

Angelica Town Board Meeting Minutes May 10, 2021

Angelica Town Board

Meeting Minutes

May 10, 2021

Opening

The regular meeting of the Angelica Town Board was called to order at 7:01 pm on May 10, 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: Keith Hooker, David Haggstrom, Rick Abbott, Bob Budinger, George Spitz

Girard Kelly asked Robert Jones if he had received check from Jerge's Junk, Robert Jones replied that yes, he did, he picked it up today and will be depositing it.

Approval of minutes of previous meeting: Sharon Presutti distributed minutes from the April 12, 2021 and April 26, 2021 regular Town Board meetings. Elwyn Gordon motioned to approve both; seconded by Girard Kelly.

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

Approval of abstracts: Elwyn Gordon motioned to approve the General abstract for \$12993.11; seconded by Girard Kelly.

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

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Girard Kelly motioned to approve the Highway abstract for \$4685.04; seconded by Skip Hecker.

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

Budget sheets and Supervisor's reports: Robert Jones distributed the Budget sheets and Supervisor reports. Robert Jones read these over noting the Hyland Tipping Fees that were deposited, 4th quarter and 1st quarter. Elwyn Gordon motioned to approve these; seconded by Skip Hecker.

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

Financial reports:

Robert Jones distributed the Class accounts report for April 2021, showing the balances in all accounts. He noted that after the Board goes over the Year End Financial report the general account will change.

Robert Jones distributed the Year End report (12/31/2020) form Berry & Berry, CPA's, Sharon Presutti; Town Clerk, has a copy of the Annual Financial Report, Update Document for fiscal year ended 12/31/2020 to keep in the Town Clerk's office. Robert Jones directed the Board to the last two pages of the financial statements report, the budgetary transfers. Robert Jones noted that he talked to Kathy Berry today, she informed him that the State is cracking down on "due to's and due from's", he added that after we do the budgetary transfers she will remove these. The due to's and due from's are simply moving from one budget line item to the next to balance everything out. The totals for these budget transfers are: General Fund Townwide - \$332810.00, General Fund Part Town - \$5555.00, Highway Fund Townwide - \$25410.00, Highway Fund Part Town - \$82905.00. Girard Kelly asked about the State cracking down on the due to's and due from's, Robert Jones replied that the State doesn't not like to carry those; we may have to do those transfers every month from now on. Girard Kelly motioned to make the budgetary transfers in both General Funds and the Highway Funds; seconded by Elwyn Gordon.

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

Robert Jones added that NYS will be forcing on-line reporting of the Annual Financial Report to the State.

Town Business Review:

Sharon Presutti distributed the **Town Clerk's Monthly Report for April 2021:**

DEC Decals	\$4.41
Certified Copies	\$70.00
Burials	\$350.00
Memorial Bases	\$1361.88
Dog Licenses	\$77.00

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ATV Registrations \$30.00

Skip Hecker motioned to approve this report; seconded by Elwyn Gordon.

Elwyn Gordon Aye

Skip Hecker Aye

Girard Kelly Aye

Donald Case Aye

Robert Jones Aye

Robert Jones distributed the **April 2021 Town Justice Report**. Robert Jones noted that there is also a letter, dated 5/4/21, stating that there is a check attached for \$200.00 for Unclaimed Exonerated Bail, they were unable to locate the person who paid the bail – that person has 6 years to claim this, he is from Mexico City, Mexico. Robert Jones also noted to the Board the arrest dates on the Justice report – 2013, 2011, 2015 etc. these are some of the things that Linda Healy is cleaning up. Robert Jones also noted that the Governor is trying to pass legislation where defendant's can make partial payments on their fines, this will create more work for the Justice clerk – they may be forced to hire a part time clerk to just do that. Girard Kelly motioned to accept the Justice reports; seconded by Elwyn Gordon.

