

**Town of Starkey
Regular Meeting
November 10th, 2022**

<u>Council Members Present:</u>	George Lawson, Supervisor Jeremy Hall, Councilperson Caryl Sutterby, Councilperson	Julie Dunkelberger, Councilperson John Socha, Councilperson
<u>Council Members Absent:</u>	None	
<u>In-Person Attendees:</u>	Ralph Warren, Highway Superintendent	Dottie Neubert, Resident
<u>Attended Virtually via Zoom:</u>	None	
<u>Recording Secretary:</u>	Candace Iszard, Town Clerk	

The regular Town of Starkey Board meeting was called to order at 7:00 PM by George Lawson, Supervisor.

Pledge of Allegiance- George Lawson led the pledge of allegiance.

Approval of Minutes

Minutes of the September 27th, 2022, budget workshop for the Town Board, were approved as amended.

A motion was made Caryl Sutterby, councilperson, seconded by Julie Dunkelberger, councilperson.

*All in favor; none opposed- Motion carried.

Minutes of the October 13th, 2022, regular meeting of the Town Board, were approved as amended.

A motion was made by George Lawson, Supervisor, seconded by Jeremy Hall, councilperson.

*All in favor; none opposed- Motion carried.

Open Public Hearing for Preliminary 2023 Budget

The advertised public hearing for the 2023 Budget held November 10, 2022, at 7:00 PM at the Starkey Town Hall, 40 Seneca Street, Dundee, Yates County, New York was opened at 7:02 PM by George Lawson, Supervisor. At this time George Lawson, Supervisor, opened the public hearing for discussion to the residents attending this meeting.

Open Public Hearing for the 2023 Fire Contract

The advertised public hearing of the Town of Starkey Board for the 2023 Fire Contract held November 10, 2022, at 7:00 PM at the Starkey Town Hall, 40 Seneca Street, Dundee, Yates County, New York was called to order at 7:02 PM by George Lawson, Supervisor. At this time George Lawson, Supervisor, opened the public hearing for discussion to the residents attending this meeting.

Municipal Water

- George Lawson drafted a letter to accompany the postcard. The mass mailing for the Route 14 Municipal Water Survey was mailed to the property owners with parcels that would be eligible this week. Survey results will be calculated and reported at the next meeting.

2021 Year End and 2022 Organizational Meeting

The board discussed when a meeting would best fit in the schedule

Animal Control Agreement

- George Lawson, Supervisor presented the documents for signing.

Snow and Ice Agreement

- George Lawson, Supervisor presented the documents for signing.

Townhall Cleaner

- George Lawson discussed that Candace Iszard, Town Clerk received notice from the Town Hall Cleaner, Ruth Martin that at the end of 2022 she would no longer be available to clean due to personal reasons. Candace went on to state that if we can find another cleaner that Ruth would be open to resigning earlier.
- Chelsey Chappell, Court Clerk, expressed interest in this position. George asked the board if there were any objections to hiring Chelsey. All are in favor.

Veteran Exemption

- George Lawson reviewed the proposed Local Law which would increase the maximum exemption limits for the Alternative Veteran's Exemption to twenty-four thousand (\$24,000), sixteen thousand (\$16,000), and eighty thousand dollars (\$80,000), respectively.
- The board agreed to set the public hearing for the next scheduled board meeting, December 8th at 7:00 PM.

NYS Uniform Fire Prevention and Building Code Local Law

- George Lawson reviewed the proposed Local Law which will Repeal Local Law 2 of 2007, Entitled, "A Local Law Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code" and Adopt a New Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code.
- The board agreed to set the public hearing for the next scheduled board meeting, December 8th at 7:00 PM.

Assessor Trainee Position

- George Lawson, Supervisor discussed that the changes have been submitted to the Yates County Personnel Department for approval.
- George Lawson and John Socha will conduct interviews in late November.

Cluster Subdivision

- George stated that the Planning Board was extremely busy this past month and he was unable to meet with them to discuss the concerns discussed at the October board meeting, he will discuss this at the next Planning Board meeting.

