

**MANCHESTER TOWN BOARD - REGULAR MEETING  
September 8<sup>th</sup>, 2020 - 6 P.M.**

The 2020 Town Board Meeting was held at the Manchester Town Hall on Tuesday, September 8<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; Jennifer Fagner, Assessor; William Murphy, Deputy Highway Superintendent/ Assistant Water Superintendent and Kevin Lyke, Assistant Water Superintendent  
**TOWN RESIDENTS:** Jim Lynch **Town Engineer:** Pat Nicoletta, MRB Group **Town Attorney:** Jeff Graff and Andy Kuhn from Commercial Power Systems in Farmington, NY

**ABSENT:** None

**CALL TO ORDER:** Supervisor Gallahan called the September 8<sup>th</sup>, 2020 Regular Board meeting to order at this time, 6:00 p.m.

➤ **RESOLUTION #69 - APPROVAL OF MINUTES, SPECIAL MEETING, August 4<sup>th</sup>, 2020 & REGULAR MEETING August 11<sup>th</sup>, 2020, AS SUBMITTED**

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

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

**RESOLVED**, to approve the minutes from the Special Meeting, August 4<sup>th</sup>, 2020 and Regular Meeting held on August 11<sup>th</sup>, 2020, as submitted.

➤ **RESOLUTION #70 - 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 #71 - APPROVAL OF TOWN CLERK'S MONTHLY REPORT**

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

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

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

-- Dog Licenses (113 N & R; 0-PB; 2-Exempt; 1-Tag)	\$	1,775.00
-- State Surcharge Fees	\$	135.00
-- Late Fees (Dog Licenses)	\$	110.00
-- Transfer Station	\$	4,297.58
-- Zoning Fees	\$	1,382.60
-- DEC Licenses	\$	0.00
-- Certified Copy (2-M, 12-D)	\$	140.00
-- Bingo Fees	\$	0.00
-- Marriage License (4)	\$	160.00
-- Photocopies	\$	0.00
-- Bingo License (0)	\$	0.00
-- Game of Chance License (0)	\$	0.00
<b>TOTAL COLLECTED</b>	<b>\$</b>	<b>8,000.18</b>

PAID TO NYSDEC	\$	0.00
PAID TO STATE	\$	135.00
PAID TO SUPERVISOR (TOWN)	\$	7,775.18
PAID TO NYS DEPT. OF HEALTH	\$	90.00
PAID TO NYS RACING & WAGERING	\$	0.00
PAID TO NYS COMPTROLLER	\$	0.00

September 8, 2020

**At this time, Supervisor Gallahan invited Andy Kuhn from Commercial Power Systems to address the board.**

Mr. Kuhn presented the Town Board members with a Proposal/Estimate to install a 60kw Propane Fueled Standby Generator for use by both the Town Hall and Town Highway in the event of a long term-power outage. (Proposal can be found on file in the Meeting Minutes Attachment Book)

**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. MFD monthly report
- d. 8/4, Lauren Kelly, Charter Communications, programming changes
- e. 8/15, NYS Public Service Commission, NYSEG & RG&E rate request
- f. 8/1, Justice Court System, Court Receipts
- g. 8/20, NYS Thruway Authority, SEQR

➤ **RESOLUTION #72 – TO SET DATE FOR THE 2021 BUDGET WORKSHOP**  
**On motion of Councilman Blazey, seconded by Councilwoman Folkins, the following resolution was unanimously ADOPTED:**

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

**RESOLVED**, the Budget Workshop for the 2021 Budget is set for 4:30p.m. on Monday, September 21, 2020.

➤ **RESOLUTION #73 – RESOLUTION ISSUING SEQRA NEGATIVE DECLARATION FOR THE TOWN OF MANCHESTER – SITE DESIGN & DEVELOPMENT CRITERIA MANUAL, AS AMENDED**

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

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

**WHEREAS,**

1. In accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Manchester has determined that the proposed action is a Type 1 action.
2. The Town Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
3. The Town Board has considered the Environmental Record prepared for this action, including any comments received, and the proposed Negative Declaration.

