

Town of Genesee
Little Genesee, NY 14754
Regular Board Meeting
January 18, 2022

ATTENDANCE: Supervisor Alexander Smith, Councilpersons Joshua Bluhm, Loren E. Miller, and Colleen Estabrook; Highway Superintendent Ben Reynolds; Town Attorney Eric Firkel; Town Clerk Bonita Brunner, Deputy Town Clerk Rhonda Faulkner

Absent: Councilman Alyn Holcomb

Town Residents: Peggy Cowell, William Haynes, William Dibble, Raeanne Smith, Regina Small, Samantha Small

ATTENDANCE:

This meeting was brought to order by Supervisor Smith immediately following the Organizational Meeting.

FLOOR PERMISSION

A family attended the Board Meeting to discuss a problem regarding a burial at Bowler Cemetery on January 14, 2022 for a Kassie Small-Haynes. The family states that the grave which was opened for Ms. Small-Haynes was already “reserved” for someone else. Discussion between the family and the Board regarding the possibility of moving the remains to the plot immediately to the right. Paperwork had been found that indicated \$250 had been paid in February 2014, with the remaining to be paid at the rate of \$50 per month. No further payments were ever made. Therefore, Clerk advised that according to procedures, after one year the family forfeited any right to the grave. After discussion the Town offered a settlement as follows:

- Family will be given credit for the \$250 paid in 2014 and will be responsible to pay the additional \$250 due
- Charges for moving the body to the right would be split between the family and the Town. (This would include charges for 2 grave openings, vault company charges, and Cornorer charges to be on site as per State Law)
- Agreement will be in writing between Town and all family members involved.

Town Supervisor will set up a meeting with the family after a determination is made as to final price.

REPORTS

- Supervisor’s Report for November 2021 was reviewed by the Board.

Town Clerk presented the following reports:

- Clerk’s Report for the month of November shows a total of \$475.75 collected. \$297.75 was turned over to the Town Supervisor for the General Fund; \$26.00 was sent to NYS Ag and Markets for dog licenses, and \$152.00 was sent to Allegany County DPW for landfill tickets sold.
- Clerk’s Report for the month of December shows a total of \$443.00 collected. \$310.50 was turned over to the Town Supervisor for the General Fund, \$34.00 was sent to NYS Ag and Markets for dog licenses, \$22.50 was sent to the NYS Health Department for a marriage license, and \$76.00 was sent to Allegany County DPW for landfill tickets sold.

- Petty Cash Report for November indicates that \$100.00 was available. The report for December indicates that \$17.38 was used for postage in December. This leaves \$82.62 on hand at the end of December 2021.
- Clerk presented the 2021 Annual Report of monies collected by the Town Clerk. A total of \$5,999.35 was collected and disbursed to the Supervisor for the General Fund; a portion paid to NYS Ag & markets, NYS Health Department and to the Allegany County DPW.
- The Clerk e-mailed the November and December minutes to the Town Board for review.

Tax Collector Report:

- A total warrant for 2022 in the amount of \$1.9 million has been presented. As of January 15, 2022 a total of \$340,727 has been collected.

Town Justice Report:

- Review of Court Fines collected during November totaled \$940.00 and in December \$622.00.

Dog Control Officer Report:

- Report presented covering July through December 21, 2021 regarding a total of 15 complaints received,

Code Enforcement Officer Report:

- Code Enforcement Officer Krist did not attend the meeting but supplied a report for November 2021. No report was submitted for December 2021.

Motion made by CP Estabrook and 2nd by CP Bluhm to accept all reports as submitted. Ayes all.
Motion carried.

POTENTIAL GRANT FOR GENESEE LIBRARY

Library Director Rae Smith presented a proposal to the Board. There is a grant available from the Genesee Valley Rural Revitalization Program for up to \$50,000 for roof replacement; masonry repair; weatherization; and system upgrades. Their goal would be to install a hot water boiler and/or tankless water heater; restore damaged siding, paint the outside of the building, install a dehumidifier for the basement and insulate all exposed boiler pipes. Anticipated cost would be approximately \$33,000.

However, this grant is an unmatched reimbursable grant and the Library does not have monies available to fund the renovations themselves. They would like to request that the Town “loan” them the monies necessary for this grant. They would be responsible to complete all paperwork involved.

Supervisor Smith has talked with Accountant Berry about this and feels that the Town would be financially able to do this. The money could be taken from CLASS. Also discussion about not including outside painting in the grant request. (It is unclear if the grant would be approved if painting was included and the Town could then use the ARP funds to cover the painting). Director Smith indicated that the grant application is due in March 2022.

COMMITTEE ASSIGNMENTS & REPORTS

Buildings & Repairs – Holcomb and Smith

- At the December meeting, Superintendent Reynolds advised that a new heater is needed for the existing bay. Mr. Reynolds provided the board with two quotes. Depending on the BTU of the unit, price would be between \$2700 and \$3700. This would be for the unit only and the installation would be done by the highway employees. The Board asked Mr. Reynolds to check the existing unit to determine what BTU size is needed. Further information will be provided at the February meeting.