ARPA Funding

- Candace Iszard presented the Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule (January 2022) to the board highlighting that on page 11, "Spending on Government Services" outlines some examples of government services, and in the outline administrative facilities is listed, making the funds available for the repairs to the Town Hall.
- George Lawson confirmed that the board feels that this would be a valuable use for the funds, stating that we would move forward with:
 - generator project at both the Town Hall and Highway Barn
 - repairs to the roof of the Town Hall
- George states that the funds must be appropriated by 2024 and funding must be spent by 2026.

Close Public Hearing for Preliminary 2023 Budget

George Lawson made a motion to close the public hearing for the 2023 budget at 7:23PM, seconded by Jeremy Hall, councilmen.

*All in favor; none opposed- Motion carried.

Close Public Hearing for the 2023 Fire Contract

George Lawson made a motion to close the public hearing for the 2023 fire contract at 7:23PM, seconded by Jeremy Hall, councilmen.

*All in favor; none opposed- Motion carried.

Supervisor Report— George Lawson

- Andy Harding, Architect of AJH Design sent over his proposal and fees as the consultant on our behalf for roof repair project.

Highway Report— Ralph Warren

- 2006 International listed online on Auctions International, sold for \$22,600 and was picked up on November 5th, 2022. George discussed that in the future we should consider keeping the box and plow, as we are purchasing the Stainless-Steel boxes that should last and replace the cab and chassis on a 10-year cycle.
- Brush- Shared service with the Village of Dundee. Ralph and George discuss that the mulch pile that is ever growing and our space is extremely limited. The Village of Dundee would like to enter into a shared service agreement that would allow for the Town residents to dump brush at the Village location, and the Town would share in the tub grinding expense, but the Village would retain the mulch for use at their wastewater treatment plant.
- Ralph states that he and the crew are planning to repair the fence and install a hitching post at the town hall soon, proving the weather remains in our favor.

Town Clerk — Candace Iszard

- The Clerks report for October was given to the board.

Resolutions**Resolution 45-2022****Animal Control**

On a motion by Jeremy Hall, councilperson, seconded by Julie Dunkelberger, councilperson, the following resolution was

ADOPTED Ayes 5 George Lawson, Caryl Sutterby, Jeremy Hall, John Socha, Julie Dunkelberger
Nays 0

RESOLVED that the Town Board, Town of Starkey, does hereby authorize the signing of the 2023 Animal Control Agreement with Yates County.

Resolution 46-2022**Snow and Ice Agreement**

On a motion by Caryl Sutterby, councilperson, seconded by Jeremy Hall councilperson, the following resolution was

ADOPTED Ayes 5 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha, Jeremy Hall Nays 0
RESOLVED that the Town Board, Town of Starkey, does hereby authorize the signing of the 2022-2023 Snow and Ice Agreement with Yates County.

Resolution 47-2022**Cleaner Appointment**

On a motion by John Socha, councilperson, seconded by Jeremy Hall councilperson, the following resolution was

ADOPTED Ayes 5 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha, Jeremy Hall Nays 0
RESOLVED that the Town Board, Town of Starkey, does hereby appoint Chelsey Chappell as the Town Hall Cleaner starting December 1st, 2022. and for the 2023 calendar year. The Town Board does hereby fix her wages at \$45.00 per occurrence.

