

Angelica Town Board Meeting Minutes January 11, 2021

Angelica Town Board

Meeting Minutes

January 11, 2021

Opening

The regular and organizational meeting of the Angelica Town Board was called to order at 7:07 pm on January 11, 2021 in Angelica, NY at the Grange Meeting Room at 55 Park Circle by Robert Jones.

The Pledge of Allegiance was said.

The following **oaths** were signed: Jonathan Makeley, Town Historian

Present: Robert Jones, Supervisor
Elwyn Gordon, Councilman
John "Skip" Hecker, Councilman
Girard Kelly, Councilman
Don Case, Councilman

Recording Secretary: Sharon Presutti, Town Clerk

Absent: None

Others Present: David Haggstrom; Jonathan Makeley, (Town Historian); Tom Green, Guy Starck; Robert Budinger

Organizational Meeting

Robert Jones read a notice from the Association of Towns of the State of New York regarding the 2021 Training School and Annual Meeting of the Association; this will be held virtually, February 14-17 due to the COVID 19 pandemic.

Annual Resolutions and Appointments: Robert Jones read the following:

Robert Jones noted that the only change was:

Be It Resolved that there will be a change in the Regular Town Board Meetings: they will be held at 7:00 p.m. on the 2nd Monday and 4th Monday (if required) of each month. All town board meetings will be held in the meeting room at 55 Park Circle, Angelica, NY.

There have been no changes to the following:

Be It Resolved that the Official Depository for funds (all accounts) shall be Community Bank, NA, 32 West Main Street, Angelica, NY.

Be it Resolved that the Official Depositories for investments shall be:
NYCLASS (New York Cooperative Liquid Assets Securities System),
Community Bank, 32 West Main St., Angelica, NY

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Be it Resolved that accounting, bookkeeping and payroll services shall be the firm of Berry & Berry CPA's, 7089 Bennett Road, Franklinville, NY as per contract.

Be it Resolved that the official newspaper shall be The Hornell Evening Tribune/Spectator.

Be it Resolved that the compensation for mileage for personal vehicles used in the performance of official duties shall be \$0.40 per mile for 2021.

Appointment – Court Clerk (as per Justice David Szucs request) shall be Yvonne Marks.

Appointment – Town Historian shall be Jonathan Makeley,

Appointment – Dog Control Officer shall be Richard A. Abbott, 6081 Transit Hill Road, Belmont, NY 14813

Code Enforcement Officers – shall be Kevin Margerum and Mike Unfus as per contract through (Municipal Alliance of Code Enforcement) MACE - \$5900.00, the Village pays a separate fee for the parcels in the Village.

Assessor – shall be Russell Heslin as per appointment and contract.

Appointment – Members of the Board of Assessment Review (Grievance Board) shall be: Dean Gallmann, Raymond Hooker and James Gallmann.

Designation – of the Town Clerk to serve as Registrar of Vital Statistics.

Town Attorneys – shall be Richardson, Pullen & Buck, P.C., 21 Minard Street, PO Box 182, Fillmore, NY.

Special Issues Attorney's shall be from the firm of Hodgson Russ Attorney's, LLP, Buffalo, NY.

Supervisor Appointments:

Deputy Supervisor – Donald C. Case

Authorized Signatures for Investments – Robert L. Jones or Donald C. Case

Town Clerk Appointments:

Deputy Clerk – Lisa K. Perry

Highway Superintendent Appointments:

Deputy Highway Superintendent – Jeremy Morton

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Additional items requiring approval and authorization:

2021 Compensation Report of the Town of Angelica Officials, Employees & Contractors:

Position	Name	2019 Rate	Pay cycle
Supervisor	Robert Jones	\$6000	Qrtly*
Councilmen	Skip Hecker	\$1250	Qrtly*
	Elwyn Gordon	\$1250	Qrtly*
	Donald Case	\$1250	Qrtly*
	Girard Kelly	\$1250	Qrtly*
	Sharon Presutti	\$10455	Bi-weekly
Town Clerk/Col Registrar of Vitals	Sharon Presutti	\$300	
Deputy Town Clerk	Lisa Perry	\$13.00/HR.	As submitted
Town Justice	David Szucs	\$11000	Bi-weekly
Court Clerk	Yvonne Marks	\$15070	Bi-weekly
Appointed Assessor	Russ Heslin	Contract \$13354	Semi-annual
BAR		\$20.00/HR	When completed
Code Enforcement	Margerum	Contract \$5900	Semi-annual
	Unfus		
Dog Control	Richard Abbott	\$4000	Bi-weekly
Highway Supt.	Kevin Demick	\$57700	Bi-weekly
Highway Crew	Russ Lyon	\$22.85/hour	Bi-weekly
		\$34.27/OT/hour	
		\$45.70/DT rate	
	Jason Burrows	\$22.85/hour	Bi-weekly
		\$34.27/OT/hour	
		\$45.70/DT rate	
	Jason Burrows	\$21.60/hour	Bi-weekly
		\$32.40/OT/hour	
		\$43.20/DT rate	
	Jeremy Morton Deputy Supt.	\$23.30/hour	Bi-weekly
		\$34.95/OT/hour	
		\$46.60/DT rate	
Vinny Grotanelli	\$19.55/hour		
	\$29.32/OT/hour		
	\$39.10/DT rate		
Laborer Gen.T/W	Dean Warner	\$14.00/hour	Bi-weekly
		\$21.00/OT/hour	
		\$28.00/DT rate	

