

Town of Scipio September 2022 Town Board Meeting Minutes

The September meeting of the Town of Scipio, Cayuga County, State of New York was held at the Town Office, 3705 State Route 34, Scipio Center, NY 13147, on Wednesday September 14, 2022.

Present: Gary Mutchler – Supervisor Susan Allen – Council Member
Jason Botsford – Council Member Mark Ferrari – Council Member
Melina Pitman – Council Member Bill Hall – Highway Superintendent
Heather Garner – Town Assessor Ann Robson – Town Clerk

Attending: Roland Dodge, Jeff Eaton, Meryl Mendillo, Scott Biggar, Rachel Moran

1. The September 2022, Town of Scipio Board meeting was called to order at 7pm by Supervisor Mutchler, followed by the Pledge of Allegiance to the flag.
2. Review Agenda – Council Member Botsford made the motion to approve the meeting agenda, second by Council Member Allen. All in favor.
3. Issues to come before Town Board from town residents - none
4. **Resolution 2022-61** Approve August 10, 2022 Scipio Town Board Meeting Minutes. On a motion made by Council Member Allen, second by Council Member Botsford, this motion was:
Adopted Ayes 5 Mutchler, Allen, Botsford, Ferrari, Pitman
Noes 0
5. Liberty Renewables – Scott Biggar, Development Manager for the Agricola Wind Project reported 1500 acres have been leased at this time, avian studies on fields 25 acres or larger for breeding birds ending in July, the winter raptor survey will be conducted from mid-November 2022 to late March 2023. To address the ethics of financial gain with municipal employees, elected officials and their immediate family members discussion was had on developing a Code of Conduct. The NYS Wind Code of Conduct prohibits conflicts of interest between municipal officials and wind companies and establishes specific public disclosure requirements. It bans wind companies from hiring municipal employees or their relatives, giving gifts of more than \$15 during a one-year period, or providing any other form of compensation that is contingent on any action before a municipal agency. It prevents wind companies from soliciting, using, or knowingly receiving confidential information acquired by a municipal officer during his or her official duties. It requires wind companies to establish and maintain a public website to disclose the names of all municipal officers or their relatives who have a financial stake in wind farm development. It requires wind companies to submit in writing to the municipal clerk for public inspection and to publish in the local newspaper the nature and scope of the municipal officer's financial interest. It mandates that all wind easements and leases be in writing and filed with the County Clerk. Town Attorney Jeff Eaton suggested the best practice for a board member who has a financial interest or may later sign a lease with the Agricola Wind Project is to recuse themselves and leave the meeting room during discussion. The town board may consider convening a special committee to address all municipal transactions with the project. Scott Biggar will start the application with the state Attorney General's office for a Code of Conduct with municipal disclosure for the Town of Scipio.
6. **Resolution 2022-62** – Extend certain deadlines related to SunEast Scipio Solar LLC, as successor to Duke Energy Renewables Solar LLC. Town Attorney Jeff Eaton informed the town board of

changes to the solar project in 2022. SunEast won the NYSERDA bid for license and bought the project from Duke. SunEast is working on the site plan application to the Scipio Planning Board and requested a one-month extension. They requested an eight-month extension on the Host Community Agreement and the town attorney countered with a six-month extension. They are working on an agreement like Duke's for a \$10,000 escrow account to cover town attorney fees. On a motion made by Council Member Pitman, second by Council Member Ferrari, be it resolved this motion was:

Adopted Ayes 5 Mutchler, Allen, Botsford, Ferrari, Pitman
 Noes 0

Supervisor Mutchler received from Town Attorney Jeff Eaton four options for 2023 billing fees. Attorney Eaton listed three monthly retainer options with varying number of hours per month or straight hourly rates for standard legal work, litigation rates with an associate and with a partner. No action was taken.

7. Official Reports

- a. Assessor – Heather Garner reported her working with the NYS Taxation and Finance and the county Real Property Services to correct several Enhanced STAR recipients who received Basic STAR in error. She presented a request for the town to purchase SDG software to improve her efficiency with her fieldwork and documenting parcel conditions. The cost of initial installation is \$950 which is billed to the town via chargeback fees from sales tax. There is an annual fee of \$500 which is divided and shared among towns using the service and is collected during the chargeback process.
Resolution 2022-63 Update Town of Scipio's license for web-based delivery on Real Property information via Image Mate Outpost Software SDG. On a motion made by Council Member Pitman, second by Council Member Botsford, this motion was:
Adopted Ayes 5 Mutchler, Allen, Botsford, Ferrari, Pitman
 Noes 0
- b. CEO – Report indicated two permits were issued and the town Planning Board reviewed three applications. Written report will be posted with monthly meeting minutes.
- c. Clerk – Monthly report indicates \$2534 was disbursed to the Town Supervisor. Town Council Members were instructed to contact the town's new IT Manage Service Provider (MSP), Extra-Mile (315.294.0262) regarding their town email accounts as the service is being transitioned to Outlook 365. On October 1st the county is sponsoring an Electronics "PLUS" Recycling event. Registration information was shared.
- d. Highway Superintendent Hall commented the transition to the town's new MSP impacted his ability to receive vouchers via email for a few days. The Highway crew is keeping a regular pace with mowing, and the paving, oil and chipping of town roads is completed for the season. Recently, a local farmer ruined a portion of a town road that was just widened and resurfaced. His farm vehicle blew a tire, the vehicle was dragged down the road gouging the surface and peeled up the road edge. Damages are estimated to be very costly. The town attorney suggests a Cease-and-Desist order not to use the farm vehicle until repaired and to bill the farmer's insurance company for damages. He informed the town board that three out of five locks on the Highway Buildings do not function. He proposes to have new door handles and locks installed. Friendly Lock Smith will charge \$150/per lock to install and set up the key. Total price would be \$750 to replace handles and locks on five highway building doors.

