

DRAFT

August 13, 2024

TOWN OF ITALY REGULAR MEETING

The Italy Town Board met on the above date at 7 PM at the Italy Town Hall, 6060 Italy Valley Rd., Naples, NY 14512 for the purpose of the August 13, 2024 Regular mtg.

PRESENT: Supervisor Richard Craig, Town Council members, Brent Walton, Dave Ferry, Michael Salotto, Malcolm Mac Kenzie and Town Clerk Debbie Craig.

OTHERS PRESENT: Highway Superintendent Andy Best, Bill Mills, Lisa Frederickson, Tina Newton, Kim Parsell-Hickey, Bill McCloud, Scout McCloud, Mark Schlegel, Bob Hubbard, Sande Johnson, Jacob Lambert and Yates Co. Legislator Sarah Purdy. Town Attorney Ed Brockman arrived @ 8:30 PM.

Supervisor Richard Craig opened the meeting with the pledge to the flag.

MONTHLY VOUCHERS

- 92 MOTION TO APPROVE GENERAL ABSTRACT # 8 - \$22,960.44, HIGHWAY ABSTRACT # 8 - \$10,443.58 and FEMA ABSTRACT # 8 - \$52,721.05 – Malcolm made a motion to approve General Abstract # 8, Highway Abstract # 8 and FEMA Abstract #8; seconded by Dave. Ayes – 5 (MacKenzie, Dave Ferry, Brent Walton, Salotto, Craig) Noes – 0. Motion carried.

SUPERVISOR REPORT /EXECUTIVE SUMMARY

- 93 MOTION TO APPROVE JULY 2024 SUPERVISOR/EXECUTIVE SUMMARY REPORT – Malcolm made a motion to approve the July 2024 Supervisor report; seconded by Mike Salotto. Ayes – 5 (MacKenzie, Ferry, Craig, Brent Walton, Salotto) Noes – 0. Motion carried.

CODE ENFORCEMENT OFFICER REPORT

- 94 MOTION TO APPROVE CODE ENFORCEMENT OFFICER REPORT JULY 2024- Brent made a motion to approve the July 2024 Code Enforcement Officer report; seconded by Malcolm. Ayes – 5 (MacKenzie, Dave Ferry, Brent Walton, Craig, Michael Salotto) Noes - 0. Motion carried.

- Malcolm acknowledged that the Town Board had recently increased fees for building permits and other applications that he did not agree with. He expressed concern over an apparent disproportionate amount of money charged for a roof permit (\$450.00) and a kitchen remodel (\$100.00). Malcolm believes that a kitchen remodel will require more work and attention of the Code Enforcement Officer. He does not understand. If the reported costs are accurate, then maybe there should be a change to the fees.

- Dave Ferry agrees with Malcolm and notes that it would be better to have the CEO in attendance to explain.

- Mike Salotto agrees that it would be good to speak with the CEO.

- Supervisor Craig says that there needs to be a conversation with the CEO to get a better understanding.

TOWN CLERK REPORT

- 95 MOTION TO APPROVE JULY 2024 TOWN CLERK REPORT – Dave made a motion to approve the July 2024 Town Clerk Report; seconded by Brent Walton. Ayes – 5 (Dave Ferry, Brent Walton, Craig, Michael Salotto, MacKenzie) Noes - 0. Motion carried.

HIGHWAY REPORT

- 96 MOTION TO APPROVE HIGHWAY REPORT JULY 2024 – Mike Salotto made a motion to approve the July 2024 Highway Superintendent report; seconded by Dave. Ayes – 5 (MacKenzie, Dave Ferry, Brent Walton, Michael Salotto, Craig) Noes - 0. Motion carried.
- Dave Ferry commends the highway crew for being on the job during the flooding that occurred on Friday, August 9.
- The lease is up for the roller and there was a discussion as to how to proceed. Purchase or extend the lease? After some discussion, it was decided to extend the current lease for 2 more months
- 97 MOTION TO APPROVE EXTEND LEASE ROLLER – Malcolm made a motion to tend the roller lease for 2 more months; seconded by Dave. Ayes – 5 (MacKenzie, Dave Ferry, Brent Walton, Michael Salotto, Craig) Noes - 0. Motion carried.

PB/ZBA REPORT

- 98 MOTION TO APPROVE PB/ZBA REPORT JULY 2024 – Dave made a motion to approve the July 2024 PB/ZBA report; seconded by Mike Salotto. Ayes – 5 (MacKenzie, Dave Ferry, Brent Walton, Craig, Michael Salotto) Noes - 0. Motion carried.

CANANDAIGUA LAKE WATERSHED

- Michael Salotto submitted a written report for review.
- The Watershed Council is now registered as a 501C3 entity and they are able to accept donations from individuals and organizations. These funds can only be used on water quality and related projects.
- Dave Ferry pointed out that the recent flooding issues that caused damages to Lower Rd and Parrish Hill Rd might be of interest to the council. Kevin Olvany has been very helpful in the past.
- The Canandaigua Lake Watershed Council has recently become an LLC with the council as sole member. This move allows for numerous legal advantages.
- Malcolm questions how the move to LLC will affect the Town's access and support of the council. He is concerned that the Town will no longer be able to support the council financially just as the Town could not support the Naples Ambulance when they separated from the Maxfield Hose Co.

LEGISLATIVE REPORT

- YC Legislator Sarah Purdy reported.
- Sarah expressed her willingness to follow up with issues or questions that pertain to the recent damages caused by Hurricane Debby.
- The Legislature is working to expand residency requirements for the Public Defender office.

NYS requires staffing of the Public Defender office with 1 full time attorney, 1 part time attorney plus other staffing. NYS pays for this office so their requirements must be met.

