

Regular Town Board Meeting
January 18, 2024

Present: Supervisor, David DiSalvo; Deputy Supervisor, Don Huff; Councilmember, Nate Guzzardi; Councilmember, Jeff Coniglio; Councilmember Joseph Rawleigh

Also Present: Sam Cipriano, Highway Superintendent; Ed Russell, Attorney; Chelsey Woodworth, Town Clerk; Kitt Ceronie, Refuse Supervisor; Shawn Grasby, Code Enforcement Officer; Deputy Town Clerk Kaylee Leone

Others Present: Karl and Johnna Schrier, Pete DiSalvo, Chad Woodworth, Crik Christophel and Steven Zoller

At 6:00pm Supervisor DiSalvo opened the Town Board meeting at the Mount Morris Town Hall, 103 Main Street, Mount Morris, NY. Supervisor DiSalvo led the Pledge of Allegiance.

APPROVAL OF MINUTES- NOVEMBER 16, 2023

The Board reviewed the minutes of the last regular meeting on November 16, 2023. A motion was made by Councilmember Huff, seconded by Councilmember Guzzardi, to approve the minutes from the meeting on November 16, 2023. Councilmember Rawleigh abstained as he was not on the Town Board when this meeting took place.

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

APPROVAL OF MINUTES- ORGANIZATIONAL MEETING

The Board reviewed the minutes for the Organizational Meeting on January 2, 2024. A motion was made by Deputy Supervisor Huff, seconded by Councilmember Rawleigh, to approve the minutes from the meeting on January 2, 2024.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

SUPERVISOR'S REPORT

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to approve the Supervisors Report for November 2023.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to approve the Supervisors Report for December 2023.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

BUDGET TRANSFERS

Supervisor DiSalvo advised the board that Terri McKerrow, the town's accountant, was not able to be present at the meeting but she did send over a document outlining necessary budget transfers.

A motion was made by Councilmember Coniglio, seconded by Deputy Supervisor Huff to approve the transfer of \$5,000 from the Cemetery Fund to General A Fund. This interfund transfer was budgeted in 2023 to support the cemetery operations. The revenue/expense will be

recognized in 2023 and a due to/due from will be recorded at 12/31/23.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to approve the transfer of \$2,500 from the Ambulance Reserve to General A Fund. This interfund transfer was budgeted in 2023 to support ambulance operations. The revenue/expense will be recognized in 2023 and a due to/due from will be recorded at 12/31/23.

A motion was made by Councilmember Coniglio, seconded by Deputy Supervisor Huff to make the following budget transfers:

GENERAL FUND A - TOWNWIDE:

FROM	AMOUNT	TO
A1010.1 Town board services	186	A1010.4 Town board contractual
A1010.1 Town board services	1,645	A1620.1 Building services
A1450.4 Election contractual	306	A1355.4 Assessors contractual
A1990.4 Contingency	435	A1989 Other general gov't support
A1990.4 Contingency	225	A7520.4 Historian contractual
A1989 Other general gov't support	1,149	A1410.2 Town clerk equipment
A1620.2 Building equipment	5,000	A1620.4 Building contractual
A1410.4 Town Clerk contractual	1,158	A3510.4 Dog control contractual
A8810.4 Cemetery contractual	2,615	A8810.1 Cemetery services

GENERAL FUND B - TOWNOUTSIDE:

FROM	AMOUNT	TO
B1990.4 Contingency	500	B7110.4 Parks
B1420.4 Attorney contractual	273	B7110.4 Parks
B1420.4 Attorney contractual	3,741	B8010.4 Zoning office contractual
B3620.4 Safety inspection contractual	1,204	B8010.4 Zoning office contractual
B7310.4 Youth program contractual	200	B8020.4 Planning contractual
B9030.8 Employee benefits - social sec	903	B8020.4 Planning contractual

HIGHWAY FUND DA - TOWNWIDE:

FROM	AMOUNT	TO
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DA5142.1 Snow removal - town/cty svc	1,756	DA5130.1 Machinery services
DA5142.1 Snow removal - town/cty svc	10,460	DA5140.1 Weeds & brush services
DA5148.1 Snow removal - state services	712	DA5140.1 Weeds & brush services

WATER FUND SW:

FROM	AMOUNT	TO
SW8320.4 Power supply contractual	514	SW8310.1 Administration services
SW8320.4 Power supply contractual	1,525	SW8310.4 Administration Contr.
SW8320.4 Power supply contractual	40	SW9030.8 Employee benefits- SSI

A motion was made by Councilmember Huff, seconded by Councilmember Coniglio to increase/decrease the budget of General Fund A as follows:

- Increase A3089 (State aid - other) by \$49,800
- Increase A1620.4 (Building contractual) by \$49,800

- Increase A2770 (Miscellaneous) by \$40,342
- Increase A4540.4 (Ambulance contractual) by \$40,342

- Decrease A1640 (Ambulance fees) by \$27,732
- Decrease A4540.4 (Ambulance contractual) by \$30,000

