

**TOWN OF FRIENDSHIP MINUTES  
FEBRUARY 20, 2019  
DEPOT STREET MEETING ROOM  
7PM**

Deputy Supervisor Hall calls meeting to order.

Pledge of Allegiance observed by all.

Roll call: Deputy Supervisor Russell Hall-present  
Councilperson-Jill Hoopes-present  
Councilperson-Carolyn Carney-present  
Councilperson-Linda Mascho-present

Also present: Patricia Schurr, Town Clerk  
Town Attorney- David Pullen

Assemblage: Carl Miller, Karl Kruger, Jim Monheim, Burt Young, Kevin Snyder, Sam Swift, James C. Lewis, Mark Voorheis, Mike Healy, Oakley Sortore, B.J. Howe, Dan Hoopes, Craig Clark.

Motion to approve the minutes from meeting of January 16, 2019 offered by Linda Mascho, seconded by Jill Hoopes. All approved, motion carried.

Motion to approve the Supervisor's report for the month of February 2019, offered by Jill Hoopes, Seconded by Linda Mascho. All approved, motion carried.

Motion to approve the audited bills in the amount of \$87,978.48, offered by Jill Hoopes, seconded by Carolyn Carney.

Roll call vote: Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney-aye  
Linda Mascho-aye

**FUEL BID OPENING:**

**ONLY NON-COLLUSIVE SEALED BID RECEIVED WAS FROM RINKER'S OIL CORP.**

**ULSD#2- \$2.2171/gal; all weather ULSD#2-\$2.3197/gal; NL Gasoline (E10)-\$1.7170/gallon**

\*Above prices will increase or decrease only to reflect any increase or decrease we receive from our suppliers as calculated on a weekly basis.

**MOTION** to approve the Bid for fuel from Rinker's Oil Corporation, offered by Linda Mascho, seconded by Carolyn Carney.

Roll call vote: Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney-aye  
Linda Mascho-aye

**SUPERVISOR'S CONCERNS**

**DEPUTY SUPERVISOR HALL ADVISES THE "SAM" REGISTRATION** that needs to be done every year that enables the Town to apply for grants he went on line and completed the application in approx. 6 min. There is no fee to do this, in the prior years the Town has paid 599.00 for a third party to do it. From now on it will not be done by a 3<sup>rd</sup> party.

**THE SEXUAL HARRASSMENT POLICY**

The Town has adopted a Sexual Harassment Policy but there still needs to be live training. NYMIR has a train the trainer and it is Thursday, March 21 from 8-12noon in Corning. There is an Oct 19, 2019 is the deadline to have it done. It was discussed who would take the training; Oakley Sortore, B.J. Howe, Pat Schurr or Tiffany Bencoter will attend and then possibly someone else. This training is to done annually.

**PUBLIC CONCERNS**

**Karl Kruger** question whether the HWY Dept. needed a excavator he stated they needed a gradall more.

It was explained that the "Grant" is from the State and it was just for a Loader or Excavator and it is a 100% grant, the Town does not pay anything as long as they did not go over the \$125,000.00 grant money. Mike applied 2-3 years ago and the funds just became available, there is a short window in which you have to accept the grant and purchase something. Mike found a 2015 Komatsu for the price of \$124,100.00. Discussion about how old the excavator is now have and you will not be able to get parts to fix it. If they could sell and get rid of the old one that they should do that, otherwise they will end up with scrap. Burt Young question why you would not want to accept this grant, it is free, no cost to the taxpayers, otherwise if not accepted and down the road one is needed the Town taxpayers will end up paying for it. After the discussion the following Resolution was brought forth.

**RESOLUTION NUMBER 5-2019**

**Authorizing the implementation, and funding in the first instance of the State-aid Program eligible costs, of a capitol project, and appropriating funds therefore.**

WHEREAS, a Project for the Purchase of a Loader/Excavator. P.I.N. 6755.44.301 (the Project") is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, a sum not to exceed \$125,000 in Program Funding is available to progress the project.

WHEREAS, the Town of Friendship desires to advance the Project by making a commitment of 100% of the State share of the costs of the Purchase of a Loader/Excavator.

