

Regular Town Board Meeting  
Public Hearing  
July 20, 2023

Present: Supervisor, David DiSalvo; Deputy Supervisor, Don Huff; Councilmember, Nate Guzzardi; Councilmember, Jeff Coniglio; Code Enforcement Officer, Shawn Grasby; Attorney, Veronica Devries

Excused: Highway Superintendent, Sam Cipriano

Others Present: Community Members, Kirk and Johnna Schrier; Gretchen Wirt Saunders, Pete DiSalvo, Crystal Goodell, Catherine Goodell, Peggy Huffman, Larry Woodworth, Sharon Woodworth, Bob Stevens, Crik Christopher, Bob Ossont, Sherry Ossont, Ann Hunt, Amanda Coniglio, Jen Young, Dave DiPasquale, Francine Loverde, Joel Mike, Lisa Torcello, Chad Woodworth, Sara Jo Yencer, Rachel Correa, Penny Bowlds, Dan Bowlds

At 6:30pm Supervisor DiSalvo opened the Town Board meeting at the Mount Morris Town Hall, 103 Main Street, Mount Morris, NY. Mayor Joel Mike led the Pledge of Allegiance.

**PUBLIC HEARING**

Supervisor DiSalvo opened the public hearing and asked for any public comments or questions.

Peggy Huffman asked: What other local towns are doing and if their clerks are appointed or elected? Also, if this is passed when will this take effect?

Supervisor DiSalvo said that according to the attorney it would be able to take effect January 01, 2024.

Dave DiPasquale's opinion is that it should be up to the people to elect the clerk. That they can determine who is the most qualified for the job.

Supervisor DiSalvo stated that as an appointed position would be a regular job with interviews. That if the current Clerk decided to resign, they wouldn't be in the predicament they were last time.

Bob Stevens would like to comment on Dave DiPasquale's comment that it's the best to leave the vote to the people in order to get the most qualified person for the job.

Mayor Joel Mike said he would like to echo what everyone else says that the Clerk position should be elected not appointed.

Rachel Correa and Johnna Shrier said they agree it should be elected.

Dave DiPasquale said that as the Commissioner of Board of Elections for the Democrats he can assure the public that it's been a long time since a clerk was changed from elected to appointed. People want their voices heard.

Clerk Woodworth asked what towns in Livingston County have appointed Clerks?

Dave DiPasquale said that he knows that Lima, Geneseo and Leicester are all appointed positions.

Penny Bowlds likes the idea of electing someone that you may know. Someone who is friendly and courteous to others. It just seems right to have the position be an elected one.

Amanda Coniglo asked if it were to become an appointed position instead of an elected position, can the board hire and fire and reprimand?

Supervisor DiSalvo said yes.

Dan Bowlds said that when he thinks about a position that is elected, he knows that the person is accountable to the people that elect them. What is the reason why these other clerks are

appointed? They should be accountable to the people that elect them. I don't foresee them making policy decisions, it's a bit puzzling on why that ever happened.

Dave DiPasquale says that the appointed position shouldn't be done until after the elected persons term is over.

Bob Stevens asked if the decision would be made by the board or brought to the ballot? He thinks that the people ultimately decide when it's on the ballot.

Dan Bowlds wanted to know what made this come up and if it was even legal?

The Board talked among themselves and agreed with the public to not move forward with adding this to the ballot to be an appointed position. To leave the position elected.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to not move forward with adding the Clerk position to the ballot.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

A motion was by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to close the public hearing.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

Public hearing closed at 6:52 PM.

**APPROVAL OF MINUTES**

The Board reviewed the minutes of last month's meeting from June 15, 2023. A motion was made by Councilmember Guzzardi, seconded by Councilmember Coniglio to approve the minutes from the meeting on June 15, 2023.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

The Board reviewed the minutes of the special meeting from July 7, 2023. A motion was made by Councilmember Coniglio, seconded by Councilmember Guzzardi to approve the minutes from the meeting on July 7, 2023.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

**RIVER RD ISSUE**

Peggy Hamilton came to the board because she is concerned with the flooding issues that her property keeps enduring from the field near hers.

Supervisor DiSalvo informed her that he had a meeting with Greg Oconnell the property owner in regard to the water drainage issue on River Rd and her property specifically. Mr. Oconnell informed him that he told the farmers to bring the land back to the way it was before. They plan to start trying a different farming technique as well.

