

Town of Mount Morris  
Regular Meeting  
Public Hearing for Enactment of Local Law No. 1  
For the Code of the Town of Mount Morris  
February 17, 2022

Present: Supervisor Charles DiPasquale, Deputy Supervisor/Councilmember David DiSalvo,  
and Councilmembers Don Huff, and Nate Guzzardi

Excused: Chelsey Woodworth

Also present: Assessor Brian Knapp, Accountant Terri McKerrow, Attorney Ed Russell, and Town Clerk Nicole Davis

At 6:30 p.m. Supervisor DiPasquale opened the Town Board meeting at the Town Hall, 103 Main Street, Mount Morris, NY. and led the Pledge of Allegiance.

**Move to Scheduled Public Hearing**

Supervisor DiPasquale opened the Public Hearing on the Adoption of Local Law for the Code of the Town of Mount Morris at 6:31pm.

**Approval of Minutes**

The Board reviewed the minutes of last month’s meeting. A motion by Deputy Supervisor DiSalvo, seconded by Council Member Huff, to approve the minutes of the regular meeting on January 20, 2022 as presented.

Vote:           Aye 4                   No 0                   Motion Passed

**Comments – Assessor -Lamplighter Ministries**

Assessor Brian Knapp addressed the board with concerns regarding correspondence that he has received from the Town’s legal counsel in relation to the Lamplighter Ministries case. Assessor Knapp feels that the Town has procured services from legal counsel to address ongoing issues at this point. He explained that he feels offended by recent correspondence from legal counsel which appears to question the Assessor’s knowledge and intent. Assessor Knapp explained that Lamplighter Ministries applied for an exemption and then appealed the initial determination. Assessor Knapp assured the Board that the application was reviewed, and a determination was made based on the law. Assessor Knapp assured the Board that he would have approved the exemption if the applicant were eligible. He stated that Lamplighter Ministries most recently applied for an exemption for the 27 State Street property stating that it is a school, but it is not accredited. The Board agreed that the organization would need to go through an accreditation process and present it to the Assessor for consideration. Attorney Russell stated that he was going to follow up with the legal counsel who previously addressed Assessor Knapp and will work to address the situation.

**Highway Ban**

Accountant McKerrow stated that the Highway BAN is maturing on February 25, 2022. The BAN was used for a tractor. Accountant McKerrow reported that the Board budgeted an allocation of \$50,000.00 for the BAN between the Highway DA (Town wide) and Highway DB (Town Outside) accounts with \$30,000.00 funded by CHIPS. Accountant McKerrow suggested that the Board pay \$30,000.00 from fund DB and \$2891.94 in interest from fund DA on the BAN and renew it for \$115,000.00 in order for the Highway Department to be able to apply for CHIPS funding again this year. Accountant McKerrow will follow up with Town attorney and Five Star Bank.

A motion was made by Council Member Huff, seconded by Deputy Supervisor DiSalvo, to pay \$30,000.00 (funded by CHIPS) from account DB and \$2891.94 for interest from account DA on the BAN and renew the BAN in amount of \$115,000.00.

Vote:           Aye 4                   No 0                   Motion passed

**Supervisor’s Report**

Accountant McKerrow reviewed the Supervisor’s Report. She supplied the Board with an Updated report for December 2021 as the Town received approximately \$52,000.00 in Intervenor funds that the Town Attorneys billed. It was receivable at the end of the year and is now recorded as revenue in the December Supervisor/Budget Report. These funds are now in a misc. income account in General Fund A (Town wide).

Accountant McKerrow reported that she is now working on the Town’s Annual Financial Report as it is due at the end of January. She will provide copies when it is complete.

Account McKerrow reported that as of now the budget is satisfactory at this time.

A motion by Councilmember DiSalvo, seconded by Councilmember Guzzardi, to approve the December 2021 and January 2022 Supervisor’s Reports.

Vote: Aye 4 No 0 Motion passed

Accountant McKerrow apprised the Board of changes in ARPA guidelines regarding lost revenue changes. She reported that any lost revenue up to \$10,000,000 can be used in full for government services. Accountant McKerrow reports that these funds could be used towards the pump generator that is needed for the Town.

**Approval of Toshiba Copier Contract - Renew**

The Clerk presented the Board with proposed contract for the Town’s Toshiba Equipment as the current contract ends in June 2022. A new investment schedule was proposed by Toshiba to include equipment and a new fax board for a 24-month lease. Monthly payment amount will be \$128.17 which is what the Town currently pays.

A motion by Council Member Huff, seconded by Council Member Guzzardi, to approve the renewal of the Toshiba Contract.

Vote: Aye 4 No 0 Motion passed

**Transfer Station**

Council Member Huff reported that there are currently about 12 skids of cardboard at the Transfer Station, and he was wondering if it was time to schedule a pickup. Council Member Guzzardi explained that typically skids are picked up when there are about 18 full ones. It was suggested that Kitt Ceronie contact the Highway Superintendent Sam Cipriano to verify pick up guidelines as Sam is familiar with them.

Council Member Guzzardi reported that tires were picked up from the Transfer Station today.

**Donation Consideration – Partners for Progress**

Deputy Supervisor DiSalvo presented the board with a request from Partners for Progress for a donation for a mural festival they are participating in this year. Board members would like more information on how the monies will be spent before offering a donation. Deputy Supervisor DiSalvo will reach out the Bill D’Angelo who is the President of Partners for Progress for more information and will report back to the board.

