

Regular Town Board Meeting
August 15, 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; Deputy Town Clerk, Kaylee Leone

Others Present: Doug Welch, Christopher Clearwater, Karl Schrier, Patrick Scully, Chad Woodworth, 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.

ROAD SIGNAGE

Supervisor DiSalvo informed the public that Dough Welch called before the meeting and asked to get placed on the agenda to speak at the meeting.

Mr. Welch began speaking about the Mount Morris Scouts from Troup 4082. He informed the public that they have done roadside cleanup a few times on Route 408. They recently did another cleanup and picked up 6 bags of trash. He thinks that having signs saying that the road is maintained by Troup 4082 may deter people from littering. He got a price for signs that will say "This road is maintained by Boy Scout Troup 4082". Deputy Supervisor Huff asked Highway Superintendent Cipriano to make sure that the signs were placed in the appropriate place on the side of the road. Supervisor DiSalvo said they would also need to get a formal quote from Mr. Welch before moving forward. He wanted to make sure the signs didn't exceed \$150.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Rawleigh to purchase the aforementioned road signs for a price not to exceed \$150.

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

APPROVAL OF MINUTES

The board reviewed the minutes of the last regular meeting on July 18, 2024. A motion was made by Deputy Supervisor Huff, seconded by Councilmember Guzzardi, to approve the minutes from the meeting on July 18, 2024.

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

COMPREHENSIVE COMMITTEE

Supervisor DiSalvo asked Clerk Woodworth to list the letter of interest received for the Comprehensive Committee. Town Clerk Woodworth listed Patrick Scully, Chad Woodworth, Lauren Berger, Karl Schrier, Shirley (Crik) Christophel and Kitt Ceronie as applicants for board positions and Kaylee Leone as an applicant for secretary.

A motion was made by Councilmember Guzzardi, seconded by Deputy Supervisor Huff to accept all applicants for the positions requested on the Comprehensive Review Board.

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

SUPERVISOR'S REPORT

A motion was made by Councilmember Guzzardi seconded by Councilmember Rawleigh to approve the Supervisors Report for July 2024.

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

Supervisor DiSalvo let the board know that he included budget sheets for each department in their packets that the Clerk provided for the meeting. He asked for them to please have them in by September 5th. He said that they will schedule dates for budget meetings at the next board meeting.

ROA SUBMISSION

Laurie Button the Court Clerk for the Town of Mount Morris submitted her Record of Activities which includes her daily details of hours worked and duties performed for her retirement reporting to New York State Retirement to the board for approval.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to approve Laurie Buttons Record or Activities

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

WASTEWATER ENFORCEMENT RESPONSE PLAN

Supervisor DiSalvo introduced the Wastewater Enforcement Plan that the towns attorneys drafted. He said that in order to move forward with the issues we have been having the town needs something in writing. The board agreed.

WASTEWATER ENFORCEMENT RESPONSE PLAN**TOWN OF MOUNT MORRIS, NEW YORK**

The Wastewater Enforcement Response Plan, as defined in Chapter 36 Article XI of the Town Code of the Town of Mount Morris, New York (the "Town") is as follow:

1. The Town Wastewater Superintendent (the "Superintendent") will follow the procedures outlined in Chapter 36 Article XI of the Town Code to address all sewer and wastewater violations in the Town. These procedures include administrative and judicial remedies.
2. The Superintendent will work with the Town Board while addressing any sewer and wastewater violations and provide regular updates to the Board of ongoing violations.
3. The Superintendent will provide updates to the Town Attorney of ongoing violations, as necessary.
4. The approval of the Town Board will be required prior to issuing any fines or engaging in any judicial remedies.

A motion was made by Councilmember Rawleigh, seconded by Deputy Supervisor Huff to approve the Wastewater Enforcement Response Plan.

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

PUBLIC COMMENT

Supervisor DiSalvo asked the board if they had a chance to review the options for public comment that the town attorney, Ed Russell had provided.

Councilmember Coniglio said that he doesn't agree with having rules on who can comment at meetings. He doesn't think anyone should have to ask for approval to speak at a meeting. Deputy Supervisor Huff asked if he would be okay with it if that sentence was removed. Councilmember Coniglio said he doesn't think the town should have any rules on public comment.

Attorney Ed Russell said that at a meeting he recently attended there were no controls and there were no guidelines. They were not able to conduct any business at this meeting and the meeting lasted four hours. He went on to say that the purpose of the meeting is to hold town business. If there are public concerns, there should be a time for community forum, and people can come and voice their concerns. People shouldn't be allowed to just speak whenever they want.