Resolution 2022- 64 Install five new locks in the Highway Building to replace those broken and repair the door jam. On a motion made by Council Member Ferrari, second by Council Member Botsford be it resolved this motion was:

Adopted Ayes 4 Mutchler, Allen, Botsford, Ferrari, Pitman
 Noes 0

Superintendent Hall announced next week he will be out of town attending a State Conference of Highway Superintendents in Ellicottville, NY from Tuesday thru Friday. He received a scholarship covering expenses to the conference so there is no hotel nor food costs to the town. He discussed his concerns with the Cayuga County Highway's contract to plow county roads this winter. The county Highway Department would not approve specific items he submitted in his bid. If he accepts the county's proposed contract it would cost the town money to plow the county roads.

Board Member Reports

- e. Susan Allen – Clean Up Day is 10.1.2022. Robinson Roll-off will deliver 5 containers for the trash and Weitsman has been contacted yet not committed for the metal recycling bin. Transfer Station Attendant Tom Olenych was bit by a dog that was not licensed. The dog was with his owner inside the vehicle. Council Member Allen covered his shift so Tom could go to Urgent Care for a tetanus shot. He received pay for the entire shift and the wound has healed. She commented that the first aid kit kept at the Transfer station needs to be replaced. On August 29th she attended the training given by Kari Terwilliger, Senior County Planner to the town's Planning Board and ZBA.
 - f. Jason Botsford – Reported the town has scheduled a Rabies clinic for Saturday, 10.1.2022 from 10:00am – 1:00pm. The cost is \$200 per animal.
 - g. Mark Ferrari – Reported he has spoken to architect Kathleen Connelly. She has declined his request to return to revise and update the renovation plans. Council Member Ferrari expressed the need to approach the project knowing building costs, to budget an amount the town can afford and willing to pay, then go through the bidding process again. Supervisor Mutchler voiced the immediate need to insulate the building and repair the south wall, repoint the cinder blocks, replace windows, and fix drainage. No action was taken.
 - h. Mel Pitman – Nothing of significance to report.
8. Supervisor's Report
- a. 2023 Budget Recommendations – Supervisor Mutchler will send tentative budget recommendations to board members ahead of the October 5, 2022 meeting.
 - b. **Resolution 2022-65** Amend Budget - Debit DA5110.1 Repair of Roads Personal Services \$400 and Credit DA5140.42 Drug Testing \$400. On a motion made by Supervisor Mutchler, second by Council Member Botsford, this motion was:
Adopted Ayes 5 Mutchler, Allen, Botsford, Ferrari, Pitman
 Noes 0
 - c. Storage Unit for Records Retention – A 20' storage unit has been rented from A-Verdi. Lighting will be installed; shelving will be purchased, and town records will be transferred over.
 - d. Bookkeeper's Computer – Town Bookkeeper Roland Dodge requested a new computer and will report back to the board with specific recommendations.
 - e. SCAT Van contribution – Supervisor Mutchler reported the town currently contributes \$1250 to the SCAT Van and \$270 for Meals on Wheels. He plans to budget the same amount for 2023.

- f. Copy machine with wireless fax – Supervisor Mutchler reported there is a \$20 installation fee and a \$30 per month charge for the wireless fax service. This decision was tabled to assess the Town Court’s need for this service.
- 9. Other Business - none
- 10. Review and payment of vouchers
 - a. **Resolution 2022-66** Abstract 9 General Fund vouchers 155-173; \$14,030.63. On a motion made by Council Member Allen, second by Council Member Ferrari, the motion was:
Adopted Ayes 5 Mutchler, Allen, Botsford, Ferrari, Pitman
 Noes 0
 - b. **Resolution 2022-67** Abstract 9 Highway Fund vouchers 58-62; \$74,297.26 On a motion made by Council Member Pitman, second by Council Member Botsford, this motion was:
Adopted Ayes 5 Mutchler, Allen, Botsford, Ferrari, Pitman
 Noes 0
- 11. Adjournment – On a motion made by Council Member Pitman, second by Council Member Allen the meeting was adjourned at 10:18pm.

Respectfully submitted,

Ann Robson
Town of Scipio Clerk