

TOWN OF SPRINGWATER
TOWN BOARD MEETING
June 12, 2023

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

Pledge of Allegiance

Roll Call of Board - Present: Councilmember Thomas Canute, Councilmember Kyle Mason, Councilmember Patricia Willsea, Deputy Supervisor Lawrence Gnau, Supervisor Deborah Babbitt Henry.

Present at Meeting: Highway Superintendent and approximately 4 (four) members.

Motion made by Deputy Supervisor Gnau to accept the minutes for May 8, 2023, seconded by Councilmember Willsea, carried with all ayes.

Public Hearing

Local Law #3 – Administration of the Uniform Building Code

Supervisor Babbitt opened the Public Hearing at 7:02pm. At this time the Local was read. No members commented at this time.

Privilege of Floor

Ann-Marie Tamrowski – First Net

After lengthy discussion by the board and members it was decided to have the Town change their cell phone carrier from Verizon to First Net (AT&T).

Motion made by Deputy Supervisor Gnau to change cell phone carrier from Verizon to First Net (AT&T), seconded by Councilmember Willsea. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

Abstract of Claims # 6 of 2023 \$ 209,973.25

Approving the Abstract of Claims #6 of 2023 for Audit date 6/12/2023			
General Fund	\$ 13,087.60	Vouchers	121-151
Highway Fund	\$ 187,795.40	Vouchers	107-122
Sewer Fund	\$ 5,471.10	Vouchers	57-72
Water Fund	\$ 3,619.15	Vouchers	40-51

Supervisor

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

Town owned Cemeteries – Supervisor Babbitt Henry as well as Jade Perkins attended the annual Conference of Towns at Houghton. They held a class on cemeteries that stressed that towns should not be selling plots/lots. There is question as to whether or not this has always been a town owned cemetery or if there was a prior association. The State is looking into their records. The State only requires a Town to mow cemeteries twice a year.

CDBG – Received a letter from NYS Homes and Community Renewal Post Monitoring #1102HR347-18. The letter stated that we have no errors or omissions. There was a clean closeout and state approved. The Town will be applying for the next round of grants. The Supervisor will be contacting Genesee Valley Rural Preservation representatives to inquire any information regarding grants. **Excellus** – received a letter to the town that there will be an increase of 15.60 percent for the 2024 year. **Summer Recreation Program** will be running from August 1st – August 25th. Trisha Henry and three helpers will be running the program. A letter from NYMIR was received stating that the Town is required to install Master battery Disconnect switches on all medium and heavy- duty vehicle equipment. Insurance companies are requiring this now. Supervisor requested a motion to move monies from Highway – \$50,000.00 From DA9950.9 Capitol Equipment Reserve to DA5130.2 Machinery & Capital Outlay & \$121,921.99 from Fund Balance to DA5130.2 Machinery & Capital Outlay to cover invoiced Highway Mowing Tractor and Roller balance and a motion to move monies from General Fund - \$ 56,848.50 from Fund Balance to A1490.2 Public Works Equipment & Capital Outlay to cover Pickup truck.

Motion made by Supervisor Babbitt Henry to move monies from Highway – \$50,000.00 From DA9950.9 Capitol Equipment Reserve to DA5130.2 Machinery & Capital Outlay & \$121,921.99 from Fund Balance to DA5130.2 Machinery & Capital Outlay to cover invoiced Highway Mowing Tractor and Roller balance, seconded by Deputy Supervisor Gnau. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

Motion made by Supervisor Babbitt Henry to move monies from General Fund - \$ 56,848.50 from Fund Balance to A1490.2 Public Works Equipment & Capital Outlay to cover Pickup truck, seconded by Deputy Supervisor Gnau. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

Old Business

GRIEVANCE SW039 regarding James Brown Water and Sewer. The Supervisor had a meeting with the billing clerk (Amanda). It was determined that as of December 2022 Houser was the owner and she owed \$380.00 for October through December. This was billed January 23, 2023. Mr. Brown purchased the home on December 30th. They did not use an attorney and was up to the seller to disclose that she owed outstanding water and sewer bills. A late penalty bill was mailed out in April for the \$380.00. May 11th Mr. Brown was billed \$77.70 which is the accumulated late fee. On May 8th, 2023 the board reduced the building from two units to one. Therefore, on his July bill he will be \$256.00 which is two units for April, one unit for May and one unit for June. Prior to the board grievance he owed \$837.70 with part of his grievance request was to forgive that money owed. As of today's date, Mr. Brown has still not paid anything towards the amount owed. Therefore, Mr. Brown will be receiving a bill July 1st in the amount of \$1,094.36.

