

Regular Town Board Meeting  
Public Hearing Proposed Local Law No. 4  
Public Hearing Proposed Local Law No. 5  
October 20, 2022

Present: Supervisor, David DiSalvo; Deputy Supervisor, Chelsey Woodworth, Council Member, Don Huff Council Member, Nate Guzzardi; Council Member, Jeff Coniglio

Also Present: Sam Cipriano, Highway Superintendent; Terri McKerrow, Accountant; Ed Russell, Attorney; Code Enforcement Officer, Shawn Grasby; Nicole Davis, Town Clerk

Others Present: Community Members – Pete DiSalvo, Crik Christophel, Steve Zoller

At 5:34pm 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**

The Board reviewed the minutes of last month's meeting on September 15, 2022. A motion was made by Council Member Huff, seconded by Council Member Guzzardi, to approve the minutes from the meeting on September 15, 2022.

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

**Resolution 7-2022**

**A RESOLUTION AUTHORIZING THIRD PARTY PLAN REVIEW AND INSPECTION FOR RESIDENTIAL AND COMMERCIAL BUILDINGS FOR THE TOWN OF MOUNT MORRIS, NEW YORK**

Supervisor DiSalvo presented the following resolution pertaining to the NYSERDA Commitment

**WHEREAS**, New York State has adopted the 2018 International Building Code family of codes with amendments, named 2020 Codes of NYS, as the guiding principle pertaining to residential and commercial construction and development within the state; and,

**WHEREAS**, The Town of Mount Morris realizes that to promote public safety and preserve the quality and value of property within the community, coordinated development review processes are essential to ensuring that the adopted, nationally recognized building codes and best practices are incorporated into buildings and structures; and,

**WHEREAS**, third party plan review and inspection services will only be for ECCCNY or NYStretch compliance review. Review by other departments in the Town of Mount Morris will still be required; and,

**WHEREAS**, the Mount Morris Town Board deems it in the best interest of the citizens of the Town of Mount Morris to authorize the Building Official to allow third party plan review for residential and commercial buildings in the Town; and,

**WHEREAS**, time of performance and terms of service are negotiated solely between the permit applicant and third-party plan review and inspection services provider; and,

**WHEREAS**, it shall be the permit applicant's responsibility to ensure the third-party plan review and inspection services provider receives all the necessary construction documents and list of municipal requirements. Approved stamped documents shall be submitted to the Zoning and Code Department prior to the issuance of a building permit.

**NOW, THEREFORE, BE IT RESOLVED BY THAT THE TOWN BOARD OF THE TOWN OF MOUNT MORRIS, NEW YORK:**

**SECTION 1.** The findings and recitations set out in the preamble to this Resolution are found to be true and correct and are hereby adopted by the Town of Mount Morris Town Board and made a part of hereof for all purposes.

**SECTION 2.** The Town of Mount Morris shall hereby authorize the Building Official to allow third party plan review and inspection for compliance with the Energy Conservation Construction Code of New York State

**SECTION 3.** This Resolution shall be and become effective from and after its adoption.

On a motion by Deputy Supervisor Woodworth, seconded by Council Member Huff this resolution was adopted.

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

### **RECORDS ROOM**

Supervisor DiSalvo presented a quote from Hardings Plumbing to correct an issue in the records room with high humidity, which could result in damage of records. The estimate includes materials and labor to remove and dispose of an existing barometric damper and install a new one. Pass through grills are also needed on the records room door to increase air movement. The quote estimation is \$1,107.95.

A motion was made by Council Member Huff, seconded by Deputy Supervisor Woodworth to approve the quote as presented.

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

Council Member Huff did suggest that the Board look into updating the Town Hall's hot water tank in the near future.

### **SUPERVISOR'S REPORT**

Accountant McKerrow reported that we the Town has advanced payments to the ambulance, who struggles to meet monthly bill obligations. Currently there are no other options as operation money is needed.

There are ongoing issues with Fund DA in regard to the machinery contractual budget line as we are over budget with three months still left in the fiscal year.

A motion was made by Council Member Guzzardi, seconded by Council Member Coniglio to accept the September 2022 Supervisor's Report as presented.

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

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

Abstract 10, Year 2022 and related vouchers were reviewed by the Town Board. A motion by Deputy Supervisor Woodworth, seconded by Council Member Guzzardi to approve Vouchers 297-330 on General A Abstract in the amount of \$69,853.90.

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

A motion by Council Member Huff, seconded by Council Member Guzzardi to approve Vouchers 43-49 on General B Abstract in the amount of \$763.28

Vote:           Aye 5 (DiSalvo, Woodworth, Huff, Guzzardi, Coniglio)  
                  No 0

Motion Carried

A motion by Council Member Huff, seconded by Deputy Supervisor Woodworth to approve Vouchers 99-107 on the Highway DA Abstract in the amount of \$11,546.59

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

A motion by Council Member Guzzardi, seconded by Council Member Coniglio to approve Vouchers 31-32 on the Highway DB Abstract in the amount of \$3,860.23

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

A motion by Council Member Guzzardi, seconded by Council Member Guzzardi to approve Vouchers 32-35 on the Recycling SR Abstract in the amount of \$1,305.04

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

A motion by Council Member Huff, seconded by Deputy Supervisor Woodworth to approve Voucher 14 on the Sewer SS Abstract in the amount of \$1,998.36

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

A motion by Deputy Supervisor Woodworth seconded by Council Member Guzzardi to approve Vouchers 24-27 on the Water SW Abstract in the amount of \$4,329.54

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

**Total Abstract 10 \$93,656.94**

A motion was made by Supervisor DiSalvo, seconded by Deputy Supervisor Woodworth to close the public hearing for proposed Local Law No. 3. at 7:50pm.