Peggy Hamilton asked the Supervisor what that means? Take the property back to the way it was? When she bought that property there was a huge area that had mature trees and they took them out. She understands what type of farming they will start doing and its strip cropping. Her land borders this property and it's all soybeans that are planted. They keep washing into her lawn.

Deputy Supervisor Huff doesn't feel that this will make the problem go away. He thinks she needs a ditch in between her property and the other property.

Ms. Hamilton goes on to say that when another property starts to affect other property owners as far as erosion and other things it should not be allowed. She asked the board if she needed to hire her own lawyer to take care of this issue. It is so serious that she has soybeans growing in her yard. She still has a problem and isn't sure how to rectify it. How are you going to keep those ditches from overflowing? The roads flood and it's a safety issue. She now has slues pipes in her yard that are covered in dirt. What is going to keep this farmer from continuing the issue. Shouldn't there be an engineer involved?

Supervisor DiSalvo said that the Town will call JP Schepp the town engineer and they will schedule a meeting with Peggy to try and solve the issue.

Councilmember Coniglio asked who is farming the land? Peggy said that the land is owned by Greg O'Connell and leased to Brady and Brady leases it out.

Community member Johnna Schrier said that soil, water, and conservation is the best organization to contact.

### **MORRIS RIDGE SOLAR**

Supervisor DiSalvo informed the board that Morris Ridge Solar is being held up right now because of Frontier Communications. Things are starting to move forward, and they should be able to start soon. Blatner has also been using the Town Hall for employee hiring events.

Supervisor DiSalvo informed the board that they needed to set a public hearing for The Solar Moratorium extension and one for a new local law to create a moratorium for battery energy storage.

A motion made by Councilmember Coniglio, seconded by Deputy Supervisor Huff to set the Public Hearing for the Moratorium Extension on August 17, 2023.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to set a public hearing for a new local law to impose a moratorium on battery storage.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

### **ZONING UPDATE**

Shawn Grasby, Code enforcement officer said that there was a zoning update was done a couple of years ago. That was never completed but the rough draft has been done for some time but was sent to the past Clerk Christies email.

Supervisor DiSalvo said that this update needed to be sent to the Towns Attorneys and to the County for review.

The biggest change that Code Enforcement Officer Grasby noted was to change the lot acreage to 1.5 acres from 3 acres. CEO Grasby doesn't see an issue with it. He stated that every other town in our area has the same law.

Clerk Woodworth brought up the Williamson Law contract for Code and that it needed to be approved.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to accept the contract for Williamson law.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0

Motion Carried

**DOG LICENSING MODULE**

Clerk Woodworth advised the board that she spoke to Edmunds about getting Dog License renewal and payments online. The cost would be initially \$1635 and an annual cost of \$425 after that. She asked for the board's approval for this contract as many citizens in the Town and Village have requested this service.

A motion by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to accept the contract for the dog licensing module.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi)  
                  No 1 (Coniglio)  
                  Motion Carried

**EMPLOYEE ASSISTANCE PROGRAM**

Clerk Woodworth advised the board that the county has an Employee Assistance Program they are offering to all local municipalities and that she included the information in their packets on the program. It seems like it would be beneficial to the towns employees.

Supervisor DiSalvo said that most other Towns are in the program and the cost is between \$24-\$28 per employee.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to get the Employee Assistance Program for Town Employees.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

**SUPERVISOR'S REPORT**

A motion was made by Councilmember Guzzardi, seconded by Deputy Supervisor Huff to accept the Supervisor's Report for June 2023 as presented.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

Supervisor DiSalvo said that the final decommissioning plan was approved for \$9 million dollars. This will renew every five years so we the town can renew with inflation.

Deputy Supervisor Huff said that the Town Clerks Office should be locked up due to the records that are stored in the office.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to approve the DOT and The Town of Mount Morris shared service agreement.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

**AMBULANCE**

Supervisor DiSalvo reported they had 102 calls that were serviced this month.

**CEMETERY**

Councilmember Guzzardi asked Deputy Supervisor Huff if he knows how many stones the highway has fixed or plans to fix. Deputy Supervisor Huff said that Superintendent Cipriano said

a handful were reset. Councilmember Guzzardi asked if he knew how many of the broken ones were repaired. Deputy Supervisor Huff said that he doesn't know the exact number but knows that they repaired a few of them.