Councilmember Guzzardi asked if he is saying that the town should hold a special meeting for public comment. Attorney Russell said that if it's a hot topic the board can choose to do that. It's at the board's discretion whether to allow public comment or not. It is not a requirement to allow public comment at any meeting.

Councilmember Guzzardi chuckled and said that removing public comments would make the Supervisors job a lot easier. Deputy Supervisor Huff said he has been on the board 14 years, and they have never had rules on public comment.

Chad Woodworth asked if these rules would also be enforced at a public hearing. Attorney Russell and Supervisor DiSalvo both said that it could be limited to just meetings. Chad Woodworth said he doesn't agree with this, and taxpayers shouldn't be limited on how long they can speak at a meeting or if they can speak. They come to these meetings to be heard and to voice their concerns.

Councilmember Rawleigh asked the town attorney about the repercussions of not having guidelines for comments and if it would affect the board. Attorney Russell said it doesn't limit them. They can still control who speaks and how long they speak but it will keep the Supervisor from playing favorites.

Clerk Woodworth said that many town people have come to meetings and commented on how welcoming the board has made them feel and how approachable the board is. She feels by limiting their freedom to speak freely these feelings will change. As elected officials they have to remember who they are serving.

Deputy Clerk Kaylee Leone said that the ZBA Chairman Kevin Fahey has specific rules that he reads at the beginning of every meeting. She recited a few of them that she could remember... you are limited to three minutes at a time, no topics repeated, and people can add to discussion and can speak for three minutes at a time. She thinks that these are fair rules, and they work well for the ZBA meetings.

Supervisor DiSalvo said they will table it for a month and look into other options. Councilmember Rawleigh said he agrees with having guidelines and he will work on getting some more information and different guidelines.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Cipriano said that the highway crew has been busy working on Hendershot Road and Wildcat Road due to the farm traffic.

They also did the section past the house on Union Corners. He didn't realize the amount of people that went down that road. After the last meeting he found out that the DEC uses it every day.

He said that Spencer DiSalvo is going to be a good asset to the crew. He is a good mechanic and has repaired two of the trucks himself.

He said that he had an issue with his computer. Someone hacked into his town email. Clerk Woodworth advised him that his email wasn't hacked, it was spoofed. It was the same thing that happened to Supervisor DiSalvo's email a few weeks back. They use a different email other than the person they are pretending to be and send emails to others in their organization or organizations they are connected with. Clerk Woodworth went on to say that she thinks that the town would benefit from cyber security training. That maybe it would help those that don't understand technology understand it more efficiently. Also, there are other annual training courses that are required for fulltime employees, and she doesn't know if they are all getting them. Such as sexual harassment and workplace violence. She would like to check with the insurance company or IT company and see if they offer these training courses online. Supervisor DiSalvo said he gets his done at the county level. Councilmember Coniglio and Councilmember Rawleigh both said they get theirs at their fulltime job. Clerk Woodworth again said this is my fulltime job and we have other fulltime employees that should be receiving these trainings. Supervisor DiSalvo said he will check with the Long Agency about the trainings, and he thinks that the ambulance may also have tapes of trainings.

Superintendent Cipriano went on to say that he may have 50-60k leftover in his budget from this year since he has used CHIPS to repair most things.

Supervisor DiSalvo said that he spoke with the attorney, Ed Russell and they cannot use the Amish contractors for the salt shed renovation because they do not have workers compensation, and they do not pay prevailing wage. Councilmember Guzzardi asked what the minimum for prevailing wage was. He went on to say that he asked Clerk Woodworth to look up Livingston Counties prevailing wage for roofing and it was around \$28 an hour. Clerk Woodworth said she thinks it was around \$33 an hour but when the Amish contractors did the roof at her house, they charged her and her husband around \$32 an hour. Supervisor DiSalvo said either way they still don't have workers compensation.

Superintendent Cipriano asked if he should get the plumber scheduled to get the heater replaced in the town garage. Supervisor DiSalvo said yes you want to get it done before winter.

Superintendent Cipriano said that Frontier Communications contacted him because they want to install fiber optic on Fiddler Road. He is worried they will run the cables in the ditch and in the area of the fire hydrants. He scheduled a time to meet them so they could show him where they planned to install the fiber optic cable, but they didn't show up. Supervisor DiSalvo asked if they ran the cables on the poles or if they buried them. Patrick Scully said that they usually run them underground in rural areas.