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

### **MONOSLOPE QUOTE**

A quote for materials through Kircher Construction and Elitsac was presented to the Board. The Board has decided to wait on the Highway project at this time.

### **PARTNERS FOR PROGRESS**

Mount Morris Partners for Progress has requested that the Town of Mount Morris become a member of their organization with a \$50 membership fee for the year.

A motion was made by Council Member Coniglio, seconded by Council Member Huff to become a member of Partners for Progress.

Vote: Aye 2 (Huff, Coniglio)  
No 4 (Guzzardi, Coniglio, Woodworth, DiSalvo)  
Motion Fails

### **ROTARY MEMORY TREE**

A motion was made by Deputy Supervisor, seconded by Council Member Coniglio to approve a \$65.00 Donation for Memory Tree to honor Charles DiPasquale.

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

### **TRANSFER STATION RATES**

The Board agreed to process ideas related to transfer station rates for the 2023 fiscal year.

A motion was made by Council Member Guzzardi, seconded by Deputy Supervisor Woodworth to prorate (monthly amount) Transfer Station Permits sold in October through December.

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

### **RETIREMENT ROA CALENDAR REVIEW**

After reviewing, A motion was made by Deputy Supervisor Woodworth, seconded by Council Member Guzzardi to accept Record of Activity Calendars for Assessor, Brian Knapp; Assessor Clerk, Stephanie Knapp, and Town Clerk, Nicole Davis.

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

### **WATER DISTRICT #2**

The Board discussed water surveys that were sent out and returned. Council Member Coniglio reported that there were approximately 60% of residents in favor of expansion and approximately 40% of residents against expansion. The Board has decided that the project will be put up for a vote. Supervisor DiSalvo checked with the Livingston County Board of Elections Office and the cost of the election will be around \$1500.00 and can take place on December 2, 2022.

Council Member Huff asked if more information regarding the cost of the project could be made available to residents. Supervisor DiSalvo stated that he would contact MRB Engineering Firm and ask them to put information together for the public. Council Member Coniglio did suggest that costs be broken down based on project phases. Deputy Supervisor Woodworth suggested having two informational meetings/public hearings prior to the vote in December to better educate Town Residents on the scope and cost of the project. Council Member Coniglio also inquired as to who would be allowed to vote. It was suggested that only new Water District #2 voters would be allowed to vote.

A motion was made by Supervisor DiSalvo, seconded by Council Member Coniglio to hold an informal meeting to discuss the Water District #2 project on November 17, 2022 at 6:30pm at the Mount Morris Town Hall, 103 Main Street Mount Morris, NY 14510.

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

### **EXECUTIVE SESSION**

A motion was made by Council Member Huff, seconded by Council Member Coniglio to enter into Executive Session at 6:11pm

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

A motion was made by Council Member Coniglio, seconded by Council Member Guzzardi to exit Executive Session at 6:30pm.

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

#### **PUBLIC HEARING-PROPOSED LOCAL LAW No. 4**

At 6:31pm Supervisor DiSalvo opened the public hearing on the proposed Local Law No. 4 A Local Law to Provide for Taxation of Real Property Owned by Certain Corporations and Organizations pursuant to Section 420-b of the Real Property Tax Law

#### **PUBLIC HEARING-PROPOSED LOCAL LAW No. 5**

At 6:32pm Supervisor DiSalvo opened the public hearing on proposed Local Law No. 5, A Local Law to Address Unsafe Buildings in the Town of Mount Morris.

Supervisor DiSalvo read emails for residents (Robert & Michele Donovan, Donna Guido, and Joseph Guido) in support of proposed Local Law No.4, A Local Law to Provide for Taxation of Real Property Owned by Certain Corporations and Organizations pursuant to Section 420-b of the Real Property Tax Law

Supervisor DiSalvo asked for public comments. Residents at the meeting were able to ask questions relating to specifics of the proposed Local Laws. The Board along with Code Enforcement Officer Grasby were able to answer said questions. Residents stated that they are pleased to see that the Town is taking action on addressing abandoned and unsafe properties in the Town. Officer Grasby talked about the importance of enacting a Local Law to help establish procedures.

