

TOWN OF FRIENDSHIP MEETING MINUTES

June 19, 2019

7:00 pm

Deputy Supervisor Hall calls meeting to order.

Pledge of allegiance observed by all.

Roll call: Councilperson- Jill Hoopes-present
Councilperson- Carolyn Carney-present
Councilperson- Linda Mascho-present
Deputy Supervisor- Russell Hall-present

Also present: Patricia Schurr- Town Clerk

Town Attorney- David Pullen

Attorney – Richard Buck –presented 7:55

Assemblage: Brett Clouse, Mark Voorheis, Mike Stump, Oakley Sortore, Mike Bidwell, Ken Cottrell, Fred Cook, Sheri Lehman, Brian Lehman, Peter DiBenedetto.

Motion to approve the minutes from May 15, 2019, offered by Jill Hoopes, seconded by Carolyn Carney. Motion carried.

Motion to approve the Supervisor's report for May 2019, offered by Linda Mascho, seconded by Jill Hoopes. Motion carried.

Motion to approve the audited bills from May 2019, in the amount of 55,695.63, offered by Jill Hoopes, seconded by Linda Mascho.

Roll call vote: Jill Hoopes-aye
Carolyn Carney-aye
Linda Mascho-aye
Russell Hall-aye

SUPERVISOR'S CONCERNS

Deputy Supervisor Hall will not be able to make the Regular meeting that is set for July 17, 2019. THE FOLLOWING RESOLUTION WAS BROUGHT FORTH:

BE IT HEREBY RESOLVED, due to Deputy Supervisor Hall not being able to attend the July 17th, 2019 meeting it has been resolved that July Board meeting date will be moved to **Monday, July 15, 2019 at 7:00, Notice to to be given to the Public** , offered by Linda Mascho, seconded by Carolyn Carney. Roll call: Jill Hoopes-aye, Carolyn Carney-aye, Linda Mascho-aye, Russell Hall-aye.

****The Town Board recognized Oakley Sortore for Awards from the New York Rural Water Association for the 2019 Waste Water System of the Year award for outstanding work the personnel and management have done to ensure compliance and in meeting the needs of the residents!!****

Deputy Supervisor Russ Hall discussed the NYSEG/RG&E Street Lighting agreement and he advised that if the Town did this the Town would then be responsible for not only the lights but replacing any poles, and maintenance. The Lighting would also come off the tax rolls. He thinks that the Town would lose revenue. There is another Town that is opting in, we will wait and see how that goes.

Russ Hall advised that the Board needs to start proceedings on the Meter BAN that is due in September, the bal. is \$300,000.00. Questions as to Long term BAN or Short term. Attorney Pullen advises that with amount of money involved it is best to get an financial advisor. The Board has opted not to use Municipal Solutions(d/t unnecessary billing to the Town) but to use Fiscal Advisors. The following Motion was brought forth:

Motion to use FISCAL ADVISORS for the upcoming meter note due in September, and to authorized Deputy Supervisor Hall to sign the Services agreement, offered by Carolyn Carney, seconded by Jill Hoopes.

Roll call vote: Jill Hoopes-aye
Carolyn Carney-aye
Linda Mascho-aye
Russell Hall-aye

Old Foundry Site and DEC Discussion-

The Town received a letter from the DEC asking for the Town to give permission for the DEC to do testing at an old Foundry site. It was determined that the Town has never owned it, therefore cannot give permission. Russell Hall will send letter, that it is not the Town's property therefore cannot give permission, they will have to get permission from someone that has title interest.

FRED COOK-25 & 25 ½ Maple Ave., water/sewer cap bill.

Fred Cook advised that the Assessor took the house off the books last year but he is still getting water/sewer caps. He said per assessor the house is gone. The Shell of the house is still there, Mr. Cook got a demo permit back in 2017, currently that permit has run out, never renewed. Question with the Board is when officially should the caps come off? Technically the House is still there, though taken off the rolls.

Supervisor Hall advised he thinks the Town should look at a policy in reference to this, the Board will look into this and get back with Mr. Cook. There was no timeline from Mr. Cook when the Building would be totally gone. It was brought up until then that it could be a hazard, nothing keeping kids out of there, it needs to be fenced off.