Highway Department – Holcomb and Miller

- Mr. Reynolds provided a sample local law regarding bonding of roads for damage from heavy vehicles. Town Attorney Firkel will review the sample and make any suggestions for a local law.
- Mr. Reynolds advised he has been contacted regarding the FEMA application. An on-site meeting will be the next step.

Park – Estabrook and Miller

Cemeteries – Holcomb and Estabrook

Grants – Smith and Estabrook

- All monies from the grant have now been spent. Clerk will be sending in the final reimbursement request as soon as possible.

Code Enforcement –Holcomb and Miller

- Further discussion about the Coliseum. No official notification has been received that the property has been sold. Attorney Firkel requested that a Code Enforcement Officer be instructed to begin writing appearance tickets in the matter and he recommended that Ryan Reid, a Code official in Olean, be contacted regarding handling this matter.

Audit Committee – Holcomb and Estabrook

- Paperwork from Accountant Berry covering the audit for 2020 was provided to CP Estabrook for her review and report back to the Board.

OLD BUSINESS

Update on ARP (American Rescue Plan) Funds

More discussion about the use of ARP funds. The boiler heating system at the Genesee Library, replacement of the Highway Barn roof and additional funds needed for the Salt Barn. Supervisor Smith also provided information received regarding how lost revenue would effect the use of ARP funding.

Bus Shelter Update

Further discussion about the bus shelters that was discussed at the December meeting. CP Miller made a motion, 2nd by CP Bluhm, that the highway department be allowed to do the forms for the cement foundations which would be necessary for both shelters, one at the Town Hall and one at the Genesee Library. Ayes all, Motion approved.

NEW BUSINESS

Resolution #2022-1

RESOLUTION APPROVING THE AGREEMENT BETWEEN THE PORTVILLE FIRE DISTRICT AND THE TOWN OF GENESEE

WHEREAS, the Town of Genesee’s fire protection is partially covered by the Portville Fire District and

WHEREAS, the Town Board of the Town of Genesee hereby approves the agreement between the Town of Genesee and the Portville Fire Protection District for the year 2022, furnishing the necessary fire protection for their portion in the Town of Genesee;

WHEREAS, included in the Town of Genesee Approved 2022 Budget are sufficient funds as requested to pay the Portville Fire District \$40,178.79 for the year 2022;

RESOLVED, that the Town Board approves the Town Supervisor Alexander Smith execute the necessary paperwork for this agreement.

Motion made by CP Smith, 2nd by CP Miller, that this resolution be approved.

Roll call vote taken as follows: CP Bluhm Aye
 CP Miller Aye
 CP Estabrook Aye
 Supervisor. Smith Aye

Resolution passed.

Resolution #2022-2

**CREATION OF STANDARD WORK DAY AND
REPORTING FOR ELECTED AND APPOINTED OFFICIALS
FOR THE NYS RETIREMENT SYSTEM**

NYS regulations under Title 2NYCRR Part 315.4 requires employers to submit a Standard Workday and Reporting Resolution for all paid elected and appointed officials who are members of the NYS and Local Retirement System and are in a term of office or appointment that began on or after August 12, 2009.

BE IT RESOLVED, that the Town of Genesee, Local Code 30805, has reviewed the Record of Activities (ROA) as completed by said elected Justice and hereby establishes the following standard work days for the title and will report the officials to the NY State and Local Retirement System based on their records of activities as follows:

Title	Standard Work Day	Name	SS# (last 4 digits)	NYS Registration #	Current Term	ROA Result
Town Justice	8	Robert Pritchard	3890	R13088456	1/1/2020- 12/31/2023	2.34

Motion made by CP Bluhm, 2nd by CP Miller, that this resolution be approved.

Roll call vote taken as follows: CP Bluhm Aye
 CP Miller Aye
 CP Estabrook Aye
 Supervisor. Smith Aye

Resolution passed.

Resolution #2022-3

**RESOLUTION APPROVING THE ANNUAL SOFTWARE SUPPORT
CONTRACT WITH WILLIAMSON LAW BOOK COMPANY**

WHEREAS, the Town Clerk for the Town of Genesee utilizes the Town Clerk Plus Software program from the Williamson Law Book Company for collection tracking;

WHEREAS, the Town Clerk wishes to renew the annual support contract for this service;

THEREFORE, the Town Board of the Town of Genesee hereby approves this agreement to cover the year of 2022 and by this resolution authorizes the Town Supervisor to execute the necessary paperwork for this agreement.

Motion made by CP Miller, 2nd by CP Bluhm, that this resolution be approved

Roll call vote taken as follows:	CP Bluhm	Aye
	CP Miller	Aye
	CP Estabrook	Aye
	Supervisor. Smith	Aye

Resolution passed.