#### **TOWN CLERK RESIGNATION**

Town Clerk Davis offered her resignation. She spoke with Supervisor DiSalvo prior to this meeting and tendered a resignation letter which Supervisor DiSalvo read aloud. Town Clerk Davis explained that she was taking a new position that will be benefitting her family fiscally as her husband is in the United States Army and he is now stationed in another city thusly resulting in another household to financially support. Town Clerk Davis did thank the Board for their continued support and did inform the Board that she would be available to help train the new incoming Clerk. However, as the Board does have a plan for a new Clerk to be appointed as of November 1, 2022, Town Clerk Davis cannot remain on to train part time.

A motion was made by Council Member Coniglio, seconded by Supervisor DiSalvo to accept Town Clerk Davis's resignation

Vote: Aye 5 (DiSalvo, Woodworth, Huff, Guzzardi, Coniglio)  
No 0  
Motion Carried, with regrets

#### **RESIGNATION-BOARD MEMBER CHELSEY WOODWORTH**

Deputy Supervisor Woodworth presented and read aloud her resignation letter to the Board.

A motion was made by Council Member Huff, seconded by Council Member Guzzardi to accept Deputy Supervisor Woodworth's resignation

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

#### **APPOINTMENT OF NEW TOWN CLERK**

A motion was made by Council Member Coniglio, seconded by Council Member Huff to appoint Chelsey Woodworth to the position of Town Clerk effective November 1, 2022 at 12:00pm.

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

**APPOINTMENT OF NEW DEPUTY TOWN SUPERVISOR**

A motion was made by Supervisor DiSalvo and seconded by Council Member Guzzardi to appoint Don Huff as Deputy Supervisor to the Town Board.

Vote:           Aye 3 (DiSalvo, Guzzardi, Coniglio)  
                  No 0  
                  Motion Carried

**AMBULANCE REPORT**

Supervisor DiSalvo reported that the Ambulance took 109 calls this month to include 35 ALS, 37 BLS, and 6 calls to the prison. He reported that the Mount Morris Ambulance crew has been helping out the Nunda crew. Supervisor DiSalvo reports that the rigs are running good at this time.

**HIGHWAY SUPERINTENDENT REPORT**

Highway Superintendent Cipriano reports that the Town trucks are ready for winter. He shared that the highway crew has been taking care of the cemeteries and Town parks, although one season crew member has returned for a short time to assist in the caretaking.

**CODE ENFORCEMENT REPORT**

CEO Grasby informed the Board that EDF Renewables is asking if the east end of Creveling Road could be closed off during construction phases. There is concern that supply vehicles may get stuck trying to climb the steep hill there. Superintendent Cipriano stated that he will look into the route closing process and barriers to close the road there.

CEO Grasby shared that he inquired further in regard to what would be included as a viable energy savings project under our recently awarded NYSERDA Grant. He stated that the first \$50,000 could be used towards replacement of windows at the Town Hall. Supervisor DiSalvo and Superintendent Cipriano stated that they would reach out to potential contractors for quotes (to include asbestos abatement as it is present in the window frames).

CEO Grasby reports that there are new projects in front of the Planning Board at this time.

CEO Grasby added that EDF Renewables did compliance filings for tree clearing for the Morris Ridge Solar Project. Removal is on track to begin next year in late spring or early summer.

CEO Grasby reports that the grant money for ambulance equipment will be sent. He shared that Kevin Davis from EDF Renewables will be working on accessing and releasing \$80,000. He will be sending funds to cover a drone for Livingston County. CEO Grasby talked about why the Town is getting various equipment, in particular transport equipment for the ambulance to utilize. He explained that in order to get into the solar farms, due to tight spaces, the ambulance needs an ATV and trailer.

**TOWN CLERK'S REPORT**

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

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

**EXECUTIVE SESSION**

A motion was made by Council Member Coniglio, seconded by Deputy Supervisor Huff to enter into Executive Session at 7:01pm

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

A motion was made by Deputy Supervisor Huff, seconded by Council Member Coniglio to exit Executive Session at 7:21pm.

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

#### CODE ENFORCEMENT CLERK

CEO Grasby asked the Board to support the position of a Code Enforcement Clerk. He asked the Board to consider Nicole Davis for the position as she has been working with the CEO and has connections with grant funders and solar entities through her work as the Town Clerk. It was proposed that her pay rate be \$20 hourly with an anticipated 6 (six) to 8 (eight) hours of work weekly, initially.

A motion was made by Deputy Supervisor Huff, seconded by Council Member Coniglio to appoint Nicole Davis as Code Enforcement Clerk at a pay rate of \$20 per hour

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

#### AMBULANCE SUV

Supervisor DiSalvo announced to the Board that an Ambulance Company in Greece, NY is selling a Chevy Tahoe and the Ambulance would like to offer \$15,000 to purchase the SUV. Money will be coming from solar monies which aren't yet released. Board members expressed that they do not want to spend any solar money until it is in the Town's account.

#### PUBLIC HEARING – CLOSED

A motion was made by Deputy Supervisor Huff, seconded by Council Member Guzzardi to close the public hearings at 7:26pm.

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

A motion was made by Council Member Huff, seconded by Council Member Coniglio to adjourn this meeting.

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

Meeting adjourned at 7:28 pm.

Respectively Submitted,

Nicole M. Davis  
Town Clerk/Tax Collector

