

Angelica Town Board Meeting Minutes February 8, 2021

Angelica Town Board

Meeting Minutes

February 8, 2021

Opening

While going through vouchers and abstracts Girard Kelly asked Robert Jones if he could get more detailed invoices from Richardson, Buck & Pullen, Atty.

The regular meeting of the Angelica Town Board was called to order at 7:10 pm on February 8, 2021 in Angelica, NY at the Grange Meeting Room at 55 Park Circle by Robert Jones.

The Pledge of Allegiance was said.

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; Guy Starck; Robert Budinger

Approval of Minutes of Previous Minutes:

Minutes of the 1/11/2021 meeting were distributed. There were no corrections or additions made. A motion was made by Girard Kelly to approve, seconded by Donald Case.

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

Abstract Approvals:

General expenditures - \$5086.78

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

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

Angelica Town Board Meeting Minutes February 8, 2021

Highway expenditures - \$3138.97

A motion was made by Girard Kelly and seconded by Skip Hecker 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 – computer issues. Robert Jones reported that property taxes have been collected and the check has been deposited.

Financial Reports:

NYCLASS Report for January was distributed by Robert Jones showing the balances for all of the sub-accounts. He is having trouble printing the reports with totals and showing the interest rate.

Robert Jones distributed the yearly report from Terri Ross, Allegany County Treasurer showing what the County has paid the Town of Angelica. The total was \$75405.90. This was for second notice fees, mortgage tax, snow & ice contract and traffic diversion.

Town Business Review:

Robert Jones noted that Sherri Presutti, Town Clerk, distributed her January 2021 Town Clerk's report.

Elwyn Gordon motioned to approve this report, seconded by Girard Kelly.

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

Town Clerk's January 2021 Report

Dogs - \$120.00

Decals - \$0.00

Certified Copies - \$0.00

Cemetery Lot Sales - \$450.00

Burials - \$0.00

Marriage License - \$0.00

ATV/LUV Registration Fee - \$40.00

Angelica Town Board Meeting Minutes February 8, 2021

Town Justice Report

Robert Jones distributed the Justice Court report for December 2020, totaling \$9556.00. He also distributed the traffic diversion report for 4th quarter 2020 – 26 cases for a total of \$1950.00. A copy of the 2020 1099-K received by the Town of Angelica was distributed. This shows payments made by credit cards to the Court. The total for 2020 was \$110828.72.

Elwyn Gordon motioned to approve the Court's monthly reports; seconded by Girard Kelly.

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

Dog Control Report: Robert Jones reported that Rick Abbott called him today and reported that he only had one call for the month from Jerry Wells, he called the Troopers and a ticket was issued.

Code Enforcement Report: Robert Jones reported that MACE ended the year with a fund balance of \$6753.00.

Assessor/Real Property Report: No report given

Highway report: No report given

Hyland:

Robert Jones distributed:

NYSDEC Monitoring Report for January 2021, a letter from Hyland that came with the check for 4th quarter 2020, a statement showing 2020 payouts, the Hyland revenue sheet showing detail for 2020 revenue, the Hyland revenue comparison sheet by year and quarter and a copy of the letter from Hyland regarding adjustment of host fee per agreement executed 2/14/2005. The totals for 2020 were: 438728.27 tons, \$819781.81 revenue and \$280711.81 over budget revenue. We should be receiving a check for \$100414.00 for the rate adjustment. Furthermore, based upon average sale price per ton for period 10/1/19-9/30/20 the new rate for 2021 for the first 278928 ton will be \$2.20/ton and \$2.25/ton for all tons thereafter.

There was some discussion regarding the 7.17% vs. the CPI. Don Case thought it would be a good idea to have our accountants come in and explain this better, to make sure this is a good deal. This needs to be looked at every year. Don questioned whether or not this could go down, Robert Jones is going to look into this. Skip Hecker did find in the agreement where it could go up or down, but not below the minimum, \$1.65.

There was also some discussion regarding trucks coming down East Main Street, Robert Jones noted that if anyone sees this to please let him know.

Angelica Town Board Meeting Minutes February 8, 2021

Miscellaneous:

Insurance Quotes

Robert Jones distributed letters from Lee James, Marshall Insurance Services, Inc. and Richard Ewell, The Evans Agency (Richardson & Stout), they were both asked to prepare proposals for our insurance coverage. Girard Kelly asked Robert Jones if he ever asked if ALL of the Town's property was covered and how do we know that. Robert Jones replied that he did ask and the response he got was that if the Town owns it, it is covered. The Marshall Insurance Agency informed us that it would be better for us to have them give us a proposal after the large claim we currently have is settled, they would like to be considered in the future. The Evans Agency premium will be \$28,427.93. Robert Jones noted that Kathy Berry, CPA informed him that NYS now requires a list of everything that is covered, all assets. Girard Kelly made a motion to insure the Town of Angelica through NYMIR with The Evans Agency; seconded by Skip Hecker.

