

November 13, 2023

Alexander Town Board Regular Meeting/ Public Hearings

Town Hall

6:00pm

Present: Supervisor David Miller
Town Board: Roy Haller III, Eric Wagner, Laura Schmieder, Thomas Sanfratello
Town Clerk: Shannon Tiede
Highway Sup't: Brian Farnsworth
Absent:
Guests: Teresa Thorley, Steve Mountain, Tim Hagen, Jerry Krupka, Gabe and Mike Meyers, Brad McClellan, Brian Burnley, Korie Basso, Logan Basso, Dan Lang

Supervisor Miller called the meeting to order at 6:00pm with the Pledge of Allegiance and a moment of silence for first responders and our military serving around the world.

On motion by Councilperson Sanfratello, and seconded by Councilperson Haller, and carried, the minutes of the October 10, 2023, regular meeting were adopted.

5- Yes Miller, Schmieder, Sanfratello, Haller, and Wagner

0 - No

** Motion made by Councilperson Schmieder and seconded by Councilperson Wagner and carried to open the Fire Contract Public hearing at 6:02pm. 5-0*

**Motion made by Supervisor Miller and seconded by Councilperson Schmieder and carried to open the Tax Cap public hearing at 6:10pm. 5-0*

COMMUNICATIONS: Mercy Flight report.

OLD BUSINESS:

Water District #6: Tank has been ordered. Tank should be put up and running by June or July of 2024.

Water District #7: Still waiting on 1 petition to be turned in. Mark is working on the numbers of the petitions that have been turned in.

**Motion to enter executive session to discuss a personnel matter was made by Councilperson Wagner and seconded by Councilperson Sanfratello at 6:24pm. Motion carried 5-0.*

**Motion was made to exit executive session at 6:57pm by Councilperson Sanfratello and seconded by Councilperson Schmieder. Motion carried 5-0.*

**Motion made by Councilperson Wagner and seconded by Councilperson Sanfratello and carried to open the Adopted Budget public hearing at 7:00pm. 5-0*

**Motion made to close the Fire Contract public hearing at 7:03pm by Councilperson Wagner and seconded by Councilperson Schmieder and carried. 5-0*

**Motion made to close the Tax Cap public hearing at 7:34pm by Councilperson Haller and seconded by Councilperson Sanfratello and carried. 5-0*

**Motion made to close the Adopted Budget public hearing at 7:34pm by Councilperson Schmieder and seconded by Councilperson Sanfratello and carried. 5-0*

NEW BUSINESS:

RESOLUTION 109: KEY POWER CONTRACT

On motion by Supervisor Miller and seconded by Councilperson Schmieder and carried the Town Board approved a contract with Key Power to service the Town's generator. The contract runs from November 1, 2023, through October 31, 2024, in the amount of \$420.00.

5- Yes Miller, Schmieder, Sanfratello, Haller and Wagner 0- No

RESOLUTION NO. 110: RE-LEVIED WATER BILLS- TOWN OF BATAVIA

On motion by Supervisor Miller and seconded by Councilperson Schmieder and carried the board approved to allow the delinquent water bills for the Alexander residents in Water Districts 2, 4 and 5 to be re- levied on to the 2024 Town/County tax bill. The current balance being \$927.54 with 7% (\$64.93) for the County totaling \$992.47.

5- Yes Miller, Schmieder, Sanfratello, Haller and Wagner 0- No

RESOLUTION NO. 111: RE-LEVIED WATER BILLS- VILLAGE OF ALEXANDER

On motion by Supervisor Miller and seconded by Councilperson Haller and carried the Town Board approved to allow the delinquent water bills for the Village of Alexander residents to be re- levied on to the 2024 Town and County tax bill. The current total being \$1,084.62.

