

TOWN OF SPRINGWATER

TOWN BOARD MEETING

October 9, 2023

Supervisor Babbitt calls the meeting to order at 7:00 P.M.

Pledge of Allegiance

Roll Call of Board - Present: Councilmember Mason, Councilmember Patricia Willsea, Supervisor Deborah Babbitt Henry.

Absent: Councilmember Canute, Deputy Supervisor Gnau.

Present at Meeting: Highway Superintendent and approximately 8 (eight) members.

Motion made by Councilmember Mason to accept the minutes for September 11, 2023, seconded by Councilmember Willsea, carried with all ayes.

PUBLIC HEARING

For the approval of a Cable Television Franchise Agreement between Spectrum Northeast, LLC and the Town of Springwater. Opened at 7:01 p.m. Supervisor asked if any one present would like to be heard on this hearing. Mark Hopkins from the floor questioned if there was a digital copy and if the contract was for ten (10) or twelve (12) years. The Supervisor responded that only a hard copy of agreement is available and that the agreement is for ten (10) years.

This will remain open until the end of the meeting.

Privilege of the Floor

Amanda Parker – She presented information on the success of the Fall Festival. Funds and donations included: Raffle basket \$30.00; 50/50 Raffle \$92.00; Personal Donations \$50.00; Drink table \$18.00; Corn Table \$34.00; Donation Jars by community children \$60.00; Vendor application fees \$600.00; Larry Gnau Chicken Barbeque \$750.00; Carl Rod and Gun Club \$100.00; Amish Workshop \$100.00; Lighthouse \$200.00; Amanda's mother donated \$25.00; Parker's \$100.00; Raffle baskets were donated by Denise Daly; Duvall Farm donated corn; Two baskets donated by Ole' Thyme Farm. Special thank you to the Fire Department, Matt Hoppough, Church of the Nazarene, Lighthouse Church, Crafty Bears, Hillside Garden, Water Sewer Treatment, Town Board and the Community. Grand total raised after expenses \$1,954.82.

Trisha & Christopher Smith – Trisha and Christopher have a land contract with her father. They are currently trying to get a deed transferred mortgage and are looking to make improvements to the home. The Smith's bank is more than willing to approve this mortgage with a lien on the property accept that they would need the Town of Springwater to sign a legal document stating that they are willing to stay in second position. This is due to this property previously awarded a CBDG Grant. The Grant has two more years until satisfied. Supervisor Babbitt Henry reported that this is currently in the hands of the Town's attorney James Campbell and that he has been in contact with Smith's attorney Rachel Scura.

Abstract of Claims # 10 of 2023 \$ 137,637.44

Approving the Abstract of Claims #10 of 2023 for Audit date 10.09.23			
General Fund	\$ 21,098.06	Vouchers	236 - 256
Highway Fund	\$ 100,242.77	Vouchers	180 - 195
Sewer Fund	\$ 9,101.23	Vouchers	114 - 124
Water Fund	\$ 7,195.38	Vouchers	81 - 90

Motion made by Councilmember Willsea to approve abstract of claims #10 of 2023 for an overall total of \$137,637.44, seconded by Councilmember Mason; Roll Call: Councilmember Mason, Aye; Councilmember Willsea, Aye; Supervisor Babbitt Henry, Aye; motion carried.

Supervisor Reports.

Monthly Reports – The following monthly reports were distributed to the board for September; Assessor, Sewer and Water, Town Clerk, Town Justice and Town Supervisor Reports.

Reminder that the New Sewer Project Debt Service Payment and Interest is due October 15th. This is an auto withdrawal amount of \$9,025.00 (\$7,000 principal). Trick or Treating for the Town on October 31st shall be between the hours of 6:00pm thru 8:00pm. Received a letter

from Livingston County Department of Health regarding our water supply. The samples were not collected according to the monitoring plan. Supervisor spoke to the Water and Sewer Department as well as Livingston County Water authority. Livingston County Water authority instructed the Town's Water Department as to what was needed for reporting purposes.

Motion made by Supervisor Babbitt Henry to set the hours for Trick or Treating in the Town of Springwater shall be 6:00pm thru 8:00pm, seconded by Councilmember Mason; Roll Call: Councilmember Mason, Aye; Councilmember Willsea, Aye; Supervisor Babbitt Henry, Aye; motion carried.

OLD BUSINESS

Generators – Discussion of the board took place regarding the highway barn and old sewer generator for town hall. Original quote was \$15,415.00 to install the generator at the highway barn. Carman was also asked to quote installing a generator at the town hall. Carman recommended that the existing generator at the sewer plant would be a better fit to be installed at the highway with a quote of \$8,603.00. The installation of a generator at the town hall with new service was quoted at \$27,761.53. This includes new generator, new electric service, new underground electric service, new meter, new breakers, excavation, pedestal and lines run in conduit. The price for materials is quoted at \$17,511.53, excavation \$4,000 and labor \$6,000.00.

Motion made by Councilmember Willsea to accept the proposal for the Highway Department for installing a generator at the Highway Department, seconded by Councilmember Mason: Roll Call: Councilmember Mason, Aye; Councilmember Willsea, Aye; Supervisor Babbitt Henry, Aye; motion carried.