**NOW THEREFORE IT BE RESOLVED**, The Town Board of the Town of Manchester declares that it will serve as Lead Agency for the Adoption of the Town of Manchester Site Design and Development Criteria Manual; and,

The Town Board declares that, based on the Environmental Record which has been prepared, the project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. A Negative Declaration under SEQR is therefore issued for this project, and the Town Supervisor is hereby authorized and directed to prepare and issue, on behalf of the Town, the Negative Declaration in the Part 3 of the Environmental Assessment Form.

The question of the adoption of the foregoing SEQR Resolution was duly put to vote on roll call, which resulted as follows:

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

The Resolution was thereupon duly adopted.

September 8, 2020

**CERTIFICATION**

STATE OF NEW YORK:  
 COUNTY OF ONTARIO:  
 TOWN OF MANCHESTER:

I, the undersigned Clerk of the Town of Manchester, Ontario County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing copy of the minutes of the Regular Meeting of the Town Board of said Town, including the **SEQR Resolution** contained therein, held on the 8<sup>th</sup> day of September, 2020, with the original thereof on file in my office, and that the same is a true and correct copy of said original and the whole of said original so far as the same relates to the subject matters referred to therein.

**I FURTHER CERTIFY**, that all members of said Board had due notice of said meeting and that, pursuant to Section 104 of the Public Officers Law (Open Meeting Law), that said meeting was open to the general public and that I duly caused a public notice of the time and place of said meeting to be given in the manner required by law, and that further notice of the time and place of such meeting was given to the public by timely posting said notice on the Bulletin Board maintained for such purpose at the Town Clerk's Office.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 8<sup>th</sup> day of September 2020.

\_\_\_\_\_  
 Jill A. Havens, Town Clerk

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➤ **RESOLUTION #74 – RESOLUTION OF ADOPTION FOR THE TOWN OF MANCHESTER – SITE DESIGN & DEVELOPMENT CRITERIA MANUAL, AS PRESENTED**

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

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

**WHEREAS,**

1. The purpose of the Site Design and Development Criteria is to provide minimum criteria for the design and construction of improvements within the Municipality, which, upon the satisfactory completion thereof, may be offered doe dedication to the Town of Manchester for perpetual operation and maintenance. The information contained in this document is to be used in conjunction with the subdivision and site plan regulations provided in the Town Code.
2. The criteria established is intended to provide minimum standards, which may be upgraded to serve the best interests of the municipality. The information in this booklet is provided to aid in the submission of material in a uniform manner and attempt to expedite the various review and approval procedures.
3. These criteria shall govern in all areas of private, public, industrial, and commercial development and/or areas that will involve the connections to existing municipal systems.

**NOW THEREFORE IT BE RESOLVED**, The Town Board of the Town of Manchester does hereby accept Site Design and Development Criteria Manual as referenced and directs the cover page to be revised to reflect this resolution and adoption date.

September 8, 2020

The question of the adoption of the foregoing SEQR Resolution was duly put to vote on roll call, which resulted as follows:

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

The Resolution was thereupon duly adopted.

**CERTIFICATION**

STATE OF NEW YORK:  
COUNTY OF ONTARIO:  
TOWN OF MANCHESTER:

I, the undersigned Clerk of the Town of Manchester, Ontario County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing copy of the minutes of the Regular Meeting of the Town Board of said Town, including the **Adoption Resolution** contained therein, held on the 8<sup>th</sup> day of September, 2020, with the original thereof on file in my office, and that the same is a true and correct copy of said original and the whole of said original so far as the same relates to the subject matters referred to therein.

**I FURTHER CERTIFY**, that all members of said Board had due notice of said meeting and that, pursuant to Section 104 of the Public Officers Law (Open Meeting Law), that said meeting was open to the general public and that I duly caused a public notice of the time and place of said meeting to be given in the manner required by law, and that further notice of the time and place of such meeting was given to the public by timely posting said notice on the Bulletin Board maintained for such purpose at the Town Clerk's Office.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 8<sup>th</sup> day of September 2020.