5- Yes Miller, Schmieder, Sanfratello, Haller and Wagner 0- No

RESOLUTION NO. 112: RE-LEVIED DEBT SERVICE FOR WD#6

On motion by Supervisor Miller and seconded by Councilperson Sanfratello and carried the Town Board approved to allow the delinquent debt service for WD#6 users to be re- levied on to the 2024 Town and County tax bill. There are 15 residents that owe \$402.00 and 4 residents that owe \$201.00 totaling \$6834.00.

5- Yes Miller, Schmieder, Sanfratello, Haller and Wagner 0- No

RESOLUTION. NO. 113: HAZARD MITIGATION LETTER

On motion by Supervisor Miller and seconded by Councilperson Wagner and carried the Town Board approved sending a letter to Genesee County to commit to participating in the Genesee County Hazard Mitigation Plan update project.

5- Yes Miller, Schmieder, Sanfratello, Haller and Wagner 0- No

RESOLUTION NO. 114: FIRE DEPARTMENT RECREATION HALL PLOWING

On motion by Supervisor Miller and seconded by Councilperson Sanfratello and carried the Town Board approved a contract with the Alexander Fire Department which will allow the highway men to plow the recreational hall as needed.

5- Yes Miller, Schmieder, Sanfratello, Haller and Wagner 0- No

RESOLUTION NO. 115: RETIREMENT OF ROY HALLER III

On motion by Supervisor Miller and seconded by Councilperson Schmieder and carried the Town Board accepted Roy Haller III retirement from the Alexander Town Board effective December 30, 2023.

4- Yes Miller, Schmieder, Sanfratello, and Wagner 0- No 1- Abstain Haller

RESOLUTION NO. 116: MEMORANDUM OF UNDERSTANDING

WHEREAS, the Town of Alexander (hereinafter "Town") and the Teamsters Local 264 (hereinafter "Teamsters") entered into a Collective Bargaining Agreement which runs from January 1, 2022 through December 31, 2025, and WHEREAS, the Town and Teamsters are in mutual agreement that certain adjustments to the current CBA are necessary, and

WHEREAS, the Town and Teamsters agree that such circumstances are unique, now therefore:

IT IS HEREBY AGREED, BY AND BETWEEN THE PARTIES:

1. That the Wage Rates identified in Appendix B: Wage Rates of the current CBA shall be adjusted to increase by 5% for 2024.
2. Accordingly, the wage rates identified in Appendix B of the current CBA shall be amended to read as follows:

Appendix B: Wage Rates: The hourly salaries for unit personnel shall be as follows:

Effective 1/1/2024- \$25.21: Full Time Employee Machine Operators

Effective 1/1/2024- \$19.80: Regular Part Time Machine Operators

Effective 1/1/2024- \$25.97: Full Time Employee Machine Operators

Effective 1/1/2024- \$ 20.39: Regular Part Time Machine Operators

That this agreement is based on unique circumstances, and nothing herein shall set a precedent for future situations.

3. That this agreement is prospective only, that it takes effect upon ratification by both parties, and that the wage rates changed in this agreement shall not be applied retroactively.
4. It is hereby expressly agreed and acknowledged that this agreement contains the entire understanding of the parties in that there are no additional promises, representations terms or provisions other than those contained herein.
5. That by their signatures below the signatories warrant that all necessary approvals and/or votes have been taken and that the signatories are authorized to bind the respective parties to this agreement.

Motion made by Supervisor Miller and seconded by Councilperson Schmieder and carried.

4- Yes Miller, Schmieder, Haller and Wagner

1- No Sanfratello

RESOLUTION NO. 117: APPROVAL OF 2024 FIRE CONTRACT

On motion by Supervisor Miller and seconded by Councilperson Sanfratello and carried the Town Board approved the 2024 Fire Contract in the amount of \$124,423.00.

