

Angelica Town Board Meeting Minutes September 13, 2021

Angelica Town Board

Meeting Minutes

September 13, 2021

Opening

The regular meeting of the Angelica Town Board was called to order at 7:10 pm on September 13, 2021 in Angelica, NY at the Grange Meeting Room at 55 Park Circle by Robert Jones.

The Pledge of Allegiance was said.

Present: Robert "Bob" 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: Robert Budinger; Don Ash; David Haggstrom; Rick Abbott;
Jeremy Metatos; Jeremy Morton; Mike Trivisonoli

Approval of minutes of previous meeting: Sharon Presutti distributed minutes from the August 9, 2021 regular Town Board meeting. Girard Kelly motioned to approve the minutes; seconded by Skip Hecker.

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

Members of the Public wishing to address the Board:

Jeremy Metatos: Jeremy Metatos just wanted to take the time to address the Board in public and to express his interest in the Highway Superintendent position, if he were to be elected it would be a privilege to serve the community. Robert Jones asked if he had anything else or any questions, Jeremy replied no, not right now. Bob added that if he had any questions we would be more than happy to answer them

Approval of abstracts: Girard Kelly motioned to approve the General abstract for \$3481.61; seconded by Elwyn Gordon.

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 \$133740.84; seconded by Don Case.

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

Budget sheets and Supervisor's reports: Robert Jones distributed and read the Budget sheets and Supervisor reports for August 2021. Bob noted on General Fund/Townwide that line 4089 for \$108.64 was an additional little bit of money that the Federal Government gave us, it came from the State of New York, some municipalities did not take the American Recovery monies so they divided it up amongst the municipalities. Bob then noted that under Parks/Equipment it showed the payment for the playground, \$45740.68. Bob noted that the last couple of pages of the report are now required by NYS, payroll summaries and bank reconciliations, those are done by Kathy Berry, CPA. Bob asked if there were any questions, there were none. Elwyn Gordon made a motion to approve these reports; seconded by Girard Kelly.

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

Robert Jones added that it will show next month, that we got a check from NYMIR, from 2008 on, they have returned \$16 million dollars to their members, our check was for \$460 some dollars.

Financial reports:

Robert Jones distributed the Class accounts report for August, 2021, showing the balances in all accounts, we have just over \$2.9 million dollars in reserves, adding that we may have to spend some of that.

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

Town Business Review:

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

DEC Decals	\$78.57
Certified Copies	\$10.00
Burials	\$200.00
Memorial Bases	\$0.00
Dog Licenses	\$82.00
ATV Registrations	\$0.00

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

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

Robert Jones distributed the **August 2021 Town Justice Report**. Robert Jones said he was in the court room today and heard that NYS has sent notices to anyone that has been scoffed and anyone who has failed to appear, ever, some of these go back to the late 80's. He went on to say that they all got letters from NYS and they are all calling the Court. He noted that Yvonne comes in on Saturdays to get the mail and she is there at 7:00 A.M. trying to get something done before the phone starts ringing. Don Case added that he thought they were dismissing the olds ones, Bob added that they did dismiss some but then they received these letters and they now have to do it all over again. Bob said to look at the very last page of the Justice report, Yvonne included this, it shows V & T violations that have been adjudicated from 2017 to present, these have gone up substantially. Elwyn Gordon asked if Linda Healy was still helping Yvonne, Bob responded yes. Bob talked with Linda today, she said she doesn't want to be working in the Court forever but that she will stay there until the mess is cleared up. Don Case asked if NYS would help with their salaries, Bob Jones replied no. Bob also distributed the 2nd quarter report from the Traffic Diversion program, we received \$4200.00. Donald Case motioned to approve the Justice report; seconded by Elwyn Gordon.

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

Dog Control: Rick Abbott, dog control officer, reported that he doesn't have much to offer other than a couple of late renewal notices served. Robert Jones asked if he received any response from those, Rick said to ask the Clerk, Sherri Presutti responded no, they did not come in to pay. Elwyn Gordon asked Rick where we are at with the dog run. Skip Hecker responded that he talked with Tom Cassidy, Tom said he has not forgotten us, he has been very busy, he thought within 2-3 weeks he should be able to get to us. Elwyn Gordon told Rick Abbott that there will be a cover on the run. Robert Jones asked Rick about a dog that is on a chain that can get pretty close to the sidewalk, Rick responded that he has talked with them a couple of times.

Assessor/Real Property: Robert Jones reported that for 2022 the fees will remain unchanged; we have 1221 parcels at \$11.00 per parcel.