Resolution 48-2022

**RESOLUTION AUTHORIZING SCHEDULING OF A PUBLIC HEARING
FOR A PROPOSED LOCAL LAW (Veterans' Exemption)**

On a motion by George Lawson, Supervisor, seconded by Jeremy Hall councilperson, the following resolution was ADOPTED

WHEREAS, the Town Board of the Town of Starkey, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law entitled "A Local Law Repealing Local Law 1 of 1995, Entitled, "A Local Law to repeal Local Law No. 1 of the year 1985 of the Town of Starkey and enact a Veterans Real Property Tax Exemption" and Adopting a New Local Law "repealing Local Law 1 of 1995 of the Town of Starkey and enact 'Increase Alternative Veterans' Exemption from Real Property Taxation", attached hereto as Exhibit 1; and

WHEREAS, the Town Board of the Town of Starkey has reviewed the draft of the aforementioned proposed Local Law and deems it in the best interests of the Town of Starkey, to consider establishment of new maximum Exemptions Limits for the Alternative Veterans' Exemption

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on December 8th, 2022, at 7:00 p.m. at the Starkey Town Hall, 40 Seneca Street, Dundee, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Starkey sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Starkey for its consideration; and be it further

RESOLVED, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

I, Candace Iszard, Town Clerk of the Town of Starkey do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Starkey on November 10th, 2022, by the following vote:

	<u>Aye</u>	<u>Nay</u>
George Lawson	X_____	_____
Caryl Sutterby	X_____	_____
Jeremy Hall	X_____	_____
Julie Dunkelberger	X_____	_____
John Socha	X_____	_____

Resolution 49-2022

**RESOLUTION AUTHORIZING SCHEDULING OF A PUBLIC HEARING
FOR A PROPOSED LOCAL LAW (NYS Uniform Fire Prevention and Building Code)**

On a motion by George Lawson, Supervisor, seconded by Jeremy Hall councilperson, the following resolution was ADOPTED

WHEREAS, the Town Board of the Town of Starkey, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law entitled "A Local Law Repealing Local Law 2 of 2007, Entitled, "A Local Law Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code" and Adopting a New Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code", attached hereto as Exhibit 1; and

WHEREAS, the Town Board of the Town of Starkey has reviewed the draft of the aforementioned proposed Local Law and deems it in the best interests of the Town of Starkey to proceed in accordance with the Code of the Town of Starkey and the Laws of the State of New York in adopting said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on December 8th, 2022, at 7:00 p.m. at the Starkey Town Hall, 40 Seneca Street, Dundee, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Starkey sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Starkey for its consideration; and be it further

RESOLVED, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

I, Candace Iszard, Town Clerk of the Town of Starkey do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Starkey on November 10th, 2022, by the following vote:

	<u>Aye</u>	<u>Nay</u>
George Lawson	X_____	_____
Caryl Sutterby	X_____	_____
Jeremy Hall	X_____	_____
Julie Dunkelberger	X_____	_____
John Socha	X_____	_____

Resolution 50-2022

2023 Budget adoption

On a motion by Caryl Sutterby, councilperson, seconded by Julie Dunkelberger, councilperson, the following resolution was

ADOPTED Ayes 5 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha, Jeremy Hal
 Nays 0

RESOLVED that the Town Board, Town of Starkey, does hereby adopt the 2023 Budget as prepared in the amount totaling \$1,037,634.00.

Resolution 51-2022

2023 Fire Contract adoption

On a motion by George Lawson, Supervisor, seconded by Jeremy Hall, councilperson, the following resolution was

ADOPTED Ayes 5 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha, Jeremy Hal
 Nays 0

RESOLVED that the Town Board, Town of Starkey, does hereby adopt the 2023 Fire Contract in the amount of \$211,556.00.

Resolution 52-2022

Architect

On a motion by John Socha, councilperson, seconded by Jeremy Hall councilperson, the following resolution was

ADOPTED Ayes 5 George Lawson, Julie Dunkelberger, Caryl Sutterby, John Socha, Jeremy Hall
 Nays 0

RESOLVED that the Town Board, Town of Starkey, does hereby accept the proposal of **\$10,700** from AJH Design to create design, that will remove the layers of sealant and providing a flashing solution the eliminates the infiltration of water along this joint. AJH Design will provide the construction administration services required to develop "this project," guide the competitive bidding process, and provide construction administration services, including:

Design and Engineering of Construction Documents

- Fieldwork necessary for detailed design
- Develop base plans of the existing building work areas.
- Conduct one coordination meeting with representatives from the Town of Starkey to review the design progress and confirm program requirements.
- Develop demolition plan as required to complete the required flashing.
- Prepare a roof plan showing gable end wall, roof slopes, and transitions.
- Provide miscellaneous details and notes as necessary for identifying and clarifying the design for competitive bidding process
- Provide technical specifications and general bidding requirements.