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Contractual with Village by Shared Service Contract

From Village for Labor Services \$1169.16 Monthly

Fire/Amb Contract Village of Angelica \$36300.00 By March 1st

Highway Crew: \$.50 increase for 2021 to new Base Rate \$22.55

Russ Lyon - \$.30/hr. Longevity added to base

Jason Burrows - \$.30/hr. Longevity added to base

Jeremy Morton - \$.75/hr. added to base as Deputy

Election personnel paid by Allegany County Board of Elections as billed to the Town

***Quarterly pay cycle is on the same date as the last bi-weekly payroll of the quarter**

Organizational: RESOLUTION 1-1-21 - Motion to establish a Standard Work Day for elective or appointive offices or position.

Approve – Schooling when such schooling pertains to respective jobs.

Approve and Authorize – the Supervisor to prepay utility bills, contracts and purchase postage as needed.

Approve and Authorize – the Supervisor to sign checks using a facsimile signature stamp

Approve and Authorize – a charge for each check tendered as payment and returned for insufficient funds in the amount of \$20.00

Approve – the price of any gravesite in the Until the Day Dawn cemetery to be \$450.00.

Approve – the price for any grave opening for full burial to be \$350.00.

Approve – the price for any cremation burial to be \$200.00

Approve – that additional charges be made for burials or cremation burials that need to be on any day that employees are NOT working. Those charges shall cover the full cost of employee overtime. Funeral directors shall be notified of those additional charges.

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Rules, Policies and Codes

**GML 104-b requires the governing board to annually review its policies and procedures.

Robert Jones had asked the Board if they wanted all of these to be reprinted for them, they did not unless there was a change.

Rules or Procedure for Town of Angelica Town Board Meetings. – no change

Investment Policy of the Town of Angelica. - no change

Procurement Policy of the Town of Angelica. - no change

Voucher Policy of the Town of Angelica.- no change

Code of Ethics for the Town of Angelica. - no change

Regulations for Public Access to Records of the Town of Angelica – no change

Computer, Internet and E-Mail Use Policy of the Town of Angelica – no change

Social Media Use Policy – no change

Rules for Until the Day Dawn Cemetery – change – If there is to be any physical change or alteration to a stone it has to be approved through the Town Clerk.

Grange Building Facility Use Policy – no change

Indemnification & Insurance Agreement Policy – no change

Harassment Prevention Policies & Procedures Handbook – no change

Drug and Alcohol Abuse Policy of the Town of Angelica from OCCUSTAR as it applies to all employees that are require to have a CDL.- no change

Facilities Use Applications and Requirements for Park and Grange – no change

A motion was made by Girard Kelly, seconded by Skip Hecker to accept: Annual resolutions and appointments, additional items requiring approval and authorization and the rules, policies and codes.

Elwyn Gordon Aye

Skip Hecker Aye

Robert Jones Aye

Girard Kelly Aye

Don Case Aye

Organizational meeting was closed at 7:13 p.m.

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Regular Meeting opened at 7:13 p.m.

Approval of Minutes of Previous Minutes:

Minutes of the 12/14/2020 meeting were distributed. There were no corrections or additions made. A motion was made by Skip Hecker to approve, seconded by Elwyn Gordon.

Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Aye
Girard Kelly	Aye
Don Case	Aye

Abstract Approvals:

General expenditures - \$16982.55

A motion was made by Girard Kelly to approve payment seconded by Elwyn Gordon.

Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Aye
Girard Kelly	Aye
Don Case	Aye

Highway expenditures - \$15860.90

A motion was made by Girard Kelly and seconded by Donald Case to approve payment.

Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Aye
Girard Kelly	Aye
Don Case	Aye

Budget Sheets and Supervisor's Reports:

No reports given – these will come out with the year end figures.

Financial Reports:

NYCLASS Report for December was distributed by Robert Jones showing the balances for all of the sub-accounts. He is having trouble printing the reports.

The final 2021 Town Budget was distributed by Robert Jones.