\_\_\_\_\_  
Jill A. Havens, Town Clerk

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- **RESOLUTION # 75 – APPROVAL TO APPOINT KATHERINE DENOSKY TO THE POSITION OF TEMPORARY COURT CLERK, PART-TIME**  
On motion of Councilman VanBortel, seconded by Councilwoman Folkins, the following resolution was unanimously **ADOPTED:**

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

**WHEREAS**, the Part-Time Court Clerk, Daniel Wasson will be going out on medical leave and  
**WHEREAS** the other Part-Time Court Clerk is new to the position and unable to handle the current case load on his own and  
**WHEREAS** Judge Denosky and Supervisor Gallahan had previously gotten the approval for Judge Katherine Denosky to work as a Court Clerk from Shannon Pero with the 7th Judicial  
**RESOLVED**, to approve the appointment of Mrs. Katherine Denosky to the position of Temporary Court Clerk, part-time at a pay rate of \$15.50/hour to work up to 28 hours per week, Mrs. Denosky will have to fill out a time sheet for the hours she works as a Court Clerk in order to receive payment for those hours.

September 8, 2020

- **RESOLUTION # 76 – APPROVAL OF BUDGET AMENDMENT**  
 On motion of Councilman Phillips, seconded by Councilman VanBortel, the following resolution was unanimously ADOPTED:

VOTE: AYES - 5 NAYS - 0

RESOLVED, to approve the following amendment re: The Highway - Outside Village Fund:

- 1) **Increase Revenues – Highway Fund – DB3501 – Consolidated Highway Aid by \$31,728.48.**

and

**Increase Appropriations – Highway Fund – DB5112.2 – Permanent Improvements – Capital Outlay – by \$31,728.48.**

\*\*This is to record CHiPs for 2020 as this has not been cut from New York State DOT.

**Brief Discussion** was held regarding the NYS Governor’s Budget Determinations, which has not been made at this point. We know we are short 20%, there are rumors it could go to as much as 30-40% if the sales tax figures don’t come in. Our AIM money and CHiPs money are both cut 20%.

**Department Reports:**

- a. **HIGHWAY SUPERINTENDENT, Jason Lannon reported the following:**
  - Roll-off Truck repairs are complete.
  - All possible roadwork for the Town of Manchester is complete.
  - Roadside mowing has gone well this year.
    - There have been no complaints that I am aware of.
    - Supervisor Gallahan has received compliments.
  - Guys have been beginning to prepare winter equipment.
  - The Gas Project has gone well.
    - Wilbur Road (westbound lane) got torn up pretty good but it was repaired at the gas company’s expense.
    - Short Road had some minor repairs also.
  - Shared Services Agreement handed out for the Town Board and Town Attorney, Jeff Graff to Review.
    - NYSDOT and the Town of Manchester for a snowplowing agreement.
  
- b. **WATER SUPERINTENDENT, Willie Murphy & Kevin Lyke reported:**
  - Kevin has been very busy with the gas line that is going in from Palmyra
    - Only 200-300 yards left of this project.
  
- c. **CODE ENFORCEMENT OFFICER, Steve DeHond, reported the following:**
  - Twelve (12) building permits in August.
    - Clifton Springs – 8
    - Manchester – 5
    - Shortsville - 8
  - Collected \$1,242.00 in fees.
  - Estimated Construction Costs \$122,940.00.
  - Tom Harvey from Ontario County requested to check on gyms/fitness center for COVID-19 compliance.
    - None of the 8 possible locations in the Town are going to open at this point.
    - YMCA – Clifton Springs – does not plan to re-open until Feb/March 2021 when construction is finished.
  - Continuing to receive complaints regarding the two (2) Village Gas Stations about their lack of mask compliance.
  - New Restaurant, Jack’s Kitchen, in the Village of Manchester expected to open this Friday, September 11<sup>th</sup>, 2020.
  
