

Town of Milo
Regular Meeting
February 20, 2018

Members Present: Dale Hallings, Councilperson
James Harris, Councilperson
Arden Sorensen, Councilperson
Gene Spanneut, Councilperson

Excused: Leslie Church, Supervisor

Others Present: Patricia L. Christensen, Town Clerk
Lance Yonge, Highway Superintendent
Bill Laffin
Mark Morris

Deputy Supervisor Hallings opened the meeting with the pledge of allegiance at 7:00 PM at the Town of Milo Hall, 137 Main Street, Penn Yan, NY.

Deputy Supervisor Hallings opened the public hearing at 7:00 PM for the proposed Local Law in regard to the administration and enforcement of the Energy Conservation Construction Code of New York State.

No concerns were brought before the board.

Deputy Supervisor Hallings closed the public hearing at 7:03 PM

Public Comment

none

Introduced by: Councilperson Harris
Seconded by: Councilperson Spanneut

That the minutes of December 27, 2017 organizational meeting and the January 16, 2018 regular meeting be approved as written.

Motion Carried: Ayes: Hallings, Harris, Sorensen, Spanneut

Noes: none

Committee Reports

Highway-Chairperson Hallings – salt supply is getting diminished. Supplier Cargill is rationing the sale of salt. The issues of the plow truck will be addressed in board action.

Personnel-Chairperson Spanneut – Town Attorney is reviewing the draft employee handbook

Zoning-Chairperson Spanneut – next month the public hearing and adoption of the draft wastewater law will be on the agenda.

Assessor-Chairperson Sorensen- none

Building/Grounds -Chairperson Harris – researching New York Municipal Energy Programs that are available.

Water & Sewer-Councilperson Harris- the regular meeting was cancelled.

Agricultural-Chairperson Hallings- the annual meeting will be held on March 12th at 7:00 PM at the Town Hall. Concerns with harmful algal blooms will be discussed. Representatives from YC Soil and Water, and YC Legislature will be in attendance.

Insurance- Chairperson Hallings- none

KWIC- next meeting is February 26th at 7:00 PM at the Town of Milo Hall.

Board Action

RESOLUTION #07-2018 _____
RESOLUTION TO ENACT LOCAL LAW
REGARDING ENERGY CONSERVATION
CONSTRUCTION LAWS, MULTIPLE RESIDENCE LAWS,
UNIFORM FIRE PREVENTION AND BUILDING CODE LAWS

Mr. James Harris, offered the following Resolution and moved its adoption:

WHEREAS, a proposed local law in regard to the administration and enforcement of the Energy Conservation Construction Code of New York State, Multiple Residence Law of New York State and New York State Uniform Fire Prevention and Building Code in the Town of Milo, which state codes establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations, has been presented to the Town Board of the Town of Milo for enactment, and

WHEREAS, by Resolution #06-2018, duly adopted on January 16, 2018, the Town Board of the Town of Milo did call for a public hearing to be held by said town board on February 20, 2018, at 7:00 p.m. at the Milo Town Office, 137 Main Street, Penn Yan, New York, to hear all

interested parties on the proposed Local Law referred to above,

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Milo, and all other notices required by law to be given were properly served, posted or given, and

WHEREAS, said public hearing was duly held on February 20, 2018 at 7:00 p.m. at the Town of Milo Office, 137 Main Street, Penn Yan, New York, 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, the Town Board of the Town of Milo, after due deliberation, determines it in the best interests of the Town of Milo to adopt said Local Law.

NOW, THEREFORE BE IT

RESOLVED & ORDERED, by the Town Board of the Town of Milo, Yates County, New York that said Local Law in regard to the administration and enforcement of the Energy Conservation Construction Code of New York State, Multiple Residence Law of New York State and New York State Uniform Fire Prevention and Building Code in the Town of Milo, which state codes establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations is hereby approved, and it is further

RESOLVED & ORDERED, that the Town Clerk be and she hereby is directed to file the original enacted Local Law in the Record Book of Local Laws, as well as a certified copy of said Local Law in the Town Clerk's Minute Book, in the Office of the Town Clerk, and one certified copy of said enacted Local Law in the Office of the Secretary of the State of New York.

Seconded by Mr. Arden Sorensen and duly put to a vote as follows:

AYES: Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution and Order was thereupon adopted.

DATED: February 20, 2018

Patricia L. Christensen
Patricia L. Christensen
Town of Milo Clerk

S E A L

Milo fid
LL ____, 18 (Fire Prevent & Bldg Code)
26a res adopt loc law (No SEQR)

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**RESOLUTION 08-18
RESOLUTION CALLING FOR A PUBLIC HEARING
ON A PROPOSED LOCAL LAW FOR REPEALING THE PRESENT
WASTEWATER LAWS & REPLACING THE SAME WITH NEW WASTEWATER LAWS**

Mr. Arden Sorensen, offered the following Resolution and moved its adoption:

WHEREAS, the Town Board, with professional assistance, has prepared a proposed Local Law that would repeal, in its entirety, Chapter 331 "Wastewater Management Law" of the Code of the Town of Milo and replace simultaneously with new legislation, in regard to the regulation of On-Site Wastewater Treatment Systems (OWTS), so that wastewater is disposed of in a manner that will not create a health hazard, adversely affect the environment, create a nuisance, or impair the enjoyment or use of the property, and