Code Enforcement: Robert Jones reported that they met on the 17th of August to discuss the 2022 budget, the membership fee was set by the group at \$9.00/parcel noting that with other projections this will allow for the hiring of a 3rd CEO, they have high hopes of a couple of other municipalities joining the group. Bob added that August permit fees were over \$7000.00 and that will help to exceed the budgeted amount for 2021. It was also reported that they will run an ad to recruit a new CEO, this will be in the Olean paper, applications will be accepted through September 30. Girard Kelly asked what area the new CEO will be in, Bob responded that Kevin Marjoram will be doing most of the paperwork, that Mike and the new guy will be out in the field.

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Highway: Robert Jones reported that Jeremy Morton gave him an estimate for the Cemetery driveway from Suit-Kote for Cold Mix – this is for phase 1. Bob Jones had suggested doing this in two phases; the first phase would come in from the west driveway, go all the way to the top of the hill, around and back to the shed and both crossovers. He added in another year we would do the main entrance and whatever else has to be done. Bob added that that first phase came, from Suit-Kote, to \$20350.32, that is with purchased gravel, Jeremy thought so, yes. Girard Kelly asked if we could use our own gravel, Jeremy responded that yes, we can, we would have to get a crusher in. Girard said he thought they were going to, Jeremy said they are working on it. Girard Kelly asked what was going on with the gravel permit, Bob and Jeremy responded that it is all done and is good for 6 years. Girard Kelly said you got it to include construction debris too, correct? Jeremy responded yes. Jeremy added that we will do 9 foot width for the driveway, he has a paver that can go down to 8 feet. Robert Jones added that if you look at the estimate you will see that Suit-Kote supplies the pugmill, paver and roller with operators. Don Case asked if a seal is put on the top of it. Jeremy said he asked about that, they said if we can keep people off of it for 24-48 hours we would not have to chip seal it. Jeremy added that if something did make it wavy we should be able to use our big roller to smooth it back out. Girard asked if they would be cutting it down and putting a base in it before they do this. Jeremy said they would go through and box it out, it takes 4” of material and is packed down to 3”, he added that there is a lot of limestone in the driveway now. Elwyn Gordon asked how fine the concrete will be crushed up, Jeremy responded 1’s and 2’s. Jeremy Morton will find out what material we will definitely need.

Robert Jones distributed and read a report from Jeremy Morton stating what the highway crew has been doing and what they will be working on. Robert Jones asked what was put on the Van Allen Road, Jeremy responded Nova Chip, Bob added that that was nice.

Robert Jones asked Jeremy if he had anything else; Jeremy responded that he wasn’t sure what the Board was thinking in regards to the budget and purchasing a plow truck, he added that the Village ordered one and it will not be delivered until Fall of ’23, adding that we are looking at almost 2 years out for trucks. Girard asked what the price was; Jeremy responded that if you order one now the price would be locked in, \$250-\$251,000. Jeremy went on to say that the salesman he talked to, in regards to the Village truck, said \$202,000 for that truck. Girard Kelly asked what was wrong with the truck now; Jeremy asked if he was talking about the Village truck; Girard said yes. Jeremy responded and said that they are paying it off and replacing it; Girard asked how many miles were on it; Jeremy responded 23-24,000. Elwyn said so is anything wrong with it; Jeremy said no, the Village Board asked him to get prices for a Village truck. Girard Kelly asked what the Village truck was worth; Jeremy said it currently got sold for \$73,500. Girard said so its sold now? What will you use for the Winter? Jeremy responded that Archie McRae is getting a truck and will end up working with a couple of pick ups just to...Girard interrupted and said for two years? Jeremy said no, Archie will use his truck and will plow Village streets with that. Girard said so you won’t be using the Town’s 1 ton; Jeremy responded that we may end up using the Town’s 1 ton for a sporadic time frame. Girard asked why they sold it now; Jeremy said before the whole deal was brought up, the salesman thought you might be able to get \$40,000 out of it at auction; Girard K. said when, now? Girard said he can’t believe they sold it without having a replacement for it, it doesn’t sound very smart to him, but we are not the Village. Elwyn Gordon asked if they had a sander for Archie’s truck; Jeremy said they should have one in about three weeks; Jeremy added that it is all a Village deal, it has nothing to do with the Town. Girard Kelly said so when the truck comes in 2023, what is the Town’s responsibility for that? Jeremy responded and said that he doesn’t believe the Village is going to ask the Town for anything; he believes that will be decided at their next meeting. Elwyn Gordon said the Town owns 25% of the truck being sold, how will that work out? Jeremy responded and thought that the Town would get 25% of the profit, after it is paid off. Jeremy added that the Town Board will have to work with the Village Board on the logistics of that. Elwyn Gordon asked Mike Trivisonoli how much the Village still owes on it; Mike responded that he thinks they own around \$29,000 and added that Karen Herdman will figure it all out. Mike