Code Enforcement Officer Grasby stated that the \$23,000 for cemeteries will hopefully be coming from EDF Renewables by the end of the month. He said that the grant also covers tree removal. Councilmember Guzzardi said the trees should be removed first because they are affecting the stones.

Gretchen Saunders asked if there will be a gate installed? Supervisor DiSalvo said that Superintendent Cipriano is looking into it.

Supervisor DiSalvo stated that he turned in the paperwork for the grant that Clerk Woodworth did for the park grant from Livingston County.

### **TRANSFER STATION**

Councilmember Guzzardi asked about quotes for the dumpsters at the transfer station. Clerk Woodworth advised that Casellas submitted a quote, and it was considerably higher than Waste Management.

Councilmember Guzzardi would like to call Scovilles again and see what they can do as far as pricing.

### **RECREATION**

Councilmember Coniglio asked why the town is planning on paying the \$3300 towards recreation when it's just going to go for the remodel they did at the bathrooms at Bellamy Park? He said he doesn't agree with giving the money to the Village as it will not go for this years recreation.

Supervisor DiSalvo asked the board if they want to table the decision to give the Village the recreation money. Deputy Supervisor Huff and Councilmember Guzzardi both said no, they feel the money should be given to the Village. That this is for the kids of Mount Morris and it's important that the Town gives their share.

### **TOWN CLERK'S REPORT**

The Board reviewed the Clerk's report for the Month of June. A motion was made by Councilmember Nate Guzzardi, seconded by Deputy Supervisor Huff to accept the report as presented.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

### **VOUCHERS/ AUDIT OF CLAIMS**

Abstract 7, Year 2023 and related vouchers were reviewed by the Town Board. A motion by Deputy Supervisor Huff, seconded by Councilmember Coniglio to approve Vouchers 174-212 on General A Abstract in the amount of \$107,687.06.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

A motion by Councilmember Guzzardi, seconded by Deputy Supervisor Huff to approve Vouchers 31-37 on General B Abstract in the amount of \$6,274.65.

Vote:           Aye 3 (DiSalvo, Huff, Guzzardi)  
                  No 1 (Coniglio) Due to giving the Village the \$3300.00 toward recreation.  
                  Motion Carried

A motion by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to approve Vouchers 78-87 on the Highway DA Abstract in the amount of \$10,887.83.

Vote:           Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)

No 0  
Motion Carried

A motion by Councilmember Guzzardi, seconded by Councilmember Coniglio to approve 18-19 on the Highway DB Abstract in the amount of \$11,918.33.

Vote: Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
No 0  
Motion Carried

A motion by Councilmember Coniglio, seconded by Councilmember Guzzardi to approve Voucher 20 on the Recycling SR Abstract in the amount of \$980.64.

Vote: Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
No 0  
Motion Carried

A motion by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to approve Vouchers 12-13 on the Sewer SS Abstract in the amount of \$1,910.82.

Vote: Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
No 0  
Motion Carried

A motion by Deputy Supervisor Huff, seconded by Councilmember Coniglio to approve 17-18 on the Water SW Abstract in the amount of \$7,056.15.

Vote: Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
No 0  
Motion Carried

**Total Abstract 7 \$147,505.48**

**EXECUTIVE SESSION**

Supervisor DiSalvo informed the board that they needed to go into executive session to discuss some employee matters.

A motion was made by Supervisor DiSalvo, seconded by Deputy Supervisor Huff to go into executive session at 7:50 PM.

A motion was made by Councilmember Guzzardi, seconded by Councilmember Coniglio to exit executive session at 8:20 PM.

A motion was made by Councilmember Guzzardi, seconded by Deputy Supervisor Huff to change Ian Ginnicks hourly rate to \$17 an hour and to pay him his retroactive pay amounting to \$16.50 an hour from his start date.

A motion was made by Councilmember Coniglio, seconded by Councilmember Guzzardi to adjourn this meeting.

Vote: Aye 4 (DiSalvo, Huff, Guzzardi, Coniglio)  
No 0  
Motion Carried

Meeting adjourned at 7:25

Respectively Submitted,

Chelsey Woodworth  
Town Clerk/Tax Collector