PUBLIC CONCERNS

Sheri and Brian Lehman are present to voice concern regarding the water that is draining down into and onto their property. She has a daycare and she states that the state could come in any minute and shut her down because of the water draining onto her property. Mike Bidwell states he is aware of the property it has always been wet there, it gets water from everywhere, it sits down on the property, it gets drainage from the expressway. You can't change the direction of the water because then it will be on someone else's property. Per Mike, he can't do anything with it because it is on personal property, once you do for one then everyone wants help. Attorney Pullen advised against doing anything on someone's property, if something should happen then the Town becomes liable. Mike did say he would go to their property and look at it and maybe suggest something they could do.

Peter DiBenedetto states he has concern over the water/sewer bills specially with people on fixed incomes and wants to know if there is something the Town can do. He wanted to know if the Town could get in touch with the State and ask for help. It was explained to Mr.Dibenedetto by Deputy Supervisor Hall, this was not something the Town wanted to know, we are aware and agree it is painful, but it was something the Town had to do. Failing infrastructure and no money to pay for anything if something should happen. The fees had not been raised in 30 years, prices have gone up. The bills will never go down, hopefully they will not go up right away. Other Towns are looking at our rates because their rates are not efficient. It was brought up Towns like Wellsville, Cuba's bills are lower, and it was explained it was due to there being more people to put into the pot. The Town was Told by the

the that we had to raise rates because, we cannot get grants or borrow because it looks like the Town cannot pay them back. Hopefully down the road finances will get in order but Deputy Hall advdised they bill will proberally never go down.

**RESOLUTION 12-2019
AUTHORIZATION OF PURCHASE OF LOADER BY HIGHWAY
SUPERINTENDENT**

BE IT HEREBY RESOLVED, that Town Board authorizes the Highway Superintendent to purchase a 2019 Cat Loader(State BID through Sourcewell) in the amount o \$175,098, offered by Jill Hoopes, seconded by Carolyn Carney.

Roll call vote: Jill Hoopes-aye
Carolyn Carney-aye
Linda Mascho-aye
Russell Hall-aye

RESOLUTION 13-2019 Authorization payment of \$129,098.00 from the highway equipment reserve fund

BE IT HEREBY RESOLVED THE TOWN BOARD AUTHORIZES \$129,098.00 FROM THE Highway Equipment Reserve Fund to pay on the Loader leaving \$20,000.00 to borrow through a Bond Anticipation note. Full \$20,000.00 balance to be paid in full next year. This purchase is subject to Estoppel notice. Notice to designated paper. Resolution offered by Linda Mascho, seconded by Carolyn Carney.

Roll call vote: Russell Hall-aye
Jill Hoopes-aye
Carolyn Carny-aye
Linda Mascho-aye

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$20,000.00 SERIAL BONDS

The following resolution was offered by Jill Hoopes, who moved its adoption and seconded by Carolyn Carney, to wit:

BOND RESOLUTION DATED JUNE 19, 2019 AUTHORIZING THE ISSUANCE OF \$20,000.00 SERIAL BONDS BY THE TOWN OF FRIENDSHIP, ALLEGANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE IN PART THE COST OF A NEW 2019 CAT 930M WHEEL LOADER WITH EQUIPMENT.

WHEREAS, the Town Board of the Town of Friendship, Allegany County, New York, by resolution duly adopted on June 19, 2019 authorizing the purchase of a New 2019 CAT 930M Wheel Loader with Equipment for use by the Town of Friendship Highway Department, said loader with equipment to be purchased at a total price of \$175,098.00, and

WHEREAS, it is now desired to provide for the financing of said truck with equipment;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The purchase of a New 2019 CAT 930M Wheel Loader with Equipment is hereby authorized at a maximum cost of \$175,098.00.

2. The plan for the financing of said loader with equipment is by the payment of \$129,098.00 from the Town Highway Equipment Reserve Fund, 1996 CAT 938F Wheel Loader Serial #1KM01710 trade-in allowance of \$26,000.00, and by the issuance of \$20,000.00 serial bonds of said Town, pursuant to the Local Finance Law, which bonds are hereby authorized therefore; further details pertaining to said bonds may be prescribed in another resolution or resolutions of this board.

3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of said notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Said notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

4. It is hereby determined that the period of the probable usefulness of the aforesaid object or purpose is fifteen years, pursuant to subdivision 28 of paragraph A of Section 11.00 of the

Local Finance Law, and the said bonds will mature over a period not in excess of five years.

5. The faith and credit of said Town of Friendship, Allegany County, New York are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same

respectively becomes due and payable.

