

TOWN OF FRIENDSHIP MINUTES

AUGUST 16, 2023

Supervisor Hall calls meeting to order.

Pledge of Allegiance.

Roll call: Supervisor: Russell Hall-present

Councilperson: Linda Mascho-present

Councilperson: Carolyn Carney-present

Councilperson: Steve Ritter-present

Also present: Patricia Schurr- Town Clerk

Attorney, Dave Pullen

Assemblage-Yvonne Marks, Jim Monheim, Mark Voorheis, George Ritter, Richard Wenslow,

Dell & Dell Baker, Okley Sortore, Kevin Snyder

*Motion to approve the Minutes from July 19, 2023, offered by Linda Mascho, seconded by Carolyn Carney.

*Motion to approve the Supervisor's report for July 2023 offered by Steve Ritter, seconded by Linda Mascho.

*Motion to approve the audited bills for July 2023 in the amount of \$ 284,354.79,

Offered by Steve Ritter, seconded by Carolyn Carney.

Roll call: Carolyn Carney-aye

Linda Mascho-aye

Steve Ritter-aye

Russell Hall-aye

SUPERVISOR'S CONCERNS:

Code Enforcement: 10 Elmwood property also the Town Local Law #1 of 2010 regarding Rental property inspections

Code Enforcement gave an update on some properties: Co. Rd 20 property he stated the Health Dept. seems to be involved and the property seems to be cleaning up. Regarding the burned house at 25 Maple Ave. he is meeting with an attorney to see what legally needs to be done to have it torn down. 10 Elmwood Ave has been issued a violation notice, the owner lives across the street at 9 Elmwood and she is trying to do something, they have 45 days to get it cleaned up. The Board thoughts were as long as she was trying to clean it up to work with her, she does not seem to have many resources If she does not clean it up the Town can clean it up at our cost. The Town cannot relevy this, they would have to take the owner to small claims court, the court would order a judgement, the owner would never pay it and the house would end up going up for taxes, and be in the same position that the Town is in now. If everything was hauled out to the curb for heavy trash day, the Town is still paying at the dump for it. The Town has been through this before.

Questioned if a dilapidated residence had a fire and firemen had to go in there and they get hurt, who will be at fault.

There is also the issue of the Rental Inspections, The Supervisor Hall found in minutes from the past that the Landlord has to get a permit to be a Landlord, but there is no way to enforce it, when you enforce it- not guaranteed that the Landlord will comply.

Dell Baker questioned, where is the privacy. Supervisor Hall stated that the people that comply aren't the ones that need it. He also mentioned that paying a 25.00 fee to have it inspected was a cheap way to have someone else say to say the rental is ok.

Rich Wenslow stated that the Town of Wellsville has no Rental inspections he states that the Village just has a Registry.

Oakley Sortore questioned if there has been any progress on the foundation outside of the Diner and bldg.(F.R.E.D. owned) next to it. The sidewalk is caving in and people walk on it. Also the ramp was suppose to be temporary. The sidewalk and foundation across the street next to the pharmacy needs to be fixed, it was mentioned that there were new owners and Russ Hall stated he would get the new owners information and give it to Rich Wenslow. It was decided that Rich should give the 2 owners of these properties a violation notice as well.

Motion to have the Code Enforcement officer, Rich Wenslow give notice to the 2 bldgs foundations on main street, Diner and bldg. (owned by FRED)next to it and the building foundation next to the pharmacy to give them a violation notice(Russ Hall to find out the owner of the property next to the pharmacy). Motion offered by Carolyn Carney, seconded by Steve Ritter. All approve.

Dell Baker stated what happens if they ignore the notice and don't fix it, will the Town have to fix it. Concrete is out of sight, it would to cost a fortune to fill.
Could condemn the building.

*****The Board will review the progress and get updates at the Board meeting in September.**

EFPR Group-The Town's Account firm employees are breaking off on their own and starting their own business. We will stay with the same accountant that we have been working with will just need a new letter of engagement when it is time, they will honor the one we are in until it expires.

***Motion** to authorize Supervisor Russell Hall to sign the "Shared Agreement for Radio Equipment" Between the County of Allegany and the Town of Friendship, offered by Steve Ritter, seconded by Linda Mascho.

***RESOLUTION 13 OF 2023**

Resolution to Relevy the Water and Sewer as well as unpaid Broken Water Meters onto the 2024 Tax Roll for the Town of Friendship.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Friendship, Allegany County, New York, will relevy all delinquent water and sewer rental fees/bills as well as outstanding bills for broken water meters on the Real Property taxes no later than November 1, 2023, Offered by Linda Mascho seconded by Carolyn Carney.

Roll call vote: Carolyn Carney-aye

Linda Mascho-aye

Steve Ritter-aye

Russ Hall- aye

***INTRODUCTION TO THE LOCAL LAW TO OVERRIDE THE LOCAL TAX CAP OF 2%**

A draft of proposed Local Law No. 1 of 2023 entitled the "A Local Law to Override the Real Property Tax Cap Levy Established by General Municipal Law Section 3-c" was presented by the Town Supervisor, Russell Hall. Town Attorney David T. Pullen., had prepared the draft local law at the request of the Town Supervisor. It was explained that this local law is for the purpose of enabling the Town Board to adopt a budget for 2024 that exceeds the 2023 real property tax levy by more than 2%. The following resolution was introduced by Linda Mascho, who moved its adoption, and seconded by Carolyn Carney to wit:

BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Friendship accepts and proposes to adopt a local law to be designated as Introductory Local Law No. 1 of 2023 entitled the "A Local Law to Override the Real Property Tax Cap Levy Established by General Municipal Law Section 3-c."
2. That a public hearing be held on September 20, 2023, at 6:30 P.M. at the Friendship G.A.R. Hall located at 29 West Water Street, Friendship, New York.
3. That the Town Clerk, with the assistance of the Town Attorney, is directed to prepare the legal notice required to be published and to provide such notice for timely publication in the official newspaper.
4. That a copy of such legal notice be posted upon the Town Clerk's bulletin board and Town website as required by law.

