

Regular Town Board Meeting  
Public Hearing Proposed Local Law No. 3 & No. 4  
February 16, 2023

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

Excused: Highway Superintendent, Sam Cipriano; Code Enforcement Officer, Shawn Grasby; Attorney, Ed Russell; Accountant, Terri McKerrow

Also present: Assessor, Brian Knapp; Town Clerk, Chelsey Woodworth

Others Present: Community Members, Clyde Martin; Kirk and Johnna Schrier; Gretchen Wirt Saunders; Wade Snyder; Janet Lewis

At 6:30pm 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.

At 6:31pm Supervisor DiSalvo announced that Water District # 2 will be tabled for now. The Town and County are working on a different plan. The county would like to expand their current Training Range on Mount Morris/ Nunda Rd and make it into a County Training Facility. In order to do that they will need to have water.

**PUBLIC COMMENT/OPEN FORUM**

The Supervisor asked the public if anyone had comments or questions.

A Community Member asked if they plan to pursue the Water District in the future?

Supervisor DiSalvo said that they are in the process of developing a new plan and that would have to be brought to public hearing when the time came.

Deputy Supervisor Huff said that when the next plan is made there will be better notification and communication as to what the plan is.

A Community Member commented that the biggest issue they have is if the Board makes a decision without a vote or without educating the public.

Councilmember Coniglio ensured that the Board would not approve or move forward with another plan unless it was much smaller scale and way less cost.

**APPROVAL OF MINUTES**

The Board reviewed the minutes of last month's meeting on January 19, 2023. A motion was made by Deputy Supervisor Huff, seconded by Councilmember Guzzardi, to approve the minutes from the meeting on January 19, 2023.

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

**PUBLIC HEARING LOCAL LAW NO.3 AND LOCAL LAW NO. 4**

Clerk Woodworth said that she spoke with attorney, Ed Russell and he advised that there was no need to create a Local Law for these two matters as the town already has Local Laws in place. Attorney Russell advised that a resolution could be made to change the income limits.

Assessor Brian Knapp explained what the income limits were and that the exemptions would be for low income seniors over the age of 65 and low income people with disabilities. He advised the Board that the county is recommending that these get implemented through local law and not by resolution.

Clerk Woodworth advised that she explained this in depth to Attorney, Ed Russel but he insisted that a resolution was adequate, and that other Towns in Livingston County had adopted the income limits by resolution.

**RESOLUTION NO. 1-2023**

**PROVIDING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES TO CERTAIN ELIGIBLE SENIORS**

On a motion by Deputy Supervisor Huff, seconded by Councilmember Coniglio, the following resolution was **ADOPTED**:

**WHEREAS,**

To be eligible for the exemption authorized by Real Property Tax Law §467 and implemented by this resolution, the maximum income of such owner(s) shall not exceed \$28,000.00. Any such person(s) having a higher income shall be eligible for an exemption in accordance with the following schedule:

<b><u>ANNUAL INCOME</u></b>	<b><u>PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION</u></b>
\$28,000.01 - \$28,999.99	45 per centum
\$29,000.00 - \$29,999.99	40 per centum
\$30,000.00 - \$30,999.99	35 per centum
\$31,000.00 - \$31,899.99	30 per centum
\$31,900.00 - \$32,799.99	25 per centum
\$32,800.00 - \$33,699.99	20 per centum
\$33,700.00 - \$34,599.99	15 per centum
\$34,600.00 - \$35,499.99	10 per centum
\$35,500.00 - \$36,399.99	5 per centum

**NOW, THEREFORE,** it is hereby

**RESOLVED,** This RESOLUTION supersedes all resolutions previously adopted by the Town of Mount Morris to implement a partial real property tax exemption for certain eligible persons sixty-five (65) years of age or older and for certain person with disabilities that have limited income.

**RESOLVED,** This RESOLUTION shall take effect immediately.

VOTE:

DiSalvo	YES
Huff	YES
Guzzardi	YES
Coniglio	YES

**RESOLUTION NO. 2-2023**

**PROVIDING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES TO PERSON WITH DISABILITIES THAT HAVE LOW INCOME**

On a motion by Councilmember Guzzardi, seconded by Deputy Supervisor Huff, the following resolution was **ADOPTED**:

**WHEREAS,**

To be eligible for the exemption authorized by Real Property Tax Law §459-c and implemented by this Local Law, the maximum income of such person shall not exceed \$28,000.00. Any such person having a higher income shall be eligible for an exemption in accordance with the following schedule:

<b><u>ANNUAL INCOME</u></b>	<b><u>PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION</u></b>
\$28,000.01 - \$28,999.99	45 per centum
\$29,000.00 - \$29,999.99	40 per centum
\$30,000.00 - \$30,999.99	35 per centum
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**RESOLVED**, This RESOLUTION shall take effect immediately.

VOTE:

DiSalvo	YES
Huff	YES
Guzzardi	YES
Coniglio	YES

**LETTERS OF INTEREST**

Supervisor DiSalvo stated that the board received two letters of interest for the vacant Board positions on the Joint Village and Town Zoning Board of Appeals. The letters received were from Chad Woodworth and Shawn Forrester. The Supervisor stated that he felt they should proceed with appointing both people as long as the Village Board approved.