Elwyn Gordon Aye

Skip Hecker Aye

Girard Kelly Aye

Donald Case Aye

Robert Jones Aye

Dog Control: Rick Abbott dog control officer reported that he has one dog in the shelter that will probably be transferred to the SPCA, he visited 3 dog owners regarding expired licenses and has had several complaints regarding loose dogs in the Village, he found the owners and they have been warned.

Assessor/Real Property: nothing to report

Code Enforcement: nothing to report

Highway: Robert Jones noted that he spoke with Jeremy Morton; he was up ½ the night with their new baby so he would not be attending tonight's meeting.

Hyland: Robert Jones distributed the Hyland Revenue sheet for 2021 with 1st quarter figures along with the monitoring report for April 2021. The 1st quarter 2021 payment was for \$233742.32, Robert Jones noted that this is about 41% of what we budgeted for 2021, once we reach 100% there are some areas that we need to put some money aside for, one being the bridge project on Peacock Hill Road. This is estimated to be around a 2.2 million dollar project, the Town's share would be around \$25-\$30,000.00, he should have more accurate numbers next month. Girard Kelly asked when this project would be starting, Robert Jones responded that it is on the list and moving its way up, it may not be until next month.

Robert Jones distributed a letter from Barton & Loguidice regarding a revised proposal for a technical review of Casella's application to the DEC to expand the Hyland Landfill Facility, replacing two previous proposals, the new proposed fee is \$40,000.00, a reduction to reflect the reduced scope of work. Robert Jones opened the floor for discussion. Robert Jones noted what is not included (per the proposal): this does not include any legal fees, it does not include assistance with adjudicatory hearings and it assumes that B & L staff will not attend public

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comment meetings. Robert Jones added that upon the signing of the Third Amendment we will pay the \$40,000.00 and Hyland will reimburse us for ½ of that, \$20,000.00. Elwyn Gordon asked Skip Hecker if that is what he was hoping for, Skip Hecker said no, that once we signed the amendment (at the last meeting) that that states that we can't oppose anything that is done up to Hyland. Skip Hecker asked, what happens if B & L finds something that they don't agree with, they take that finding to Hyland and Hyland says that we signed the agreement and can't oppose anything then what can we do? Robert Jones responded that if there is a negative finding Hyland will have to take care of it or they won't get the permit. Skip Hecker feels like if Hyland satisfies the DEC but not B & L that they will still get the permit. Robert Jones added that what the DEC will look at will be way more extensive than B & L plus they have more authority. Girard Kelly added that what Skip Hecker is referring to is what if B & L does not agree with Hyland's engineers or the DEC, they might find something that they are missing. Skip Hecker asked how will the DEC know that we have a question or that B & L found something? Robert Jones and Elwyn Gordon stated that we can go to the DEC with questions/concerns. Skip Hecker is concerned that by doing that we are opposing Hyland and the contract states that we can't do that. Robert Jones added that we can't oppose the expansion, we can file paperwork and ask questions and if Hyland gets a question, the question must be answered to the satisfaction of the DEC. Skip Hecker asked Robert Jones if he has a name/contact for the DEC, Robert Jones said he will find out who will be handling the permit. Robert Jones asked the Board if they want to authorize him to sign the proposal from B & L, he added that he is not in favor of it. Skip Hecker added that again he is concerned with the infrastructure, can it support the additional weight. Robert Jones added that if it can't, Hyland will never get a permit, Hyland's engineers and the DEC's engineers look at it and if they feel it will not support it the permit will not be issued, he feels it is not necessary for the Town to spend \$20,000.00 to have this reviewed. Girard Kelly feels that its what we need to do for the taxpayers. Skip Hecker added that B & L could uncover something, they have a lot of experience with landfills. Girard Kelly added that this might be our only chance to do this, he would be surprised if the DEC missed something but its not a bad thing to do, we as Board members do not know the infrastructure of a landfill. With there being no further discussion Girard Kelly made a motion to go forward with the B & L proposal; seconded by Elwyn Gordon.