6. The bonds hereby authorized are declared to be "exempt bonds" under the provisions of the Internal Revenue Code of 1986 inasmuch as the Town of Friendship will not issue more than \$10,000,000.00 of bonds during the year of issue.

7. The validity of such bonds or notes or any bond anticipation notes issued in anticipation of the sale of such bonds may be contested only if:

i. Such obligations are authorized for an object or purpose for which the municipality, school district or district corporation is not authorized to expend money, or

ii. The provisions of law which should be complied with at the date of the publication of such resolution or summary thereof, or certificate, as the case may be, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

iii. Such obligations are authorized in violation of the provisions of the constitution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Russell Hall voting-aye

Jill Hoopes voting-aye

Linda Mascho voting-aye

Carolyn Carney voting-aye

The Resolution was thereupon declared duly adopted.

RESOLUTION 14-2019 WATER/SEWER BILL CREDIT

At the Regular Town Board Meeting, June 19, 2019;

The Following Resolution was offered by Jill Hoopes, seconded by Linda Mascho, to wit:

BE IT HEREBY RESOLVED that the Friendship Town Board approves the water/Sewer credits on the Hatch House at 51 E. Main Street incurred under the name "Cuba Community Development Corp.", now owned by Paul Sardina, purchased at County tax sale. Credits to include \$703.35 on overage on the minimum and \$523.75 of penalties totaling \$1227.10; provided payment of the balance due of \$4,534.00 is received by June 30, 2019.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

- Councilperson: Jill Hoopes-aye
- Councilperson: Carolyn Carney-aye
- Councilperson: Linda Mascho-aye
- Deputy Supervisor: Russell Hall-aye

The resolution was thereupon declared duly adopted.

Motion to approve Digital Accounting for simplified approved accountability, allowing bills to be paid on time (still through Baldwin's accounting firm), offered by Linda Mascho, seconded by Jill Hoopes. Motion carried.

Motion to approve a Parade and road closure on Saturday, July 27, 2019 at 11:00 from the School bus garage to the School Circle. Permit closure to be done by Michelle Hill, Janet Mahoney), offered by Jill Hoopes, seconded by Linda Mascho. Motion carried.

Motion to approve the Summer Rec. to use the pavilion/GAR Hall when needed on Mondays and Wednesdays from noon till 3:00pm from July 8 thru August 14th, 2019, motion offered by Jill Hoopes, seconded by Linda Mascho. Motion carried.

Motion to approve the Annual Minimum Administration fee for the ProFlex Administrators, LLC(HRA Card) in the amount of \$800.00, offered by Linda Mascho, seconded by Carolyn Carney.

Roll call vote: Jill Hoopes-aye

Carolyn Carney-aye

Linda Mascho-aye

Russell Hall-aye

Motion to approve the GAR Hall Flood Insurance at the same coverage at premium amount of \$2,204.00, offered by Jill Hoopes, seconded by Carolyn Carney.

Roll call vote: Jill Hoopes-aye

Carolyn Carney-aye

Linda Mascho-aye

Russell Hall-aye

INTRODUCTION TO LOCAL LAW #2 OF 2019 FOR THE USE OF atvS/Utvs/Luvs was tabled until the July 15th, Roads to be defined yet for usage.

Motion to approve to appoint Tiffany Benschoter as "Bookkeeper", (or Bookkeeper #1) to work 25 hrs week or as needed at the wage of \$15.36 per/hr., offered by Carolyn Carney, seconded by Linda Mascho.

Roll call vote: Jill Hoopes-aye

Carolyn Carney-aye

Linda Mascho-aye

Russel Hall-aye

Motion to approve to appoint Patricia Schurr as office Manager at \$1500.00 per year (as well as Bookkeeper #2 to in order to have a backup to Bookkeeper 1). offered by Carolyn Carney, seconded by Linda Mascho.

Roll call vote: Jill Hoopes-aye

Carolyn Carney-aye

Linda Mascho-aye

Russell Hall-aye.

Monthly Reports received:

Highway Dept. Feb, March, April May 2019
Town Clerk report for May 2019
Water System Operation report for June 2019
Dog Control report
Police report
Cuba Shared Services
Justice report

Motion to adjourn offered by Jill Hoopes, seconded by Linda Mascho.

Respectfully submitted,

Patricia Schurr
Town Clerk