Resolution #2022-4

**RESOLUTION APPROVING AGREEMENT
FOR THE EXPENDITURE OF 2022 HIGHWAY MONIES**

WHEREAS, NYS Highway Law, Section 284, requires the Genesee Town Board and the Highway Superintendent to execute a written and signed agreement that sets forth the use of monies, including CHIPS money, levied and collected for highway repairs and improvements,

WHEREAS, a tentative agreement has been prepared by the Town of Genesee Supervisor and the Highway Superintendent regarding expenditures of 2022 monies as attached.

RESOLVED, the Genesee Town Board has reviewed this agreement and, by signing such agreement, authorize the expenditures of monies as listed. This agreement can be amended by the Town Board as necessary after request by the Highway Superintendent.

**284 AGREEMENT FOR EXPENDITURE OF HIGHWAY MONIES
FOR BUDGET YEAR 2022**

This agreement is between the Highway Superintendent and the Town Board of the Town of Genesee, Allegany County, State of New York, for the year 2022

As provided in Section 284 of the NYS Highway Law, we agree that moneys levied and collected for the repair and/or improvement of Town Highways, and received from the State in funds from the Consolidated Highway Improvement Program (CHIPS) and Extreme Weather Recovery Act (EWRA) shall be expended as follows:

GENERAL REPAIRS: The sum of \$ 85,000 as budgeted in 2022 will be expended for primary work and general repairs of Town Highways. This sum shall not be exceeded unless this agreement is amended by the Town Board and the Highway Superintendent.

PERMANENT IMPROVEMENTS (CHIPS):

Starting at intersection of State Route 417 and Streeter Brook Road, approximately 1.25 miles north reprofile and resurface road

shall be set aside and not exceeded unless this agreement is amended by the Town Board and the Highway Superintendent.

It is agreed that all guidelines and sections as set forth by the NYS Department of Transportation, the NYS Highway Law and the NYS Town Law will be adhered to and subjected to by the undersigned.

It is further agreed that the Highway Superintendent will complete and submit in a timely manner, all CHIPS and EWRA reimbursement forms to the appropriate agency.

Motion made by CP Estabrook, 2nd by CP Miller, that this resolution be approved

Roll call vote taken as follows:	CP Bluhm	Aye
	CP Miller	Aye
	CP Estabrook	Aye
	Supervisor. Smith	Aye

Resolution passed.

Resolution #2022-5

**RESOLUTION APPROVING THE MUTUAL AID AGREEMENT
BETWEEN THE MUNICIPALITIES OF ALLEGANY COUNTY, NEW YORK**

WHEREAS, THE Town Board of the Town of Genesee hereby agrees to allow Town Supervisor Alexander Smith and Highway Superintendent Ben Reynolds to extend Mutual Aid assistance to another participating municipality within the County of Allegany when requested to do so by such municipality in time of abnormal snow or work conditions. This agreement is subject to the conditions listed in the written agreement.

Motion made by Supervisor Smith, 2nd by CP Miller, that this resolution be approved

Roll call vote taken as follows:	CP Bluhm	Aye
	CP Miller	Aye
	CP Estabrook	Aye
	Supervisor. Smith	Aye

Resolution passed.

Local Laws for Wind Energy and Solar Projects

Sample Local laws provided regarding these areas. Attorney Firkel will review these and work on recommended Local Laws for the town of Genesee.

Certification of November 2021 Election

Board was provided with the official notification of the November election as follows: Supervisor Alex Smith, Councilman Ed Miller and Joshua Bluhm and Assessor Jill Roulo.

Training of Newly Elected Assessors

Supervisor Smith provided a list of training which will be required for the newly elected Assessor. Clerk will provide this list to Ms. Roulo.

Board of Assessment Review Appointment

Supervisor Smith advised that the 5-year appointment for Michael Schwabenbauer expired as of September 30, 2021. At the Organizational Meeting, he was re-appointed to this position which will run from October 1, 2021 through September 30, 2026.

2022 Annual Training School

Information provided for the 2022 Association of Towns training. This will be virtual and if any board member desires to attend the town will pay their registrations.

PAYING OF BILLS:

Abstracts totaling \$48,589.49 were reviewed for paying the Town bills as follows:

Abstract	Voucher Nos.	Abstract Amount
General Fund – 2021 Monies	199 – 211	\$ 2,996.06
2022 Monies	1 - 9	3,095.74
Highway Fund – 2021 Monies	150 – 164	\$ 37,235.19
2022 Monies	1 - 1	5,262.50

CP Miller made a motion to pay the above bills, 2nd by CP Estabrook. Ayes all. Motion passed.

Motion to adjourn the meeting was made by CPMiller, 2nd by CP Bluhm. Ayes all.

Meeting was adjourned at 9:45 pm

Bonita Brunner, Town Clerk
Dated: January 25, 2022