NOW, THEREFORE, the Friendship Town Board, duly convened does hereby

RESOLVE, that the Friendship Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Friendship Town Board hereby authorizes the Town of Friendship to pay in the first instance 100% of the cost of Equipment Purchase work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$125,000 is hereby appropriated from the Town of Friendship and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full state share costs of the project exceeds the amount appropriated above, the Friendship Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Highway Superintendent of the Town of Friendship be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the Town of Friendship with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's/Sponsor's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a Certified Copy of this resolution be filed with the New York State Commissioner of Transportation of the State of New York by attaching it to any necessary Agreement in connection with the Project between the Town of Friendship and the State of New York; and it is further

RESOLVED, this Resolution shall take effect immediately.

**Above Resolution** offered by Linda Mascho, seconded by Carolyn Carney.

Roll call: Russell Hall-aye, Jill Hoopes-aye, Carolyn Carney-aye  
Linda Mascho-aye.

## **RESOLUTION 6-2019**

### **AUTHORIZATION OF PURCHASE OF EXCAVATOR BY HIGHWAY SUPERINTENDENT**

**BE IT HEREBY RESOLVED**, that Town Board approves the Highway Superintendent to purchase a used Excavator in the amount of \$124,100.00, which initially will be taken from the Highway Machinery Equipment Reserve Fund, and will be reimbursed by the New York State DOT Grant within 90 days in which the \$124,100.00 will be placed back into the Highway Machinery Equipment Reserve Fund, offered by Jill Hoopes, seconded by Carolyn Carney.

Roll call vote: Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney-aye  
Linda Mascho-aye

**DISCUSSION REGARDING WATER GOING TO CROSSROADS**

**Karl Kruger** directed questions to Craig Clark ahead of the Economic Development at Crossroads regarding the water going to Crossroads. Mr. Kruger advised he was all for the water going to Belvidere/Crossroads but in looking out for the Town, the town's water mains or infrastructure may not be able to handle water to Crossroads, there needed to be a tank there. The contract is not final yet but it is in the contract the County will put in a tank as needed. It was also brought to the attention that when any flushing is done after the master meter that Crossroads pays for any water flushed. There is a threshold of up to 36,000 gal, which is a safe range that can be supplied to the crossroads. Any repairs to the infrastructure after the master meter will be the County's to take care of and Friendship will take care of their own. Right now there are plans for a Restaurant, Fueling Station and a Hotel for there. Mike Healy with the Allegany Co. Legislators stated that Friendship will be better off with the water going to Belvidere, there will be more grants available for the Town.

**RESOLUTION 7-2019  
AUTHORIZATION FOR ENGINEERING SERVICES AGREEMENT AND  
AGREEMENT FOR THE MECHANICAL SCREENING STUDY (BAR SCREEN GRANT)**

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor of the Town of Friendship is authorized to sign the Proposed Engineer Study and Study of Mechanical Screening for the Town of Friendship Municipal WWTP, offered by Linda Masco, seconded by Jill Hoopes.

Roll call vote: Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney-aye  
Linda Mascho-aye

**RESOLUTION 8-2019(BAR SCREEN)  
Authorization for Representative to Execute Grant Agreement**

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor of the Town of Friendship is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the Town of Friendship's obligations under the Grant Agreement

**8-2019** offered by Carolyn Carney, seconded by Jill Hoopes.

Roll call: Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney-aye  
Linda Mascho-aye

**RESOLUTION 9-2019(BAR SCREEN)**  
**Authorization and Appropriation of Local Match**

**NOW, THEREFORE, BE IT:**

**RESOLVED** that the Town of Friendship authorizes and appropriates a minimum 20 percent local match as required by the Engineering Planning Grant Program for the Town of Friendship Influent Wastewater Screening Study. Under the Engineering Planning Grant Program, this local match must be at least 20% of the EPG grant award of \$8,200. The source of the local match, and any amount in excess of the required match, shall be the Town share of \$1,640.00 to be paid out of the Sewer fund. The maximum local match shall not exceed \$1,640 based upon a total estimated maximum project cost of \$8,200. The Supervisor of the Town of Friendship may increase this local match through the use of in kind services without further approval from the Town of Friendship.