Town Business Review:.

Robert Jones noted that Sherri Presutti, Town Clerk, distributed her 2020 Town Clerk's Annual Report.

Elwyn Gordon motioned to approve the 2020 final report seconded by Girard Kelly.

Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Aye
Girard Kelly	Aye

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Donald Case Aye

Town Clerk's December 2020 Report

Dogs - \$171.00

Decals - \$0.00

Certified Copies - \$0.00

Cemetery Lot Sales - \$4050.00

Burials - \$1125.00

Marriage License - \$0.00

ATV/LUV Registration Fee - \$20.00

Girard Kelly motioned to approve the monthly report seconded by Skip Hecker.

Elwyn Gordon Aye

Skip Hecker Aye

Robert Jones Aye

Girard Kelly Aye

Donald Case Aye

Town Justice Report

Robert Jones read a letter of resignation from Town/Village Court Clerk, Amber Snyder, effective December 31, 2020.

Skip Hecker motioned to accept this resignation, seconded by Girard Kelly.

Elwyn Gordon Aye

Skip Hecker Aye

Robert Jones Aye

Girard Kelly Aye

Donald Case Aye

Elwyn Gordon motioned to approve and accept the recommendation of Justice Szucs appointing Yvonne Marks, Court Clerk, and Linda Healy, part time, to assist/help train/work on backlog of old cases at the pay rate of \$20.00/hr., seconded by Girard Kelly.

Elwyn Gordon Aye

Skip Hecker Aye

Robert Jones Aye

Girard Kelly Aye

Donald Case Aye

Dog Control Report: No report given

Code Enforcement Report: Robert Jones is requesting authorization to execute the updated Code Enforcement Agreement for those services based on 733 parcels at \$8.00 per parcel; this is due to Scio joining MACE.

Girard Kelly motioned to authorize this update seconded by Skip Hecker.

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Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Aye
Girard Kelly	Aye
Donald Case	Aye

Assessor/Real Property Report: Robert Jones reported that we currently have 1214 parcels and we are charged \$11.00 per parcel.

Highway report:

RESOLUTION No. 1-2-21

Motioned by Girard Kelly seconded by Skip Hecker to adopt the following resolution:

Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Aye
Girard Kelly	Aye
Don Case	Aye

Resolution approving the Mutual Aid Agreement between the Municipalities of Allegany County, New York. Offered by: Allegany County Town Highway Superintendents Association, whereas, the Town Board of the Town of Angelica hereby agrees to allow Town Superintendent of Highways to extend Mutual Aid assistance to another participating municipality within the County of Allegany when requested to do so by such municipality in time of abnormal snow or work conditions. This agreement is subject to the conditions listed in the written agreement.

Robert Jones read the Agreement to Spend Town Highway Funds (284 Form) for the Town of Angelica, County of Allegany. This was signed by the Supervisor, Councilman and Town Superintendent of Highways. One copy stays with the Town Clerk and one gets sent back to Kevin Demick, Highway Superintendent. This reads as follows:

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvements of highways, and received from the state for the repair and improvement of highways, shall be expended as follows:

General Repairs: The sum of \$184950.00 may be expended for general repairs upon 34.5 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof:

Improvements: The following sums shall be set aside to be expended for the improvement of town highways.

- (a) On the entire section of Bailor Road – 1.95 mi., Burdick Road - .1mi., Emery Road - .6mi., Frace Road – 1.8mi., Peavy Road – 2.5mi., Riley Road - .39mi., Town Hill Road - .39mi., and Shawmut Road - .2mi.

These shall be expended not over the sum of \$165500.00

Type: Highway resurfacing – width of traveled surface: 19 feet

Thickness: 1>inch Subbase: Gravel

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Girard Kelly asked Robert Jones to get them a copy of this agreement, Robert Jones said he would.

Hyland:

Robert Jones distributed:

NYSDEC Monitoring Report for December 2020, if there are any questions regarding this report contact him.

Robert Jones distributed the proposal from Antea Group for 2021 third party quarterly inspections and reports. There are 4 events at \$1750.00 per event – totaling \$7000.00, no change from last year. Robert Jones would like permission to sign this agreement. Girard Kelly motioned to approve, seconded by Skip Hecker. Donald Case asked how long we have used Antea, Robert Jones replied 3-4 years, Donald Case thought maybe next year we should inquire about other companies. Robert Jones replied that they do a great job and have a good working relationship with Hyland workers. Hyland reimburses the Town for this expense.

Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Aye
Girard Kelly	Aye
Donald Case	Aye

Robert Jones distributed the Hyland Revenues for FY 2020 by quarter and fund report. Fourth quarter figures are tentative due to COVID hitting the Hyland office staff, the exact numbers will be distributed next month, along with the complete report for 2020.