Clerk Woodworth advised that there is a residency requirement in Mount Morris in order to be on any Board. She was concerned with the way Shawn Forrester's letter read. It seemed as if Shawn Forrester moved out of Mount Morris but owned properties in Mount Morris.

Supervisor DiSalvo said the board would wait to appoint Shawn to the Zoning Board of Appeals. He would find out where her permanent residence was.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to appoint Chad Woodworth to the Zoning board of Appeals pending Village approval.

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

Supervisor DiSalvo informed the Board that they also received two applications for the part time/on call Transfer Station positions from Jim Mann and Tim Finnegan. He felt they were both viable candidates for employment.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to approve Jim Mann and Tim Finnegan for employment at the transfer station.

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

Councilmember Guzzardi asked about the quotes for dumpster service at the Transfer Station. He thought that Clerk Woodworth was working on getting bids from companies.

Clerk Woodworth advised that she had contacted all the companies multiple times and they still haven't sent a bid. She stated that she doesn't know what else to do. The Town may have to continue using Waste Management.

### **MORRIS RIDGE SOLAR**

Supervisor DiSalvo advised that there is a meeting with the Town Board on Tuesday the 20<sup>th</sup>. He also advised that the Solar company would begin tree trimming Wednesday the 21<sup>st</sup> of February and plan to start full construction in June or July of 2023.

### **SUPERVISOR'S REPORT**

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to accept the final Supervisor's Report for December 2022 as presented.

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

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

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

Supervisor DiSalvo asked the Board if they knew a commercial electrician that could do electrical work in the Clerks office. It was recommended that the Board contact Jim Olverd from Kircher Construction.

### **FLOORING AND BATHROOM BIDS**

Supervisor DiSalvo stated that the Town hadn't received any bids for flooring and would postpone a decision until they receive bids.

He advised that they did receive one BID from Kircher Construction for the bathrooms.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to accept the bathroom bid from Kircher construction that is proposed to not exceed \$11,500.

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

Supervisor DiSalvo advised that Livingston County is giving Towns in the County a grant for \$20,000 to improve their park. He feels the Board should get community input.

Clerk Woodworth offered to look into having a survey put on the Town Website asking for community input.

Clerk Woodworth advised the Board that the Moratorium on Solar would expire on March 31, 2023. She recommended they set a public hearing on the Moratorium for the next board meeting.

Councilmember Coniglio asked about the Solar Moratorium and wasn't sure what it entailed.

Clerk Woodworth explained that the Board put the Moratorium in place so that no more solar farms would be brought into the Town. That a moratorium is a suspension or standstill. By imposing a moratorium on Solar no more solar farms can be built. If the current moratorium expires then that will put the Town at risk of having more solar farms.

Supervisor DiSalvo set the Public Hearing for March 16, 2023 at 6:30 PM, for Local Law No.2-2022 to extend the current Moratorium.

**TOWN CLERK'S REPORT**

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

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

**VOUCHERS/ AUDIT OF CLAIMS**

Abstract 2, Year 2023 and related vouchers were reviewed by the Town Board. A motion by Councilmember Coniglio, seconded by Councilmember Guzzardi to approve Vouchers 25-51 on General A Abstract in the amount of \$91,446.00

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

Councilmember questioned what voucher #12 for General B to the Village of Mount Morris was for?

Clerk Woodworth advised the Board that the invoice was for the Village Recreation Department.

Councilmember Coniglio expressed his disapproval for giving the Village of Mount Morris money towards their recreation department.

Supervisor DiSalvo agreed to hold off on paying the Village, as he knew some town children were turned away during the summer program.

A motion by Deputy Supervisor Huff, seconded by Councilmember Coniglio to approve Vouchers 9-11 on General B Abstract in the amount of \$345.01

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

A motion by Councilmember Coniglio, seconded by Councilmember Guzzardi to approve Vouchers 14-28 on the Highway DA Abstract in the amount of \$28,637.00.

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

A motion by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to approve Vouchers 2-3 on the Highway DB Abstract in the amount of \$1,637.09.

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

A motion by Councilmember Guzzardi, seconded by Deputy Supervisor Huff to approve Vouchers 5-7 on the Recycling SR Abstract in the amount of \$312.62.

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

A motion by Councilmember Coniglio, seconded by Deputy Supervisor Huff to approve Voucher 2 on the Sewer SS Abstract in the amount of \$78.06.

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

A motion by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to approve Vouchers 4-5 on the Water SW Abstract in the amount of \$1,299.25.

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

**Total Abstract 2     \$123,755.04**

**EXECUTIVE SESSION**

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to enter into Executive Session at 7:38pm

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

A motion was made by Councilmember Coniglio, seconded by Deputy Supervisor Huff to exit Executive Session at 8:02pm

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

A motion was made by Councilmember Guzzardi, seconded by Councilmember Coniglio to have Clerk Woodworth work the attorney on writing a policy for Bulk Water.

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

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

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

Meeting adjourned at 8:05pm.

Respectively Submitted,

Chelsey Woodworth  
Town Clerk/Tax Collector