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

Great Lakes Cheese, possible development

Robert Jones distributed information regarding the possibility of Allegany County IDA to act as lead agency for the purposes of reviewing a proposed cheese manufacturing plant project to be located within the Town of Amity and the Town of Angelica along County Route 20. Included was a notice of a Public Hearing to be held tomorrow, February 9, 2021. This would be a 486,000 square foot cheese manufacturing/packaging facility. This would be on 202 acres in the Town of Amity and Angelica. There would also be a Waste Water Treatment facility in the Town of Angelica, 45 acres would be located in the Town of Angelica. This would be just for their own waste. Robert Jones noted that they will have a big reverse osmosis unit to remove a huge portion of the water from the milk. They will use this water for cleaning, etc. Robert Jones read the project description. There is a need for this due to the facility in Cuba, NY nearing the end of its useful life. They have received an application for financial incentives and assistance, including potential acquisition of the property through eminent domain. Robert Jones reported that Craig Clark, Ex. Dir. Of IDA, called him. Girard Kelly asked if the town had any rights to say or do anything. Robert Jones said the Town could object to the IDA being the lead agency. This would come off the tax rolls for 15 years plus the loss of good farmland. Robert Jones suggested listening to the Public Hearing tomorrow.

Keys – Village Police Department

Robert Jones received a text on January 19th from Matt Heller. He was requesting if he could get keys for each of his officers, as it would be much for convenient for them to get into the Town Hall while on duty. Robert Jones asked him how many keys he thought he would need. Matt Heller replied that he would like 6. The Board discussed this and noted that it would not be a good idea to have that many keys out there.

Cemetery Fence

Robert Jones got a hold of the wholesaler, he asked for names of companies that will install the fence. He gave him the name, David Conrad (Southern Tier Fencing), from Wayland. Robert Jones said that David came over and took a look at where we needed this fencing to go. David measured and said that we needed 572 feet of fencing, the issue being with the part that is to the far west because of how it slopes off. He recommended a fence that is flat (no decorative spikes) on the bottom for grass trimming. He gave Bob an estimate with gate figures included. Elwyn Gordon wondered if we need gates. There was some discussion regarding the gates,

Angelica Town Board Meeting Minutes February 8, 2021

the main entrance arch and the depth of posts in the ground. David's quote with the gate was \$39215.80. David also recommended rackable fencing that flows with the landscape. The Board would like Robert Jones to ask him how deep the posts would be buried in the ground, NYS minimum is 42". Robert Jones would like everyone to go up and look at the West end – there never was a fence there before – the grade is different there.

Skip Hecker Park

Skip Hecker reported that he and Girard Kelly met with Ben Frasier from Parkitects out of Buffalo. Skip Hecker distributed a proposed equipment plan to the Board members and Robert Jones, this is laid out strictly with State requirements. This proposal also includes the basketball court, baskets, backboards and posts. The only thing not included in this proposal is the handicap sidewalk, a sidewalk from the existing sidewalk to the playground area. The ground cover would be wood chips. The Town would have to pull out the existing playground equipment. Parkitects proposal is \$45201.28, not including the sidewalk, removal of existing equipment, excavation and site restoration. There was some discussion as to the lay out and possibly adding big stones (riprap) for safety/protection. Skip Hecker noted that the basketball hoops included in the proposal are metal. Robert Jones will go through last year's budget to see what we did not use and what could be available. Elwyn Gordon asked if there would be community help, they said they would but when it comes down to it, the community doesn't show up. Skip Hecker will ask about possibly helping with the digging of the holes, this could save some labor cost.

Town of Angelica/Hyland Host Agreement

Skip Hecker reviewed the Third Amendment to the Amended Host Community Agreement with Hyland and a number of questions have surfaced for him. Skip admits that he may have been the only one on the Board who missed the vertical expansion portion. Skip Hecker distributed his comments and concerns with the Hyland Project. Skip is not against vertical expansion but noted that it has to be done right. Skip is very concerned about this expansion and feels that these items need to be addressed with Hyland during negotiations. Skip asked if Hyland was going to present a visual impact assessment. There will be 120' above their present level. It was discussed that these visual drawings were presented at the public meeting and were displayed down town. Skip is requesting to see these assessments. Skip also discussed the compensation/tipping fees, some Towns receive a percentage of the landfill revenue. Skip also reported on other benefits that Town's receive beside monetary benefits. Skip would like to meet with the Town Supervisor of Seneca Falls on February 11 if the Board agrees. Skip also suggests obtaining legal counsel to look over this agreement. Skip announced that as a Board member he can't accept the Third Amendment as it sits right now. Robert Jones suggested that they take Skips questions and go to Hyland and sit down and talk with them. Skip would like to do a lot more research and would like some legal guidance as to what needs to be in the agreement. The Board does not have a problem with Skip going to talk to Seneca Falls, it is all public information. Skip wants to take the time to do the research before going to Hyland. Elwyn Gordon would like to know what their attorneys, who are familiar with landfill documents, charge.