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

Robert Jones will sign the proposal and email it to Hans Arnold at B & L tomorrow; Robert Jones will be the contact person with B & L. The Board can get questions to Robert Jones and he will forward them on. Skip Hecker asked if Hans Arnold has a question for Hyland does he go through Robert Jones, Robert Jones responded no, he can go directly to Hyland. Robert Jones will pass all correspondence onto the Board members.

Miscellaneous:

Roger Butler: Robert Jones and Elwyn Gordon spoke with Roger Butler, Roger is ready to come back to work for 20-25 hours per week. Elwyn added that Roger noted that he likes to go on family vacations and Elwyn told him that he would have to work out those details with Dean Warner. Roger said he would be satisfied with a rate between \$13.25 and \$13.50. Elwyn told Roger that he just has to be below what Dean makes. Girard Kelly asked if the 20-25 hours per week would be solid or just when they need him, good weather, who will be calling him in? Roger and Dean can work the hours out, Girard Kelly said he would be glad to have him back. Elwyn Gordon made a motion to hire Roger Baker back as a part-time employee at \$13.50 per hour for 20-25 hours per week; seconded by Girard Kelly.

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

Cemetery Item: Sherri Presutti reported to the Board that she received an email from Tracy Cassidy on April 5th, she feels that she is almost done with her cemetery work, Sherri added that she was also contacted by Patty Robbins Whitney in reference to the Cemetery records that her parents (Curt and Wilma Robbins) have from when Curt dug the graves for the burials in the Until The Day Dawn Cemetery. Patty told Sherri that they would like \$1000.00 for their business records. Sherri added that she went to Curt and Wilma's house to look at what they have, they have a lot of hand written information, a couple of maps (nothing that the Town does not have), some notebooks with burial information in it, obituaries, death records, they said 40 years worth of cemetery information. Sherri explained that it is rough information, handwritten, not in files nor any kind or order. They are asking \$1000.00 for this information which is their business records, Sherri doesn't think this is a bad price for this, there is nothing that they have that is the property of the Town of Angelica. Sherri's feel that it could answer 1 discrepancy up there or 50, she is not sure. Elwyn Gordon asked if they have information that Tracy does not have. She replied yes. Girard Kelly added that it could put a couple more pieces in the puzzle up there and we would have that information forever. Elwyn Gordon asked Sherri if she counter offered, she did not, thinking it wasn't her place to do that. Sherri responded that she can if that's what the Board wants her to do. Sherri added that we could wait to see what I get from Tracy Cassidy, her final records and then see if we need this information from the Robbins. Curt Robbins also offered to Sherri that anytime she has a question to call him. Sherri Presutti will send them a counter offer. Sherri Presutti also added that she doesn't know what happened between Curt Robbins and Melva Clark, it depends on who you talk to. It was discussed and decided that Sherri Presutti will send them a counter offer for \$750.00. Sherri added that it won't solve everything but it should help with some of the questions in the cemetery.

David Haggstrom: David Haggstrom reported that Heritage Days this year will be focused on the Court House/Town Hall; the history of the building and the restoration project. David continued that Gail Richardson, in 2019, did the Town Hall history booklet and the idea would be for her to do a presentation on that, for the public, and for RE Kelley to do a presentation of the restoration of the Town Hall. They have measured the upstairs of the Town Hall and figure they could get 40 chairs up there, 6-feet apart. David realizes that there would have to be some cleaning done up there and some moving around of some of the items that are up there. They would like to have it so the presentations can be held upstairs. David Haggstrom had asked Robert Jones for a contact name for RE Kelley, Robert Jones said he talked with Ron from RE Kelley and Ron said they love to do that kind of stuff, they just need to know a date and time. David Haggstrom said it will be Saturday, August 7, time has not yet been determined. David would like the Boards permission to host this event upstairs in the Town Hall. Elwyn Gordon asked about masks, David responded that yes masks would be required along with social distancing in the building. The Boosters would also need some help to get chairs up the stairs, some good strong kids! The Board has no issue with holding this event.