- On July 19 the County was affected by CrowdStrike as well as many other entities throughout the country. The County IT department was able to work through it in less than 24 hours.
- The replica Vietnam Veterans Memorial Wall That Heals was well received.
- The Annual Household and Hazardous Waste Collection is scheduled for 8/24/2024. This will be hosted by Schuyler County.
- Sales tax revenue is down by 5% so that may affect the shared money with the municipalities.
- There will be a dedication ceremony for an historic plaque commemorating the crash of a B25 bomber during World War II in the hills of Italy.
- Dave Ferry noted that the work done by the county workers during the paving process was of good quality.
- Bob Hubbard added that a worker for the paving company was extremely rude to his wife.

MINUTES

-99 MOTION TO APPROVE JULY 9, 2024 MINUTES – Malcolm made a motion to approve July 9, 2024 minutes; seconded by Brent. Ayes – 5 (MacKenzie, Ferry, Craig, Brent Walton, Michael Salotto) Noes – 0. Motion carried.

PRIVILEGE OF THE FLOOR

- Bill McLoud of 6089 Italy Valley Rd. spoke of the damages caused during the recent heavy rains that produced severe flooding. He stated that the creek behind his house has been totally blown out which results in waters coming too close to his home. He states that something needs to be done. He had made note of this 10 years ago. He realizes that the Town can not address this issue due to NYSDEC regulations. YC Soil and Water is coming to Italy on August 14, 2024 to survey the damages and meet with Bill.
- Lisa Frederickson of 6094 Italy Valley Rd. stated that her home and her rental property received severe damage.
- William Mills believes that houses are in danger of being washed away.
- YC Legislator Sarah Purdy will follow up with YC Soil and Water as well as YC Emergency Management concerning flood damages and a disaster declaration.
- Supervisor Craig stated that the Town does care about the hardships created with this latest flooding. The Town is unable to physically address the issue but will research the best contacts of those that can help. The residents understand that this is not the fault of the Town. Richard explained the lengthy process of dealing with FEMA throughout the disaster relief applications for federal funding.
- Tina Newton thanked the highway crew for being out there during the recent floods even though it was their day off.
- Kim Parsell-Hickey is here to express concern over the overgrown condition of the neighboring house. The overgrown weeds and grass are harboring rodents, snakes and feral cats. She visited the owner of the house and reports that the owner does not plan on paying taxes and allowing the county to take it back. She wants to see it addressed.

OLD BUSINESS

MARK SCHLEGEL

- Supervisor Craig explained that Ed Brockman does not need a survey. Ed will write a description rather than doing a survey.
- The Town has received the 3 bids as required by law. Supervisor Craig states that Mark's bid includes all legal cost as well.
- Mark wants to be assured of access to this building.
- Ed will research all of the details to prepare a legally binding agreement as the process moves forward.

NEW BUSINESS

RESOLUTION – PROPOSED SOLAR LAW

- Malcolm stated that there may be some questions that need to be answered that may result in some changes.
- Michael has questions about the Tier 1 systems. He is wondering how the kws are measured. He is concerned that this might be a sticking point for residential installations.

RESOLUTION – PROPOSED BATTERY STORAGE LAW

- Both of these proposals will require an extensive discussion so they will be tabled until the next Town Board meeting.
- Ed Brockman suggested that it might be good to hold a Special meeting for these discussions as the regular meeting agenda is already full.

EXTEND DISASTER RECOVERY CONTRACT

- Due to the recent flooding, there may be a need to extend the contract with Disaster Recovery Partners, Inc. Both the Martin Rd. culvert and the Lower Rd. culvert experienced more damages. On top of that several other roads that were not affected by the 2021 flooding have suffered damages. This will require much more work by the Disaster Recovery Partners.

- 100 MOTION TO EXTEND DISASTER RECOVERY CONTRACT - Richard made a motion to extend the Disaster Recovery Partners, Inc contract with an additional amount to not exceed \$30,000.00; seconded by Malcolm. Ayes – 5 (Dave Ferry, Salotto, Brent Walton, Craig, MacKenzie) Noes - 0. Motion carried.

- 101 MOTION TO ADJOURN TO CLOSED SESSION FOR LEGAL COUNSEL AT 9:05 PM

- Malcolm made a motion to adjourn to closed session for legal counsel; seconded by Mike Salotto. Ayes – 5 (Dave Ferry, Salotto, Brent Walton, Craig, MacKenzie) Noes - 0. Motion carried.


- 102 MOTION TO ADJOURN OUT OF CLOSED SESSION AT 9:20 PM - Richard made a motion to adjourn out of closed session; seconded by Dave. Ayes – 5 (Dave Ferry, Brent Walton, Salotto, Craig, MacKenzie) Noes - 0. Motion carried.

- 103 MOTION TO CANCEL ENGINEER CONTRACT - Richard made a motion to authorize Town Attorney Ed Brockman to write a letter expressing the Town's decision to cancel the contract with the engineering firm of Fisher Associates; seconded by Brent Walton. Ayes – 5

(Dave Ferry, Salotto, Brent Walton, Craig, MacKenzie) Noes - 0. Motion carried.

- Ed will speak with Bill Grove (Engineer) and Kevin Olvany (Canandaigua Lake Watershed) about picking up where Fisher Associates left off.

- 104 MOTION TO ADJOURN AT 9:25 PM – Richard made a motion to adjourn; seconded by Brent. Ayes – 5 (Richard Craig, Brent Walton, Michael Salotto, MacKenzie, Dave Ferry). Noes - 0. Motion carried.

Debbie Craig

Italy Town Clerk