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went on to say that the reason they decided to sell it was because they could get almost double what the value of the truck was, the truck from the salesmans perspective does not have much of a resale market, he said Elmira Heights has an issue with one of their trucks and they don't want to fix it, they are willing to pay the price for our truck. Girard Kelly added that you don't always want to believe salesman. Mike responded to Girard that when all is said and done you will get your 25%. Girard said no he's not saying that, he's just thinking that you have nothing else to plow with other than using a different departments truck until the new truck comes in. Elwyn Gordon asked what they were replacing it with. Jeremy responded and described to them what they would be getting (plow and sander), Peterbilt brand. Don Case asked what other equipment we should be looking at for the Town? Jeremy responded that Robert Jones has the equipment sheet, he added a Pickup for sure, the Gradall is behind that. Robert Jones distributed the list that Jeremy had sent him. Girard asked Jeremy to get prices for repair work to the Gradall, Jeremy added that late last summer is was pushing the \$20000 mark. Girard asked what a new one cost, Jeremy responded \$357,000, the truck would be \$250,000, Peterbilt chassis. Elwyn asked how much for other brands, Jeremy responded that the last one Billy Bigelow (Amity) ordered was \$238000, this was either a 2019 or a 2020. Girard requested some other piggy back specs to compare. Robert Jones thinks we need to look at a truck right away to replace the 2012 truck with 90,000 miles on it, Girard asked what that was worth – Jeremy did not know. Robert Jones said again that we should look at a truck right away, Girard said when we work on the budget, Elwyn agreed with Girard to look at other makes prices. Jeremy asked if the cemetery driveway was something we were looking at doing next year, Bob said yes, Jeremy said he would forward that onto the salesman.

Hyland: Robert Jones distributed the Hyland monitoring report for August 2021. He then distributed a letter from Charles Cranston, Deputy Regional Permit Administrator for the NYS DEC. This letter indicated that the NYS DEC will become the SEQR lead agency for the Hyland expansion project. Robert Jones had received a phone call from Larry Shilling, he asked if he had received a letter from the DEC about their application, Bob said no and Larry said he had not received it either. This had been sent, via email, on July 7th, apparently the only one who could find this email was Mike Mann from McMahan & Mann engineering, it was in his SPAM mail. Bob asked the Board to look it over, he contacted Hans Arnold and sent him the email, Hans then contacted Charles Cranston and Bob read the letter that Hans Arnold sent. Robert Jones also noted that quarter end will be September 30, he will report those figures next month.

Miscellaneous:

Grant for Grange Building: Robert Jones called Alise down in Corning to see where we are at with the grant for the Grange; she did not know so she made a call to Megan Klem, Preservation Planner. Bob distributed the email from her stating that no one will know until the Governor makes her award announcements.

Playground: Robert Jones received an email from Ben Frasier, WNY Project Manager, in regards to the installation of the playground. Playground equipment ship date is October 12th due to arrive October 18 – 19th. Jeremy Morton met with Ben and looked at the Park, looking to install during the week of October 25.

Budget Workshop: Robert Jones noted that the Budget Workshop needs to be noticed, it is open to the Public. Calendars were looked at, noting they have to meet with Highway crew. Robert Jones will look at his planner and pick a date for an afternoon at 3:00. Skip Hecker added that he is not available October 23rd. Bob will let everyone know when by email/text. Bob asked the Board to start making lists.

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Skip Hecker: Skip Hecker asked what the status of the **grills** were, have they been ordered. Jeremy Morton responded that they are at the Highway Barns. Skip will get with Jeremy to discuss where and when to place these three grills.

Tree removal/Park: Skip asked if anyone had looked at the bad tree in the park. Robert Jones asked if that was something we could do or if we needed to get Aaron McGraw to do that. Elwyn Gordon said we should be able to do that. Jeremy Morton said they would take care of it. Elwyn asked Jeremy is something was wrong with the chipper, Jeremy said no. There was some discussion on why they weren't using it.

Gazebo painting: Robert Jones said Mike Snowden is very busy, he will get to it.

Seal coating of Basketball Court and Parking Lots: Robert Jones said it doesn't make sense to seal that every year, it was always done every two years. There was little discussion on this.

Load of dirt in Park: Skip said he asked for dirt two meetings ago to be dumped in Park to fix some spots along the sidewalks. No one seems to remember that request. Skip would like this done before someone gets hurt.

Playground: Skip said he appreciated the gravel that filled some holes in that area but there are still some bolts in the plastic edge that need to be beaten down, again they are a tripping hazard.

Cemetery Trees: Skip wondered where we are at with those. Robert Jones reported that he talked with Aaron McGraw, he had gone up to the cemetery yesterday. He also noted that he, himself, is hesitant to take down the trees in the front of the Cemetery. There was some discussion on this, maybe just trim the trees. Bob also asked him, again, to look at the two big white pines. Elwyn agreed that those could come down, the white pines. There was also some discussion on the guide wires in the trees.