Bidding Process

- Solicitation of bidders.
- Coordinate the Reproduction and Distribution of Bidding Documents.
- Addenda Preparation.
- Organization of pre-bid meeting.
- Respond to Bidder's Inquiries.
- Tabulation and Evaluation of Bids.
- Make Contract Award Recommendation.
- Evaluate Bidder's Proposed Substitutions.

Construction Administration Services

- Provide Owner\Contractor Agreements.
- Post-Bid evaluation of contractor's bids, value engineering, and substitutions.
- Receive, and review Owner\Contractor Agreements, insurance certificates, and bonds.
- Review submittals, shop drawings, samples and product data from contractors.
- Review progress of contract work and certify applications for progress payments.
- Coordinate progress/field meetings to confirm designs and observe quality of workmanship.
- Resolution of construction issues requested by contractors.
- Issue Certificates of Substantial Completion.
- Close-Out Documents, Receive and Review Consent of Surety, Waiver of Liens, Waiver of Debts, and Claims.
- Review O&M Manual.
- Manage project budget.
- Coordination of as-built drawings from contractors.
- Conduct Final inspection.
- Administer Change Issues:
 - Construction Change Directives
 - Proposal Requests
 - Change Orders

Assumptions / Qualifications

- AJH Design will review and abide by all applicable codes. This includes the building code, fire code, energy code and any applicable local codes.
- No materials have been identified in the project area at this time that warrant a Pre-Demolition Survey. Therefore, no hazardous material testing and design have been included in this proposal.
- Computerized as-built record drawings have not been included in this proposal. However, the contractor will be required to submit hard copies of the contract documents with revisions noted for your records.

Fee Schedule (inclusive of reimbursable expenses)

- Design and Engineering \$4,165.
- Bidding Phase \$1,680.
- Construction Administration \$4,815.
- Reimbursable Expenses \$40 (mileage and printing).

Reimbursable expenses anticipated include the following:

- Up to two site visits during the course of construction, two visits for inspections at the completion of construction.

- Printing up to two sets of contract documents for contractor bidding purposes.
- Additional miscellaneous printing expenses associated with the development and basic services scope of work.

Resolution 53-2022

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STARKEY,
YATES COUNTY, NEW YORK,
DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 3 OF 2022**

On a motion by Caryl Sutterby, councilperson, seconded by Jeremy Hall councilperson, the following resolution was ADOPTED

WHEREAS, the Town of Starkey Town Board, hereinafter referred to as Town Board, has determined proposed Local Law No. 3 of 2022 to be a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the Short Environmental Assessment Form prepared for this action, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Candace Iszard, Town Clerk of the Town of Starkey do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Starkey on November 10th, 2022, by the following vote:

	<u>Aye</u>	<u>Nay</u>
George Lawson	X_____	_____
Caryl Sutterby	X_____	_____
Jeremy Hall	X_____	_____
Julie Dunkelberger	X_____	_____
John Socha	X_____	_____

Audit of Claims

On a motion by George Lawson, Supervisor and seconded by Julie Dunkelberger, councilperson the bills contained in the November 8th, 2022, abstracts have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	Vouchers Number: 216-G through 239 -G	\$7,304.55
Highway Fund	Vouchers Number: 137-H through 148-H	\$19,738.57

Ayes 5 George Lawson, Julie Dunkelberger, John Socha, Jeremy Hall, Caryl Sutterby Nays 0

The minutes of this meeting will be offered for approval at the next regular Town Board meeting, December 8th, 2022, at 7:00 PM. The meeting adjourned at 7:45 PM by George Lawson.



Candace J. Iszard, Starkey Town Clerk