- d. **ASSESSOR, Jennifer Fagner, reported the following:**
  - I have been currently working on the Reevaluation for the Town of Manchester
    - Also addressing quite a few new properties.
  - Lon has been handling walk-ins, phone calls, filing and some computer entry.
  - I sent STAR Exemption lists to all mobile home parks that still have them.
    - Residents that receive the STAR credit in check form will not be on this list.
  - Board of Assessment Review Chairman, William Strub
    - His 5-year appointment expires the end of September & he has expressed interest in remaining on the BAR.

September 8, 2020

➤ **RESOLUTION #77 – REAPPOINTMENT OF BOARD OF ASSESSMENT REVIEW CHAIRMAN, WILLIAM STRUB**

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

VOTE: AYES - 5 NAYS - 0

**WHEREAS**, the appointment for William Strub will expire on October 1, 2020 and has expressed interest in remaining on the BAR; and this Board agrees that William Strub has served the residents of the Town of Manchester well since his appointment of to the BAR,

**RESOLVED**, to approve the reappointment of William Strub to the Board of Assessment Review for the Town of Manchester for a five-year term to expire on October 1, 2025.

e. **TOWN CLERK, Jill Havens, reported the following:**

- **DECALS – New York State Department of Conservation has implemented new printers for the system**
  - Still unable to issue any hunting and fishing licenses.
- **Tax Collection – COVID-19 Compliance – New location within the Town Hall may need to be used this year for collection of taxes in order to practice social distancing for residents that pay in person.**

➤ **RESOLUTION #78 - APPROVAL ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING LEGAL MATTERS**

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, 7:00 p.m., in attendance were: Town Board Members, Assessor, Town Attorney and Town Clerk.

➤ **RESOLUTION #79 - APPROVAL TO GO OUT OF EXECUTIVE SESSION AND CONTINUE WITH THE REGULAR MEETING**

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

VOTE: AYES - 5 NAYS - 0

**RESOLVED**, to go out of executive session at this time, 7:52p.m. and resume the regular meeting.

➤ **RESOLUTION #80 – INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING**

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

VOTE: AYES - 5 NAYS - 0

**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 entitled “A local law To Provide That Exemptions Pursuant To Real Property Tax Law Section 487 Shall Not Be Applicable Within The Town of Manchester”; 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,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on September 21<sup>st</sup>, 2020, at 4:30 p.m. at the Manchester Town Hall, 1272 County Road 7, Town of 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





September 8, 2020

➤ **RESOLUTION #81 - AUDIT OF CLAIMS APPROVAL**

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

VOTE:

AYES - 5

NAYS - 0

**RESOLVED, to approve to pay the 2020 bills as follows:**

- **GENERAL FUND**, in the amount of \$22,307.49 as set forth on the Abstract #009 dated 9/8/2020;
- **ZONING FUND**, in the amount of \$3,926.76 as set forth on Abstract #009 dated 9/8/2020;
- **REFUSE & GARBAGE FUND**, in the amount of \$520.46 as set forth on Abstract #009 dated 9/8/2020;
- **HIGHWAY FUND**, in the amount of \$81,621.98 as set forth on the Abstract #009 dated 9/8/2020;
- **WATER FUND**, in the amount of \$11,782.81 as set forth on the Abstract #009 dated 9/8/2020;
- **TRUST & AGENCY FUND**, in the amount of \$7,927.80 as set forth on the Abstract #009 dated 9/8/2020.

**JUSTICE REPORT:** The monthly reports from Justice Schaertl and Justice Denosky for the month of August 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, 8:05 p.m., seconded by Councilman VanBortel, unanimously APPROVED.

*Respectfully Submitted,*

*Jill A. Havens, Town Clerk*

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

- **Budget Workshop:** **September 21, 2020 – 4:30 P.M.**  
*Includes: Public Hearings: Local Law # 2 of 2020 - Exemptions Pursuant to Real Property Tax Law*
- **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.**