the General Fund of \$105,000.
 - The fund also enters the Fall months with a much healthier fund balance than it has had in the last few years.
 - **Refuse & Garbage Fund**
 - Refuse & Garbage Fund is holding steady at the end of September as there were no major expenses
 - The revenues are still a concern, but the fund balance does show a slight improvement.

- **Central Water District & County Road 13 Water District**
 - The water bills for the last quarter of 2021 were mailed in mid-September.
 - The anticipated revenue from this billing exceeds the budgeted amount by over \$16,000.00 and shows a definite increase in water consumption in the summer months in the Central Water District.

➤ **RESOLUTION #129 – APPROVAL OF TRANSFERS**

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

VOTE: AYES - 4 NAYS - 0

RESOLVED, to approve the following Transfers:

From:	Amount:	To:	Reason:
<u>HIGHWAY FUND</u> DB5140.1	\$6,500.00	DB5130.4	To cover remaining 2021 expenses for Machinery-Contractual.

BOARD MEMBER ITEMS:

- **Councilwoman Folkins:**
 - 1.) Zoning Code Update – original consultants have moved to a new agency.
 - 2.) Ontario County Planning with Maria Rudzinski are promoting a meeting regarding the Roundhouse to be held virtually on 10/22.
- **Councilman Blazey:**
 - 1.) Five (5) resumes/ letters of interest were received and will be reviewed and interviewed by Councilwoman Folkins & Councilman Blazey.
 - a) Will bring their recommendation to the November 9th Town Board Meeting.
- **Councilman Shannon:**
 - 1.) Needs to schedule a meeting for building security for the Town of Manchester
- **Supervisor Phillips:**
 - 1.) Asbestos Report from Ontario County for the Roundhouse is much better than anticipated.
 - 2.) NYS Department of Public Service is conducting a survey to improve internet coverage and service to all areas of New York State
 - a. Survey can be found at www.empirestatebroadband.com

➤ **RESOLUTION #130 - AUDIT OF CLAIMS APPROVAL**

On motion of Councilwoman Folkins, seconded by Councilman Blazey, 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 \$24,939.36 as set forth on the Abstract #010 dated 10/12/2021;
- **ZONING FUND**, in the amount of \$2,026.19 as set forth on the Abstract ##010 dated 10/12/2021;
- **REFUSE & GARBAGE FUND**, in the amount of \$861.96 as set forth on the Abstract #010 dated 10/12/2021;
- **HIGHWAY FUND**, in the amount of \$103,123.22 as set forth on the Abstract #010 dated 10/12/2021;
- **WATER FUND**, in the amount of \$32,962.98 as set forth on the Abstract #010 dated 10/12/2021;
- **TRUST & AGENCY FUND**, in the amount of \$11,606.41 as set forth on the Abstract #010 dated 10/12/2021.

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ADJOURNMENT: There was no other business before the Board at this time; Councilman Blazey moved to adjourn the meeting, 6:48 p.m., seconded by Councilman Shannon, unanimously APPROVED.

Respectfully Submitted,

Jill A. Havens, Town Clerk

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

➤ **Regular meeting:** **November 9, 2021 – 6:00 P.M.**

Includes: Public Hearings as follows:

- 6:00 P.M. - Fire Contract Agreements
- 6:05 P.M. - Annexation of territory in the Town of Manchester to the Village of Shortsville
- 6:10 P.M. – 2021 Preliminary Budget
- 6:15 P.M. – Local Law 3 of 2021 – Cannabis Opt-Out

➤ **Regular meeting:** **December 14, 2021 – 6:00 P.M.**