Cemetery Arch: Skip Hecker had Fred Bailor look at the entrance arch, he said there are numerous cracks in that and that it is more of a job than he wants to deal with. Skip would like permission to talk with Mark Dowd to see if the arches can be saved and to get a price to fix. If we pull them out we can put them back in, further back, and wider, the arch can be made to fit at the top. There was some discussion on this, repairing vs. new. Skip will have Mark look at it, Bob will get a hold of the fence people to see what they have. There was also discussion on the traffic at the cemetery. Skip asked Jeremy to see about getting those posts out of there to be looked at.

Victoria Thaine complaint: Vickie contacted Skip regarding her nieces stone, it apparently was hit again. Jeremy Morton added that they will be fixing that base when they are working on sidewalks. Robert Jones added that we should not be gluing any stones down, whoever set that should deal with adhering it. Robert Jones added that that cemetery is not a perpetual care cemetery, it is a perpetual maintenance cemetery which is by state regulations, we take care of the mowing. Jeremy Morton said the mowers have all been advised to not mow so closely; they are avoiding weed whacking. There was some discussion on this. Skip with check with Chet Gosper, Chet will check with the monument company.

Overhead Doors: Skip asked where we stand with those. Jeremy Morton said he forwarded quotes onto Bob Jones. Jeremy said that Martin Overhead came down, he was at \$25000, they are a Mennonite Company, Jeremy asked them about fixing a door after hours, they said most likely they would not be able to do that. Jeremy talked with Twin Tiers – that would be an R7 door for \$25000, Canisteo Overhead is an R17 for \$26000, Martin's was an R17 door also. There was discussion regarding this and how important service hours are. Bob Jones thinks it's in the Highway budget Jeremy decides where to get them. Jeremy Morton was told to get it done.

Tables for the Grange: Robert Jones was going to order them from BJ's and found out that they don't sell those by the pallet anymore. Bob did find some at Lowe's, a different brand. He is still looking for Lifetime Brand – they may be a different color.

Gail Richardson – yard waste: Skip asked Bob if he looked into other Town's to see what they do. Bob did not look into this but stated that most Town's do not have a compost pile. Skip felt someone should tell her that she is on her own with this.

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Posting of minutes on web site: Skip Hecker would like to see the minutes posted on a website. Sherri Presutti told him that when she gets to it she posts them on the website. Skip Hecker said he looked and didn't see them, Sherri said there are some on there but it is not up to date.

Elwyn Gordon: Elwyn Gordon asked if Mike Trivisonoli could stick around for the first part of the Executive Session. Robert Jones said no, it has nothing to do with him. Elwyn said he had a personnel issue he wanted to talk about, Bob said that is not for Executive Session. Girard asked what qualifies for executive session; Bob said the only thing you can talk about, personnel wise, is the work record of a particular employee, a union contract, litigation – which is what is on the agenda for tonight. Elwyn decided to talk about it now. Elwyn Gordon said that at the last Village Board meeting the Village decided to pay Jeremy Morton x number of \$. The way Elwyn looks at it, Jeremy is a full time Town employee getting paid for 40 hours, he asked Mike Trivisonoli what they were paying him for. Elwyn asked why it wouldn't be the same as the Share Service employee. Mike T. said that it is for the Shared Service Contract that we always had with the Highway Superintendent. Elwyn said yes with a “salaried” superintendent not an “hourly” superintendent. Mike said he is also taking care of the Village Streets Department, Elwyn added on Town time. Elwyn would just like it to be explained to him so that he can explain it to the public. There was a discussion regarding this. Mike Trivisonoli will bring it up at the next Village Board meeting, he agrees that because Jeremy is an hourly employee, it is a different situation. Robert Jones said what Jeremy is now is the Deputy Highway Superintendent acting as the Highway Superintendent. Don Case asked how he is supposed to be getting paid, Elwyn said that should be up to the Board. Jeremy gets paid an extra .75 for being the Deputy Highway Superintendent. There continued to be discussion on this. Mike Trivisonoli said again that they will discuss it at the next Village Board meeting and see what the Board wants to do. Robert Jones said we will discuss after that.

With there being no further comments or questions Robert Jones entertained the motion to go into Executive Session to discuss related proposed, pending or current litigation; seconded by Elwyn Gordon at 8:40 p.m.

Robert Jones entertained a motion to come out of Executive Session; seconded by Girard Kelly at 9:00 p.m.

Robert Jones then made a motion to adjourn the Regular Town Board Meeting at 9:01 p.m.

Respectfully submitted,

Sharon Presutti

Sharon A Presutti
Town Clerk