Robert Jones distributed the Third Amendment to the Amended Host Community Agreement. Robert Jones distributed the Hyland File with the 1st agreement and the 2nd and 3rd amendments in it to the Board members because when reading the 3rd amendment it corresponds to items in previous agreements. This third amendment is a proposal from Hyland. After a lengthy discussion, it was decided that the Board members should email or submit to Robert Jones any questions they have regarding the landfill and this proposed agreement for further discussion.

Historian:

Jonathan Makeley presented an annual report for 2020. Robert Jones thanked him for that and for coming to the meeting tonight.

Miscellaneous:

Authorization to execute Retainer Agreement

Robert Jones read a reply from Richard Buck regarding paralegal fees and when, and for what purpose, paralegals were used. Girard Kelly motioned to approve Richardson, Pullen & Buck, P.C. retainer agreement, seconded by Skip Hecker.

Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Aye
Girard Kelly	Aye
Donald Case	Aye

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Reports distributed

Robert Jones distributed reports on the following: Salaried of Town Officers for the County, Town of Angelica Tax Levy for 2021 from Allegany County and the 2021 Equalization and Apportionment Table.

Southern Tier West CAP Membership Option

Robert Jones read over the options that are available. Girard Kelly motioned to purchase the Basic CAP Membership for \$150.00 along with the Website Maintenance for and additional \$150.00, seconded by Skip Hecker.

Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Aye
Girard Kelly	Aye
Donald Case	Aye

Skip Hecker requested that a picture of the Town Hall be added to the website. Sherri Presutti will do that.

Items from Board Members

Skip Hecker – where are we at with tree removal. Robert Jones responded – felling and chipping only, 2 trees from Erin McGraw - \$5000.00, Trim Right Tree (Preston) – cut, chip, leave wood - \$3000.00, everything for \$4200.00. Elwyn asked how we were set with Town employees with quarantining for being able to clean up and when would these companies be available to do this work. Skip Hecker made a motion to have Bo Preston do the work, cut, chip brush and leave wood for \$3000.00 if our guys can get up there to finish it up, if not have Bo Preston do it all for \$4200, seconded by Girard Kelly.

Elwyn Gordon	Aye
Skip Hecker	Aye
Robert Jones	Aye
Girard Kelly	Aye
Donald Case	Aye

Skip Hecker – where are we with the cemetery fence. Robert Jones responded that he needs to know the height of the fence and what we want done with the gates/entrance arch. Skip Hecker suggested having them quote the entrance gate/arch separately. Skip Hecker will check the height of the old fence, it is thought to be 3 ½ feet high, and will give that information to Robert Jones. Robert Jones will get pricing on gates. Robert Jones noted that this company that he is communicating with only builds the fence. The “warrior” top was chosen for the top of the fence. Skip Hecker asked what would be done with the old fence, it can be sold, not junked.

Skip Hecker – dog shelter progress. Skip Hecker reported that the dog shelter is completed except for the sign which has been ordered. He also added that somehow a new heater was installed when the old heater had been fixed and that the shelter will probably need a new roof a year or two down the line.

Skip Hecker – park – Skip has been in contact with John Snyder, park manager at Stony Brook. He said that all of their park equipment is ordered through State contract. He got a contact name of Karen O’Conner, Skip will get in touch with her. Skip has been told that they will come down and give us suggestions at no charge. They will come in and install the new and remove the old. They will also come down and do a one-year inspection. Skip would like permission to call her. Skip also noted that Stony Brook is scheduled to replace their main playground this Spring, Skip will ask what they do with the old equipment, maybe we can purchase it. Skip did

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find out there would be a mounting problem with glass backboards for the basketball court, he is looking at other options for this including replacing the posts.

Skip Hecker – Kevin Demick/Jeremy Morton – Skip has set up a meeting with them for January 14th as long as they are not quarantined at that time.

Skip Hecker – where are we at with insurance quotes. Robert Jones emailed the interested parties and told them that he needed their pricing by this Friday, January 15th.

Questions from members of the public in attendance

David Haggstrom asked Robert Jones if he would have final 2020 Hyland figures at the next meeting. Robert Jones responded that he would and that he would email those to him.

Executive session

Robert Jones requested a motion to go into executive session to discuss the employment history of a particular person and to discuss the possible acquisition of real property when publicity would substantially affect the value. Elwyn Gordon made the motion, seconded by Girard Kelly.

Entered into executive session at 8:17 p m.

Exited executive session at 8:50 p.m.

With there being no further questions or comments, Girard Kelly motioned to adjourn the regular meeting seconded by Skip Hecker.

Respectfully submitted,

Sharon A Presutti
Town Clerk