5- Yes Miller, Schmieder, Sanfratello, Haller and Wagner

0- No

RESOLUTION NO. 118: 2% TAX CAP OVERRIDE

The Town Board of the Town of Alexander met at a regular board meeting at the Town Offices of the Town of Alexander located at 3350 Church Street, Alexander, New York on the 13th day of November, 2023 commencing at 6:00 p.m., and thereafter a public hearing was held at 6:10 p.m. at which time and place the following members were:

| | | |
|-----------------|------------|-------------|
| <u>Present:</u> | Supervisor | Miller |
| | Councilman | Schmieder |
| | Councilman | Sanfratello |
| | Councilman | Haller III |
| | Councilman | Wagner |

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” added a new section 3-c to the General Municipal Law that provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

WHEREAS, in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Town Board first enacts, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

WHEREAS, notice of said public hearing was duly advertised in the Batavia Daily News, the official newspaper of said Town; and

WHEREAS, said public hearing was held on November 13, 2023 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, after due consideration and discussion the Town Board has decided to adopt said proposed local law.

NOW ON MOTION OF Supervisor Miller, which has been duly seconded by Councilperson Haller, therefore, be it

RESOLVED, that the Town Board of the Town of Alexander feels it is in the best interests of the Town of Alexander to adopt Local Law No. 3 of 2023 entitled, “Override the Tax Levy Limit Established in General Municipal Law § 3-c.”; and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York.

Ayes: 5

Nays: 0

Absent/Abstain: 0

Quorum Present: Yes

Dated: November 13, 2023

[SEAL]

Shannon Tiede, Clerk

Town of Alexander

RESOLUTION NO. 119: 2024 ADOPTED BUDGET

On motion by Supervisor Miller and seconded by Councilperson Haller the Town Board approves to adopt by majority vote the 2024 Budget as written.

4- Yes Miller, Schmieder, Sanfratello and Haller

1- No Wagner

RESOLUTION NO. 120: INTERFUND TRANSFER

WHEREAS the 2nd quarter 2023 Sales Tax payment of \$105,467.77 was received in Fund B and **WHEREAS** in the 2023 Alexander Town Budget those funds are appropriated to be used in the DB Fund **THEREFORE, BE IT RESOLVED THAT** the Alexander Town Board transfer \$105,467.77 from General Fund B (Outside the Village) to Fund DB (Highway outside the Village).

Motion made by Supervisor Miller and seconded by Councilperson Schmieder and carried.

5- Yes Miller, Schmieder, Sanfratello, Haller and Wagner

0- No

DISCUSSION

1. Brandon Snyder asked the board for permission to park a truck and trailer for horses at the highway barn on 12/2 for the Christmas in the Village event.
2. The board discussed the village water and payments for O&M. Councilperson Haller asked that the board ask the Village to make Town residents aware of what is being discussed.

Reports:

Insurance: no report

Building: Town hall carpets were cleaned by Burris Cleaners

CEO/ZEO: No report

Clerk: No report

Tax Collector: No report

Dog Control: no report

Games of Chance: No report

Town Justice: Report on table.

Financial: Sent to the board members

GAM: Next meeting 11/16.

H'way Superint: Still waiting on motors for ventilators. Had a heater go bad and will need to replace.

H'way Equip: Truck sold at auction.

Senior Citizen: No report.

Town Historian: no report.

Payment of Bills: **Motion by: Supervisor Miller** **Second by: Councilperson Haller**

5- Yes Miller, Schmieder, Sanfratello, Haller and Wagner

0- No

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|----------------|----------|---------|---------|
| General Fund A | Vouchers | 240-260 | 6426.45 |
|----------------|----------|---------|---------|

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|----------------|----------|---------|-----------|
| General Fund B | Vouchers | 38-40 | 661.97 |
| Highway Fund A | Vouchers | 18-23 | 22,259.66 |
| Highway Fund B | Vouchers | 130-146 | 17,212.29 |
| Capital Fund | Vouchers | 49-54 | 24,829.07 |

Motion to adjourn at 8:24pm made by Supervisor Miller and seconded by Councilperson Haller and carried. 5-0

Respectfully Submitted,

Shannon Tiede, Town Clerk