**Ambulance Report**

Deputy Supervisor DiSalvo reported that the ambulance had 90 calls, of which 89 were serviced. 10 calls were dropped, 29 were Advanced Life Support, 23 were Basic Life Support, and one was for the prison. 25 cases of non-payment were noted.

**Solar**

Deputy Supervisor DiSalvo reported that there was a solar meeting recently held and currently there is some geological testing that is being done. The contractors did run an ad in the Mount Morris Shopper to inform citizens that they would be doing work in the area. Council Member Huff reported that the CEO Shawn Grasby, Highway Superintendent Sam Cipriano, and Shannon who is a solar company representative recently visited the solar sights to review progress. Supervisor DiPasquale thanked all involved with the Town as they have done a great job in relation to our many solar projects.

**Public Comment – Resident Water Bill – Request for Fee Waiver**

The Clerk presented a water bill on behalf of Florence DiGioia. The Clerk reported that Highway Superintendent Cipriano went to the residence to check on the water meter as it was indicated that Ms. DiGioia’s usage was much higher than usual this last billing cycle. Mrs. DiGioia was found to have a water leak. She came into the Clerk’s office asking if the board would consider reducing her bill as she is states she are over 90 years old and has always paid her wat. bill on time. Her current bill is for \$465.57 in contrast of previous amounts owed which average around \$45.00. Attorney Russell did indicate that the Board does have the discretion to waive fees, however there is no legal obligation to do so.

A motion by Supervisor DiPasquale, seconded by Council Member Guzzardi to waive usage fees associated with water leak at the residence of Florence DiGioia and to charge the standard metered water amount of \$41.35 for the period of 9-23-21 through 12-21-2021.

Vote: Aye 4 No 0 Motion passed

**Town Clerk’s Report**

The Board reviewed the Clerk’s monthly report. A motion by Council Member Huff, seconded by Council Member Guzzardi to approve the Clerk’s January report as presented.

Vote: Aye 4 No 0 Motion passed

Resolution 2-2022

**Adoption of Local Law 1-2022**

Deputy Supervisor DiSalvo presented the following resolution pertaining to the enactment of Local Law 1-2022

WHEREAS a public hearing was held on the 17<sup>th</sup> day of February 2022 by the Town Board of the Town of Mount Morris, notice of which was given as required by the Municipal Home Rule Law, the Open Meetings Law, and the Town Law of the State of New York;

WHEREAS at said public hearing the Town Board considered the enactment of proposed Local Law No.1 -2022 entitled A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF LOCAL LAWS, ORDINANCES, AND CERTAIN RESOLUTIONS OF THE TOWN OF MOUNT MORRIS INTO A MUNICIPAL CODE TO BE DESIGNATED THE “CODE OF THE TOWN OF MOUNT MORRIS”; and

WHEREAS all interested persons were given an opportunity to be heard with respect to the enactment of said local law;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No.1-2022 be enacted as presented.

All Board members were provided a copy of proposed Local Law No.1-2022 ten days prior to this meeting. A Public Hearing Notice was published in the Livingston County News on February 10, 2022.

**Vouchers – Audit of Claims**

Abstract 2 and related vouchers were reviewed by the Town Board. A motion by Deputy Supervisor DiSalvo, to approve Vouchers 38-66 on General A (Town-wide) Abstract in the amount of \$68,910.80; seconded by Council Member Guzzardi.

Vote Aye 4 No 0 Motion passed.

A motion by Deputy Supervisor DiSalvo to approve Vouchers 3-5 on General B (Town-outside) Abstract in the amount of \$2,207.56; seconded by Council Member Huff.

Vote Aye 4 No 0 Motion passed.

A motion by Councilmember Huff to approve Vouchers 14-28 on the Highway DA (Town-wide) Abstract in the amount of \$55,393.19; seconded by Council Member Guzzardi.

Vote Aye 4 No 0 Motion passed.

A motion by Deputy Supervisor DiSalvo to approve Voucher 4 on the Highway DB (Town-outside) Abstract in the amount of \$4,194.86; seconded by Council Member Guzzardi.

Vote Aye 4 No 0 Motion passed.

A motion by Council Member Huff to approve Vouchers 5-9 on the Refuse SR Abstract in the amount of \$2,903.28; seconded by Deputy Supervisor DiSalvo

Vote Aye 4 No 0 Motion passed.

A motion by Deputy Supervisor DiSalvo, to approve Vouchers 2-3 on the Sewer SS Abstract in the amount of \$2,366.66; seconded by Council Member Huff.

Vote Aye 4 No 0 Motion passed.

A motion by Deputy Supervisor DiSalvo, to approve Vouchers 4-5 on the Sewer SW Abstract in the amount of \$2,955.30; seconded by Council Member Guzzardi

Vote Aye 4 No 0 Motion passed.

Total Abstract 2 \$138,931.65

A motion by Deputy Supervisor DiSalvo, seconded by Council Member Guzzardi to close public hearing at 7:23pm.

Vote Aye 4 No 0 Motion passed

A motion by Council Member Guzzardi, seconded by Council Member Huff to adjourn this meeting.

Vote Aye 4 No 0 Motion passed.

Meeting adjourned at 7:24pm

Respectfully submitted,

Nicole M. Davis  
Town Clerk/Collector