Supervisor Babbitt Henry again asked at 7:23pm if anyone wished to speak on the cable television franchise agreement between Spectrum Northeast and the Town of Springwater. One member questioned whether or not this would increase the availability to town residents that need cable. The Supervisor explained that this is just an agreement to allow them to install poles and wires throughout the Town.

Received letter from New York State DEC regarding chronic non-compliance with the Springwater Waste Treatment Plant. Still in violation of the Speedies permit. The plant is still not functioning correctly. The original consent order dated 2011 was inherited and have been working on this to get this fixed. The water and sewer department has worked diligently to get the levels to where they should be at, however in the mean time DEC has changed the requirements. A final engineering report needs to be completed for the Water Treatment Plant. A letter has been received from our attorney James Campbell. Attorney Campbell is recommending that the Town take action and approve the proposal from Hunt Engineering to complete the final report. This would fulfil one of the requirements that DEC is requesting. Currently we have an agreement with the Livingston County Water and Sewer Authority for assistance with this project in closing out the consent order.

Motion made by Councilmember Willsea to authorize the Supervisor to sign the proposal with Hunt Engineering on the advice of our attorney James Campbell for the amount of \$13,000, seconded by Councilmember Mason: Roll Call: Councilmember Mason, Aye; Councilmember Willsea, Aye; Supervisor Babbitt Henry, Aye; motion carried.

NEW BUSINESS

The sewer use law needs to be updated. This would require a Local Law as stipulated in the consent order. DEC is requesting that the Town adopt their regulations for the Town of Springwater Sewer Use Law. This is same Sewer Use Law that the County uses and surrounding municipalities. Attorney James Campbell sent this directly to the Town requesting a Public Hearing for the Local Law.

Motion made by Supervisor Babbitt Henry to set the Public Hearing for Local Law #4 Of 2023 to adopt a New Sewer Use Law for the town of Springwater on November 13th at 7:00pm at our regular town board meeting, seconded by Councilmember Mason; Roll Call: Councilmember Mason, Aye; Councilmember Willsea, Aye; Supervisor Babbitt Henry, Aye; motion carried.

At 7:35pm the Supervisor asked if anyone wished to speak on the Public Hearing for the approval of the cable television franchise between Spectrum Northeast and the Town of Springwater. No response.

Motion made by Supervisor Babbitt Henry to close the Public Hearing at 7:35pm, seconded by Councilmember Willsea; Roll Call: Councilmember Mason, Aye; Councilmember Willsea, Aye; Supervisor Babbitt Henry, Aye; motion carried.

Motion made by Councilmember Mason to approve and adopt Resolution #36 of 2023, the Spectrum Charter Communication with the change of 15 years to 10 years, seconded by Councilmember Willsea; Roll Call: Councilmember Mason, Aye; Councilmember Willsea, Aye; Supervisor Babbitt Henry, Aye; motion carried.

The Town Clerk received the 2024 Proposed Budget on September 30th. A copy was also given to the Board. The Supervisor requested that the Board look at their calendars as they need to set a date for the Budget Workshop.

Motion made by Supervisor Babbitt Henry to move to Executive Session related to public employee collective-bargaining negotiations, seconded by Councilmember Willsea; all in favor.

Retained Town Clerk and Highway Superintendent.

Motion made by Councilmember Mason to end Executive Session at 8:12pm, seconded by Councilmember Willsea; all in favor.

Motion made by Councilmember Willsea to return to Regular Session at 8:13pm, seconded by Supervisor Babbitt Henry; all in favor.

Motion made by Supervisor Babbitt Henry to sign the agreement Teamsters Local 118 and the Town of Springwater for the period to run January 1, 2024 thru December 31, 2026, seconded by Councilmember Willsea; Roll Call: Councilmember Mason, Aye; Councilmember Willsea, Aye; Supervisor Babbitt Henry, Aye; motion carried.

Highway- The John Deere old mowing tractor has not been sold yet. The Highway Superintendent would like to purchase a broom and keep the John Deere. He would like to get rid of the 1995 broom tractor as it is very old. This would help having two mowers in the spring and have the broom available on the mower.

Motion made by Supervisor Babbitt Henry to declare the 1995 New Holland 3930 mowing tractor surplus and allow the highway superintendent to send it to international auction, seconded by Councilmember Mason; Roll Call: Councilmember Mason, Aye; Councilmember Willsea, Aye; Supervisor Babbitt Henry, Aye; motion carried.

Board Reports

Town Clerk – Nothing to report.

Councilman Willsea (Code Enforcement; Historian; Recreation, Town Clerk) – Katherine Humphrey invited her to lunch with the Chamber of Commerce of Livingston County. They went to the local business' in the Town to try and promote the Town of Springwater. A suggestion was made to try and receive a map where the local Amish reside in the Town.

Councilman Canute (Highway) – Absent

Councilman Gnau (Water/Sewer) - Absent

Councilman Mason (Fire; Cemeteries/Planning Board) – Nothing has been heard regarding the gentleman that would like to do some restoration in Ford Cemetery.

Motion made by Supervisor Babbitt Henry to adjourn the meeting at 7:58 p.m., seconded by Councilmember Mason; motion carried with all ayes.

Respectfully Submitted,

Christi C. Johnson
Town Clerk