Motion made by Councilmember Canute to answer with the grievance filed billing James Brown \$1,094.36, seconded by Supervisor Babbitt Henry. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

The supervisor asked the public if anyone wished to speak on Local Law #3, members declined. Councilmembers were asked if they wished to speak. Councilmember Canute asked about 11D, Code Enforcement full time position. Supervisor stated that the Code Enforcement officer works approximately 37.5 hours weekly currently. Deputy Supervisor Gnau questioned what the difference was compared to the one passed in 2015. Supervisor Babbitt Henry responded that they have added some new definitions and requirements for garages. Councilmember Canute questioned section 14 on being an engineer to determine water flow. Code Enforcement are instructed to contact engineers from that cover that area.

Local Law 4 of 2023 – Land Use <proposed> changes from the board need to be turned into the Supervisor for review.

Reviewed the application Subrecipient Agreement for County ARPA Grant for the Ballfield.

Motion made by Deputy Supervisor Gnau to authorize the Supervisor to sign the Subrecipient Agreement for Livingston County ARPA for the ballfield, seconded by Councilmember Mason. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

Supervisor Babbitt Henry included a copy of a letter to the board cancelling the 10-wheel truck with international and an order for the 10-wheel Western Star. International has still not responded back to the Town.

NEW Business

Letter & Contract from Knauf Shaw LLP re; Municipal Representation for Section 94-C project reviews. Town attorney Jim Campbell does not feel that he has knowledge for the 94-C on behalf of municipalities. He suggested that the town seek out the legal firm Dwight Kanyuck out of Rochester and Buffalo. This law firm could represent the Town in any of the 94-C discussions.

Motion made by Deputy Supervisor Gnau to authorize Supervisor Babbitt Henry to sign the agreement for legal representation of Knauf Shaw LLP for the 94-C, seconded by Councilmember Mason. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

Letter & Resolution #34 of 2023 - requesting Voter Identification be adopted to draft and enact legislation regarding a voter's identification process from the Town of Huntington.

Motion made by Councilmember Willsea to authorize Supervisor to sign Resolution #34 urging the New York State Legislature and Governor Kathy Hochul to draft and enact legislation regarding a voter's identification process, seconded by Councilmember Mason. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

Significant Damages to Town park, Town Property – Councilmember Willsea has contacted the Livingston County Sheriff's Department and they will be driving through the park

periodically at night. Recently there has been quite a bit of vandalism.

Motion made by Deputy Supervisor Gnau to allow the Springwater Gala to use the park on August 13th, 2023 at no charge, seconded by Supervisor Babbitt Henry. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

Highway Superintendent reported that the equipment was put on Auctions International authorization to accept the bid or counteroffer is needed within 48 hours. Also needed is the reserve amount on each piece of equipment. Auction ends June 20th and answered will be needed by June 22nd, 2023. Dodge Ram – \$21,000 minim, International - \$75,000 minimum Kubota – no minimum, Wood Splitter – no minimum.

NYCLASS – New York Cooperative Liquid Assets Securities System, they are willing to come to the Town hall and speak with us. Baldwin's Accounting suggested and stated that many towns have invested with this Security System.

Board Reports

Town Clerk - Dog Licenses that were not licensed in April turned over to Dog Control. Received map of Pleasant Valley East Cemetery from Gene Miller.

Councilman Willsea (Code Enforcement; Historian; Recreation, Town Clerk) Repairs needed on playground were discussed with Dave Sliker. A few wooded beams need to be replaced.

Councilman Canute (Highway) The fire hall has some pot holes that need to be filled and was wondering if permission to have the highway go and fill those holes and how much it would cost for the fire department to reimburse the town.

Councilman Gnau (Water/Sewer) Need a quote for an excavator per hour.

Councilman Mason (Fire; Cemeteries/Planning Board) Rental procedure for the park has been an issue and would like to see something move forward. To be addressed at next board meeting.

Local Law #3 – again the Supervisor asked members with no response.

Motion made by Supervisor Babbitt Henry to close the Public Hearing regarding Local Law #3, seconded by Deputy Supervisor Gnau.

Motion made by Supervisor Babbitt Henry to adopt Local Law #3 of 2023 Administration of the Uniform Code, seconded by Councilmember Mason. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau; Supervisor Babbitt Henry, Aye. Carried.

Motion to Adjourn

Motion made by Supervisor Babbitt Henry to go into executive session involving the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation, seconded by Deputy Supervisor Gnau, carried with all ayes.

Motion made by Supervisor Babbitt Henry to move to Regular Session at 9:55pm, seconded by Deputy Supervisor Gnau.

Motion made by Supervisor Babbitt Henry that the Town Board takes no further action against the prior Town Clerk Kimberly Warner, seconded by Deputy Supervisor Gnau. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

Motion made by Councilmember Mason to adjourn the meeting at 10:00pm, seconded by Councilmember Willsea, carried with all ayes.

Respectfully Submitted,

Christi C. Johnson
Town Clerk