Meeting with Fred (Kevin) Demick and Jeremy Morton

Skip met with Fred and Jeremy last Friday, they discussed a number of issues. Fred and Jeremy have asked Skip to be the liason between the Board and the Highway department to open communications. Fred gave Skip permission to call him 24/7, 365. Skip reported that they discussed needed equipment: 10 wheeler, pick up truck, excavator. Fred and Jeremy would like permission from the Board to go out and get prices and have it for budget time. There was some discussion on the excavator – the need for it and the number of hours put on it last year, it has 1044 hours on it now. Skip asked them to justify the need. There may be some confusion – it may be the Gradall they are requesting to replace. Skip will ask if it is the Gradall or the excavator that they are

Angelica Town Board Meeting Minutes February 8, 2021

looking to replace. The Gradall has over 6000 hours on it. The Board has no problem with getting prices and to see what the equipment is worth that they are asking to replace.

Grant

Skip received an email from Sherri Presutti regarding a grant. This grant is funded through a \$750000.00 grant awarded to the NYS Office of Parks, Recreation & Historic Preservation to support historic restoration and rehabilitation projects throughout rural communities, provided through the Landmark Society. Grants of \$5000 to \$50000 are available for repair and rehab of historic buildings. Skip attended the information webinar. Grants will be awarded in two sections, one in June and one in October, \$325000.00 each time. Skip reported that he has applied for (and received) a very detailed application form. Skip would like to apply for this grant for the Grange building; insulation under the roof, acoustics, the front foyers and getting the clock to work. Skip would like permission from the Board to apply for this grant and to represent the Town in this process and permission to get bids for the planned work. The submitting deadline is March 31, 2021. Skip Hecker asked Robert Jones if he had a copy of the acoustics study report that was done, he does not but will ask Karen Ash for this. This is a reimbursable grant, it is not a matching grant but, if we do match it, we receive credits toward the grant application. Skip Hecker noted that the Grange Hall is more than eligible. The Board has no issue with Skip proceeding with this. There are 10 counties eligible for this.

Robert Jones

Court

Robert Jones reported that Yvonne Marks and Linda Healy are doing a tremendous job cleaning up the Court work. Yvonne is a quick study and Linda is mostly working on back cases. He is not sure how long this is going to take, this needed to be done a long time ago.

Employee Handbook

Robert Jones distributed the draft of the Employee Handbook. He asked the Board to go through it, look for spelling errors, if you think of something that you think should be in there and isn't, let him know. Robert Jones noted that wages and benefits are not included in the Employee Handbook.

Annual Court Audit

Robert Jones reported that the annual court audit is due and he is not sure it is ready to be audited. Robert Jones will write a letter, explain the situation we are in and tell them that we are not ready to file the audit right away.

Skip Hecker

Cemetery Trees

Skip Hecker asked if the trees were down yet, Robert Jones replied no. Robert Jones noted that he has emailed them and has not heard anything back, he will call them.

Girard Kelly

Mitchell Property

Girard Kelly reported that he took a look at the property, his feeling is that it is not that great. Robert Jones noted that Harold Mitchell called him, he felt that was too much time to wait. Robert Jones called him back and told him that the Town is not interested in purchasing the property.

Angelica Town Board Meeting Minutes February 8, 2021

Donald Case

Hyland

Donald Case asked if we ever received any payment for recyclables, Robert Jones responded that no we had not, that Hyland added that in case they were to collect recyclables and they have not done that. Donald Case also noted that he thinks the violation fee is pretty small, \$100.00 fine. He feels that if it isn't a substantial fine it shouldn't even be in there. There was some discussion as to the number of trucks per day that will be going up to the facility. Donald Case would also like to know about the increase in gas collection. Elwyn Gordon responded that they are looking to put in a storage area for the gas, to possibly recycle the gas. He also noted that they mentioned putting in another flare. Donald Case noted that he noticed a strong odor while driving on County Road 20 the other day. There was some discussion on the odor, where you can smell it the strongest.

David Haggstrom

David Haggstrom asked Robert Jones to get him a copy of the 2020 Hyland Report and the Code Enforcement Report for 2020. Robert Jones will get these for him.

With there being no further questions or comments, Robert Jones motioned to adjourn the regular meeting seconded by Girard Kelly. Meeting adjourned at 9:23.

Respectfully submitted,

Sharon A Presutti
Town Clerk