- Increase A9730.7 (Debt service - interest) by \$2,268

- Increase A3005 (Mortgage tax) by \$20,103
- Decrease A2192 (Cemetery services) by \$2,775
- Increase A5132.2 (Garage equipment) by \$2,205
- Increase A5182.4 (Street lighting contractual) by \$845

- Increase A6410.4 (Publicity contractual) by \$2,157
- Increase A6510.4 (Veterans contractual) by \$1,112
- Increase A7140.4 (Playgrounds & recreation) by \$1,513

- Increase A7550.4 (Celebrations) by \$2,677
- Increase A8810.1 (Cemetery services) by \$2,521
- Increase A9060.8 (Employee benefits - medical ins) by \$4,298

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Rawleigh to increase/decrease the budget of General Fund B as follows:

- Decrease B2770 (Miscellaneous) by \$11,331
- Decrease B1420.4 (Attorney contractual) by \$1,986
- Decrease B8989.1 (Other home & community services) by \$9,345

Increase B2590 (Building permits) by \$966
 Increase B8020.4 (Planning contractual) by \$966

A motion was made by Councilmember Guzzardi, seconded by Councilmember Rawleigh to increase/decrease the budget of Highway DA as follows:

Increase DA2416 (Equipment rental) by \$7,675
 Decrease DA2690 (Sale of equipment) by \$37,055
 Decrease DA5730 (Proceeds from bans) by \$195,000

 Decrease DA1420.4 (Attorney contractual) by \$1,000

 Decrease DA5130.2 (Machinery equipment) by \$144,478

 Decrease DA5130.4 (Machinery contractual) by \$29,603

 Decrease DA5142.4 (Snow removal- town/cty contractual) by \$5,893

 Decrease DA5148.1 (Snow removal- state services) by \$1,601

 Decrease DA5148.4 (Snow removal- state contractual) by \$11,270

 Decrease DA9730.6 (Debt service - principal) by \$30,535

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Rawleigh to increase/decrease the budget of Highway DB as follows:

Increase DB1120 (Sales tax) by \$8,686
 Increase DB2416 (County road work) by \$11,511
 Decrease DB2770 (Chips) by \$24,340
 Decrease DB5110.4 (General repairs contractual) by \$92,340

 Increase DB5112.2 (Chips) by \$88,197

AMBULANCE REPORT

Calls in the month of October

<u>Transport Calls</u>	
ALS Transport:	68
BLS Transport:	32
Inmate	07
Serviced	113
Total:	120

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Cipriano asked about the old #12 truck and if the board wanted to keep it. He said that it will not pass inspection. He said Fleet Pride has a special and could do both rear axles and brakes for \$539 and front brakes and axles for \$279.

Superintendent Cipriano said that if they do some of the work themselves, they are still looking at around \$2500 for everything. It has a stainless-steel bed that's very valuable. Councilmember Guzzardi said that he feels they should keep the truck and the rest of the board agreed.

Superintendent Cipriano said that Tom Mercer came from Petro vent and gave him a quote for the fuel system. Superintendent Cipriano doesn't think they need a new computer for the fuel

billing. Supervisor DiSalvo said yes, they do need it. Superintendent Cipriano feels they could cut that out and it would save money. Deputy Supervisor Huff said that he would like Clerk Woodworth to give a breakdown of what the town has spent on computers and computer systems over the last four years.

Sam said he was able to save \$1400 by taking some of the items off that Tom from Petro vent recommended. Supervisor DiSalvo said those items may be necessary and we need to look over the quote and go from there.

Dave asked Sam if he had heard from EDF. They were supposed to reach out to NY State DOT about solar signs on the other side of the road on 408 letting people know there is work going on. Sam says he hasn't heard anything about the signs.

Superintendent Cipriano said that he would like everyone from the board to eventually go to the highway garage and take a look at the floor. Its breaking up and at some point, it will need to be replaced.

Supervisor DiSalvo asked if it's something they can do on their own. Superintendent Cipriano said that he thinks so and it would take them a day or so to break all of the floor out.

Councilmember Coniglio asked if they could pour over what already exists or if they could use epoxy. Superintendent Cipriano said epoxy is too expensive and they wouldn't be able to pour over the existing floor.

Superintendent Cipriano said that the salt shed roof needs to be replaced and that Councilmember Guzzardi came up with what it would cost for the materials.

Supervisor DiSalvo asked Councilmember Guzzardi to come up with the Bid to advertise for the labor. Councilmember Guzzardi said that he can get pricing from some contractors.

Supervisor DiSalvo said that he doesn't think the town will be able to get a grant for the salt she as the village applied for a grant twice and wasn't approved.

CEMETERIES

Councilmember Guzzardi said there are many trees that need to be removed from the cemeteries. Supervisor DiSalvo said that the grant money came so they can use that. Councilmember Guzzardi said he feels the trees should be taken care of before they start fixing headstones.

TUSCARORA PARK

Councilmember Coniglio said that he booked the band 7 days and a food truck for April 7th the night before the solar eclipse. He asked if he could look into getting gas heaters for the park since it will most likely be cold out. He also asked about the portable toilets and if they will be at the park for the event.