Supervisor DiSalvo asked if Superintendent Cipriano had listed the Sterling truck for surplus. He said he hasn't had a chance to list it yet. Superintendent Cipriano said he was thinking about putting it on the auction. He thinks the town could get more money from it that way. He asked the attorney if he needed to disclose the issues with it. Attorney Russell said to list it "as is".

CEMETERIES

Councilmember Guzzardi said that he received numerous calls for the advertised bid for mowing of the cemeteries but only received two quotes. He thinks the board needs to review the quotes and then make a decision.

Superintendent Cipriano said that all of the stones that were planned to be reset for the year were complete. He thinks the board needs to allocate a certain amount of money every year to fix a set number of stones so that the town can get the cemeteries in order. To fix a stone it ranges anywhere from \$150-\$900 depending on the size and weight and number of tiers. If the town could allocate \$21,000 a year on the cemeteries to fix the stones it would make a big difference.

TRANSFER STATION

Councilmember Guzzardi said that the recycling dumpster is scheduled to be repaired September 9th. Transfer Station Manager Kitt Ceroni said that they will be welding the compactor, and they

need to get into the floor of it. Due to this he would like to close the station on Wednesday the 11th. He asked Clerk Woodworth to please put an ad in the shopper informing the public.

Transfer station Manager Ceronie said that he received two quotes for removal of the mattresses. One from Southern Tier Removal and Hauling out of Dansville and the other from Waste Management. He said they are pretty close as far as pricing so he would like to go with the local guy from Dansville. He is also going to look at the Transfer Station while he is there and give him a bid for garbage removal services.

Councilmember Guzzardi asked if keeping the mattresses separate has saved the town any money. Transfer Station Manager Ceronie feels it has saved them the cost of one dump.

Supervisor DiSalvo said that he was discussing price increases with the transfer Station manager, and they feel that the town could raise ticket prices not the annual sticker price this year. Clerk Woodworth ordered new tickets and saved money as well as didn't have a price printed on them.

TUSCARORA PARK

Councilmember Coniglio said that Flint Creek is playing at Tuscarora park next Friday from 6-9pm and food will be available for purchase from KickA\$\$ Concessions.

PLANNING AND ZONING

Councilmember Rawleigh said that the ZBA had a special meeting last night to approve a few subdivisions and the Planning Board meeting is next Wednesday.

TOWN CLERK'S REPORT

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

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

VOUCHERS/ AUDIT OF CLAIMS

Deputy Supervisor Huff said that he had some concerns with how much money is being spent on IT services. Supervisor DiSalvo informed him that a majority of the voucher for IT services from this month is from the fuel system billing update. That the town will get reimbursed some of these expenses.

Abstract 8, Year 2024 and related vouchers were reviewed by the Town Board. A motion by Councilmember Coniglio, seconded by Councilmember Rawleigh to approve Vouchers 199-224 on General A Abstract in the amount of \$100,018.84.

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

A motion by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to approve Vouchers 50-61 on General B Abstract in the amount of \$4,877.43.

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

A motion by Deputy Supervisor Huff, seconded by Councilmember Guzzardi to approve Vouchers 69-80 on the Highway DA Abstract in the amount of \$11,060.43.

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

A motion by Councilmember Guzzardi, seconded by Councilmember Rawleigh to approve Vouchers 14-18 on the Highway DB Abstract in the amount of \$51,007.34.

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

A motion by Councilmember Rawleigh, seconded by Councilmember Guzzardi to approve Voucher 22 on the Recycling SR Abstract in the amount of \$1,870.56.

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

A motion by Councilmember Rawleigh, seconded by Councilmember Guzzardi to approve Vouchers 21-22 on the Sewer SS Abstract in the amount of \$1,969.01.

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

A motion by Councilmember Guzzardi, seconded by Councilmember Rawleigh to approve Vouchers 19-20 on the Sewer SW Abstract in the amount of \$2,239.14.

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

Total Abstract 8 \$173,042.75

EXECUTIVE SESSION

A motion was made by Councilmember Rawleigh, seconded by Councilmember Guzzardi to enter into Executive Session at 6:52pm for contract discussions.

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 exit Executive Session at 7:00pm.

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

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

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

Meeting adjourned at 7:03pm

Respectfully Submitted,

Chelsey Woodworth
Town Clerk/Tax Collector