Sherri Presutti asked, while we were on the Town Hall, if we could get some hooks put up to put some red, white and blue bunting on the front of the Town Hall. Robert Jones replied that he thought the hooks were left up there, he will look. David Haggstrom noticed tonight while coming to the meeting that the flag on top of the building is look a little ragged and feels it is time for a new flag. George Spitz spoke up to announce why he was attending the meeting tonight, he has been watching the flag and is tired of looking at it, he presented the

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Board with a new flag. The entire Board thanked him for doing that. Girard Kelly made a motion to let the Boosters use the upstairs of the Town Hall, Saturday, August 7; seconded by Skip Hecker.

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

New Park Playground Equipment: Robert Jones reported that he has been in touch several times with Ben Frasier, his last email being May 4, he apologized for the delay in getting the final proposal to him. He attached the final proposal to his email and noted what he needed to place the order; a purchase order, a bill to and ship to address (it will be shipped to the Highway building), a tax-exempt certificate and a confirmation on the equipment colors. Robert Jones passed along a picture of what it will look like. Robert Jones is trying to coordinate this with the Highway crew, once we have a delivery date. There were no objections to this.

Croquet Court: Keith Hooker brought to the Boards attention that new planks are needed at the Croquet Court. He added that some of them are in pretty rough shape, he figures in 1 to 2 years they will all have to be replaced, he feels that they should all be replaced now. They like to use white oak because of the hardness of this wood and the life of it. The last complete replacement was 2006 and then in 2011 3 boards were replaced. Bobby Gallmann has all of the dimensions; Fred Demick has a copy of that. Keith Hooker said that the Amish told his brother that they could do it for \$300.00 to \$500.00, the measurements are 3”x9”x14’-18’. Donald Case asked if they warp at all, Keith responded that they are lagged into with railroad irons. Keith Hooker asked the board if he takes on this project and he can get the wood from the Amish (Old State Road past Tom Green’s old house) will the Town reimburse him. Girard Kelly made a motion to put Keith Hooker in charge of this project with full reimbursement for the wood; seconded by Skip Hecker.

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

Skip Hecker: Skip Hecker asked about getting the water turned on in the park, there is a wedding coming up at the Gazebo and he would like the water turned on to clean it up. Robert Jones responded that he will get that done. Skip Hecker would also like to throw out on the table the idea of letting the taxpayers decide if they want an elected Highway Superintendent or an appointed one. Elwyn Gordon asked how long it takes to get that on the ballot; Girard Kelly responded that it has to be done 75 days before the election from what he understands to be on the November ballot. Skip Hecker added, let the taxpayers make that decision. Robert Jones added that he thinks the taxpayer does make the decision with it being an elected position. Skip Hecker added that they aren’t given a choice saying that he is asked quite often what can be done about the Highway Superintendent, Skip feels nothing so let the taxpayers take action. Robert Jones added another way to look at that; you have a 5 person Board – if you have an appointed Highway Superintendent it is possible that 3 Board members (majority) could be making that decision, he is not in favor of that. Girard Kelly feels that appointing one would be better for the taxpayers.

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Donald Case: Donald Case reported that his wife wanted him to mention that about a week and a half ago they went to Hornell and noticed a lot of litter (plastic bags) all the way to West Almond, assuming this was coming from the garbage trucks not getting completely emptied out that had just unloaded up to Hyland. Don was wondering if the State would let Hyland come out and clean that up. Robert Jones responded that the State will clean that up and he will let Larry Shilling know about it tomorrow and they will get on the hauling companies. Don thought maybe Hyland employees could maybe volunteer to clean up the roadside or maybe we need to contact NYS regarding this.

David Haggstrom: David Haggstrom asked what the process is to getting a proposition on the ballot regarding the Highway Superintendent question of electing or appointing; is it a petition; is it a Board decision? Robert Jones responded that it is done by a permissive referendum and he will have to look into it.

With there being no further questions or comments, Robert Jones motioned to adjourn the regular meeting seconded by Girard Kelly. Meeting adjourned at 8:10.

Respectfully submitted,

Sharon A Presutti
Town Clerk