Clerk Woodworth advised that he could call multiple companies and see if they can bring portable toilets that in the past, they have used O'Brien's

PLANNING AND ZONING

Councilmember Rawleigh attended the planning board meeting. He said that much of what they did was village related. Some solar site plan stuff was talked about. He said that he and Code Enforcement Officer Grasby have spoken about some issues that need to be addressed and asked Code Enforcement Officer Grasby if he would like to speak.

Code Enforcement Officer Grasby said that the town needs to get working on the solar law and the moratorium. The moratorium will expire soon, and the town should really have the laws in place. Especially with the solar, since we have already extended the moratorium once. The energy storage could always have the moratorium extended.

Supervisor DiSalvo said that he would prefer to wait on the battery storage law until they know what happened in the two incidents upstate.

Code Enforcement Officer Grasby said the town can add that the moratorium is being extended

due to incidents at state.

Councilmember Rawleigh asked about the code update and how the town plans to proceed with it. Attorney Ed Russell found that the committee never saw the zoning law. He said that due to COVID they stopped meeting altogether.

Crik Christophel asked if there was a public hearing for the comprehensive plan. Attorney Ed Russell said that he will check their minutes. She said there are many steps that should have been taken and she is wondering if they were taken.

Code Enforcement Officer Grasby said the Agriculture Plan and Comprehensive Plan were completed but the zoning wasn't. He thinks the town should probably look at everything and make sure all of the processes were correct and completed.

Crik Christophel said she attended one public hearing that was a Zoom meeting, and she doesn't remember any resolution to the board. The comprehensive plan committee wasn't there either. It appears to her that the proper steps weren't correctly followed.

Code Enforcement Officer Grasby also recommended that the Town Board move forward with a law that regulates marijuana dispensaries and farms.

TOWN CLERK'S REPORT

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Guzzardi, to approve the Clerk's Report for the month of November.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

A motion was made by Councilmember Coniglio, seconded by Deputy Supervisor Huff, to approve the Clerk's Report for the month of December.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

Clerk Woodworth wrote a letter to the board outlining an in depth FOIL request that her office received from community member Amanda Coniglio. Ms. Coniglio requested that the town's IT Company fulfill the request for Clerk Woodworth's and her deputies' emails from August 1, 2023-December 21, 2023. Clerk Woodworth advised the board of the charges it would cost the town for a subscription to Adobe Acrobat Pro. These costs would not be reimbursed to the town by Ms. Coniglio as they are not permissible fees that can be passed on to requestors per Freedom of Information Law. Clerk Woodworth wasn't sure if she would need the board's approval for these subscriptions as they could exceed her allowable expenditures should two subscriptions be required.

Councilmember Coniglio interjected and said that if Clerk Woodworth would not fulfill this request, he would do so himself. Clerk Woodworth advised that she had no intention of not fulfilling the request and that she was simply explaining the costs the town would incur at the taxpayers' expense in order to fill the request.

Supervisor DiSalvo suggested discussing this matter in executive session, to which Clerk Woodworth replied that this was not a subject that needed to be discussed in executive session. Supervisor DiSalvo asked town attorney Ed Russell for his advice regarding the matter in question and he replied that it was not a covered reason to enter into executive session.

VOUCHERS/ AUDIT OF CLAIMS

Abstract 1, Year 2024 and related vouchers were reviewed by the Town Board. A motion by Councilmember Rawleigh, seconded by Councilmember Guzzardi to approve Vouchers 1-30 on General A Abstract in the amount of \$18,411.72.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

A motion by Deputy Supervisor Huff, seconded by Councilmember Rawleigh to approve Vouchers 1-5 on General B Abstract in the amount of \$4,595.00.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

A motion by Councilmember Guzzardi, seconded by Councilmember Rawleigh to approve Vouchers 1-8 on the Highway DA Abstract in the amount of \$9,350.48.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

A motion by Councilmember Rawleigh, seconded by Councilmember Coniglio to approve Vouchers 1-4 on the Recycling SR Abstract in the amount of \$6,879.94.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

A motion by Councilmember Coniglio, seconded by Councilmember Rawleigh to approve Vouchers 1-2 on the Sewer SS Abstract in the amount of \$2,004.21.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

A motion by Councilmember Guzzardi, seconded by Councilmember Rawleigh to approve Vouchers 1-5 on the Sewer SW Abstract in the amount of \$8,500.87.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

Total Abstract 11 \$102,277.64

EXECUTIVE SESSION

A motion was made by Councilmember Guzzardi, seconded by Councilmember Rawleigh to enter into Executive Session at 7:00pm for litigation discussions.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to exit Executive Session at 7:13pm.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Rawleigh to adjourn this meeting.

Vote: Aye 5 (DiSalvo, Huff, Guzzardi, Coniglio, Rawleigh)
 No 0
 Motion Carried

Meeting adjourned at 7:13pm

Respectfully Submitted,

Chelsey Woodworth
Town Clerk/Tax Collector