Following discussion, the foregoing resolution was called to a vote which resulted as follows:

AYES 4

NOES 0

The Supervisor then declared the resolution to be adopted and directed the Clerk to proceed to contact the Town Attorney if necessary and to complete the publishing and posting as required by law.

***Motion** to approve the Interfund transfers as follows:

TO: \$ 5,720.00

AA.5031.000 Interfund Transfer

FROM:

SM.9901.900 Interfund Transfer \$ 1,907.00

SS.9901.900 Interfund Transfer \$ 1,907.00

SW.9901.900 Interfund Transfer \$ 1,906.00

\$ 5,720.00

TO:

SW.5031.000 Interfund Transfer \$ 10,280.00

FROM:

SS.9901.900 Interfund Transfer \$ 10,280.00

Offered by Steve Ritter , seconded by, Linda Mascho.

Roll call: Carolyn Carney-aye

Linda Mascho-aye

Steve Ritter-aye

Russell Hall-aye

*Motion to approve the Line transfers as follows:

RECOMMENDED TRANSFERS FOR THE 8/16/23 MEETING			
<u>GENERAL FUND - TOWNWIDE</u>			
Transfer From:	AA.1990.400	Contingency	\$ 5,000.00
		Unanticipated Revenue	
	AA.2610.001	Traffic Diversion Prog	\$ 1,910.00
	AA.2680.000	Insurance Recovery	\$ 45,600.00
			<u>\$ 52,510.00</u>
Transfer To:	AA.1620.402	Building, Contr Exp - GAR Hall/Bath	\$ 6,000.00
	AA.1910.400	Unallocated Insurance	\$ 3,085.00
	AA.3120.200	Police Equipment	\$ 43,425.00
			<u>\$ 52,510.00</u>
<u>SIDEWALK DISTRICT</u>			
Transfer From:	SM.5999.000	Unexpended Fund Balance	\$ 5,580.00
			<u>\$ 5,580.00</u>
Transfer To:	SM.9060.800	Hospital & Medical Insurance	\$ 5,580.00
			<u>\$ 5,580.00</u>
<u>SEWER DISTRICT</u>			
Transfer From:	SS.5730.000	Unanticipated Revenue	\$ 35,404.00
		BAN	
			<u>\$ 35,404.00</u>
Transfer To:	SS.8130.202	Sewage Treat Disp Equip Sewer Pump	\$ 35,404.00
			<u>\$ 35,404.00</u>

Offered by Linda Mascho, seconded by Carolyn Carney.

Roll call: Carolyn Carney-aye

Linda Mascho- aye

Steve Ritter- aye

Russell Hall- aye

*Motion to approve a shared Kennel agreement with the Town of Wirt per the request of Connie Livergood who is also their Dog Control officer, offered by Linda Mascho, seconded by Carolyn Carney.

Carolyn Carney and Linda Mascho will work on a proposed new kenneling agreement. Connie Otto drew up a proposed agreement that they can look at which charged each Town a yearly fee instead of just when a dog is picked up.

***Public Works Concerns:**

Motion to approve and acknowledge that copies of the PESH Violation notice has been given to the Board members. Per Russ Hall no motion is needed. Oakley Sortore satisfied 10 of the 11 items – last one is the lock out tag out tags. Have to lock out every piece of equipment. They will be back to check on corrections.

Motion to approve to deduct the water/sewer charges(81.50 w- o/m, 46.30 w-cap. 65.50 sewer cap.) to acct 2761 at 16 High Street upper d/t ordinance #3-88, article xiv Section 3, (not being occupied) any water use will be assessed upon account # 2760, this deduction to start on this current billing, offered by Linda Mascho, seconded by Carolyn Carney.

Roll call: Carolyn Carney-aye

Linda Mascho-aye

Steve Ritter-aye

Russell Hall-aye

Reports Received:

Town Clerk Report for July 2023

Dog Control Report- see Proposal for charging other Towns to Kennel their dogs.

Water Report

Highway Report - June & July

Police Report* Noted most traffic tickets issued on West water in May, June, July, will continue to be problematic

Town Justice Report

8:57 Motion to go into executive session to discuss personal issues, offered by Linda Mascho, seconded by Carolyn Carney.

9:48 Motion to go out of executive session back into regular session offered by Steve Ritter, seconded by Linda Mascho.

Motion Increase the Court Clerk to 18.00hr. and to include pay rate to increase pay to \$19.06 before the end of the year, offered by Linda Mascho, seconded by Steve Ritter.

Roll call: Carolyn Carney-aye, Linda Mascho-aye, Steve Ritter-aye, Russell Hall-aye.

10.00pm Motion to Adjourn offered by Linda Mascho, seconded by Carolyn Carney.