**Resolution 9-2019** offered by Linda Mascho, seconded by Jill Hoopes.

Roll call: Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney-aye  
Linda Mascho-aye

**MOTION TO APPROVE TO PROJECT BUDGET AND PLAN OF FINANCE**

**(see 9-2019 Resolution)**

**Motion to approve** Project Budget and Plan of Finance for Influent wastewater Engineering Screening Study in the amount of \$9,840.00 with the Town's local match max of \$1,640.00 which can be reduced by participation of the sewer dept. through in kind services, offered by Linda Mascho, seconded by Carolyn Carney.

**Roll call vote:** Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney-aye  
Linda Mascho-aye

**RESOLUTION 10-2019(BAR SCREEN)**  
**SEQR Determination (Type II)**

**WHEREAS**, Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Section 617.5 under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

**NOW, THEREFORE, BE IT:**

**RESOLVED** that the Town of Friendship hereby determines that the proposed Town of Friendship Influent Wastewater Screening Study is a Type II action in accordance with 6 NYCRR Section 617.5(c) Subparagraph (24) which constitutes "*information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action*"; and is therefore not subject to further review under 6 NYCRR Part 617.

**RESOLUTION 10-2019** offered by Carolyn Carney, seconded by Jill Hoopes.

Roll call: Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney-aye  
Linda Mascho-aye

**Motion to authorize David Pullen, Attorney to update/amend present Local Law#1-1987 named "FLOOD DAMAGE PREVENTION".**

Per Mary Binder of New York State D.E.C. the Local Law should have one entity as the floodplain administrator. Right now it states the Town Board is the administrator. Every year the D.E.C. needs to update and make sure the Town is compiling with the National Flood Plain management criteria for flood prone areas, and it is much easier to speak to one person than to try and get the whole board together. Cannot speak to one person on the Board all would have to be present. It is suggested that the Board appoint the Code Enforcement officer as the Flood Plain Administrator.

Motion to authorize David Pullen to change or amend the Local Law #1-1987 to read the Flood Plain Administrator to be the Code Enforcement Officer of the Town of Friendship and prepare the Introduction to the Law offered by Linda Mascho, seconded by Jill Hoopes.

Roll call: Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney-aye  
Linda Mascho-aye

**PILOT PROGRAM**

**It was brought up that the Attorney for the Elderly Housing had the proposed agreement since last year and they just recently returned it to our attorney with the new terms that have them paying \$7,000.00 less than last year. It was explained if the Town did not accept the agreement and they pay taxes that they would pay less in taxes than the PILOT. There is no time left to negotiate now because taxable status is March 1<sup>st</sup> and they need to be billed by March 1<sup>st</sup>. Agreement is good for 10 years. Per David Pullen, Attorney the State Subsidized Housing taxes are not determined by cost to build or what it would sell for only by investment. They can subtract expenses, contracts, management expenses- they look like they are running at a loss, which would make them pay little or no taxes. This is happening all over the state. After discussion the following motion was brought forth.**

**MOTION** to approve and sign the "PILOT PROGRAM" Agreement, offered by Linda Mascho, seconded by Jill Hoopes.

Roll call vote: Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney- no  
Linda Mascho-aye

**Motion to approve and sign** the 5 Year Fuel Farm Agreement between the Town and the School, offered by Jill Hoopes, seconded by Carolyn Carney.

Roll call vote: Russell Hall-aye  
Jill Hoopes-aye  
Carolyn Carney-aye  
Linda Mascho-aye

REPORTS RECEIVED:

TOWN CLERK REPORT- JANUARY

Waste Water report

Police report

Public works report

Water systems report

Cuba/Friendship Refuse report

Dog Control report

Code Enforcement report

**MOTION** to accept the Town Historian's annual report for 2018, offered by Linda Mascho, seconded by Jill Hoopes. All approve, motion carried.

**MOTION** to Adjourn, offered by Carolyn Carney, seconded by Jill Hoopes. All approve.

Respectfully submitted,

Patricia Schurr  
Town Clerk