WHEREAS, this proposed Local Law is attached hereto and made a part hereof, and

WHEREAS, this Town Board has previously determined, pursuant to Resolution #78-2017, which was enacted December 18, 2017, that this proposed Local Law is in FINAL FORM, and

WHEREAS, pursuant to said Resolution #78-2017 and General Municipal Law §239-m, this proposed Local Law was referred to the Yates County Planning Board for its Report and Recommendations, and

WHEREAS, said Resolution #78-2017 also requested that the Yates County Planning Board consent to the Milo Town Board being the Lead Agency for the environmental review process, and

WHEREAS, the Yates County Planning Board, pursuant to its Decision, dated January 25, 2018, which is attached hereto, has given its approval of this proposed Local Law to repeal the present wastewater laws of the Town of Milo in its entirety and replace said wastewater laws simultaneously with new wastewater laws for the Town of Milo, and

WHEREAS, the Yates County Planning Board, as part of its review of the proposed Local Law, consented, pursuant to Lead Agency Selection Agreement document, dated -----, 2018, which is attached hereto, that the Town Board of the Town of Milo be the Lead Agency to determine the environmental significance of the proposed Local Law, and

WHEREAS, a public hearing on this proposed Local Law is required before it may be enacted, and at the conclusion of said hearing, the environmental significance of the proposed Local Law is required to be determined by the Milo Town Board as the Lead Agency.

NOW, THEREFORE BE IT

RESOLVED & ORDERED, by the Town Board of the Town of Milo, Yates County, New York that a public hearing will be held, during a regular meeting, by the Town Board of the Town of Milo at the Town of Milo Town Office, 137 Main Street, Penn Yan, New York on March, 19, 2018 7 :00 p.m. or soon thereafter, to consider for enactment this proposed Local Law, and it is further

RESOLVED & ORDERED, that before the vote is taken on enactment of the proposed

Local Law, the Town Board of the Town of Milo, as the Lead Agency, will determine the environmental significance of this proposed Local Law after the conclusion of the public hearing, and it is further

RESOLVED & ORDERED, that the Town Clerk be and she hereby is authorized to forward to the official newspaper of the town, a Notice of Public Hearing, and it is further

RESOLVED & ORDERED, that the Town Clerk be and she hereby is directed to post a Notice of said hearing and a copy of the proposed Local Law on the Town of Milo signboard and take any and all necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Milo for its consideration, and it is further

RESOLVED & ORDERED, that the Town Clerk be and she hereby is authorized to provide all other notices, if any, as required by law for the adoption of this Local Law.

Seconded by Mr. Gene Spanneut and duly put to a vote as follows:

AYES: Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

DATED: February 20, 2018

Patricia L. Christensen
Patricia L. Christensen
Town Clerk

S E A L

RESOLUTION NO. 09- 2018
Intermunicipal Agreement-Village of Dresden

Mr. Gene Spanneut offered the following Resolution and moved its adoption:

WHEREAS, pursuant to Article 5-G, Section 119-o of the General Municipal Law, municipalities are authorized to enter into Agreements, in furtherance of intermunicipal cooperation that serve the best interests of each municipality, and

WHEREAS, to the extent that the Town of Milo (hereinafter referred to as "Milo") is able, Milo will make employees, equipment and vehicles from its Highway Department and Water Department available to the Village of Dresden (hereinafter referred to as "Dresden") to assist in responding to, repairing and replacing water main breaks, to the extent requested by Dresden, and

WHEREAS, to the extent Dresden is able, Dresden will make employees, equipment and vehicles from its Highway Department and Water Department available to Milo to assist in responding to, repairing and replacing water main breaks, to the extent requested by Milo, and

WHEREAS, it is the determination of the Town Board of the Town of Milo that it is in the Town of Milo's best interests to enter into said Intermunicipal Cooperation Agreements with the Village of Dresden.

NOW, THEREFORE BE IT

RESOLVED & ORDERED, that the Town of Milo shall enter into an Intermunicipal Cooperation Agreement (in the format attached hereto) with the Village of Dresden in Yates County, which, by the terms of said Intermunicipal Cooperation Agreement, each municipality, to the extent it is able, will make employees, equipment and vehicles from its Highway Department and Water Department available to the other municipality to assist in responding to, repairing

and replacing water main breaks, to the extent requested by the other municipality, and it is further

RESOLVED & ORDERED, that the Supervisor of the Town of Milo, on behalf of the Town of Milo, is hereby authorized to enter into said Intermunicipal Cooperation Agreement, in the Agreement format that is attached hereto, with the Village of Dresden.

Seconded by Mr. James Harris and duly put to a vote with the following results:

AYES: Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

DATED: February 20, 2018

Patricia L. Christensen
Patricia L. Christensen
Town Clerk

S E A L

RESOLUTION NO. 10- 2018
Intermunicipal Agreement Town of Jerusalem-Water and Sewer Repairs

Mr. Gene Spanneut offered the following Resolution and moved its adoption:

WHEREAS, pursuant to Article 5-G, Section 119-o of the General Municipal Law, municipalities are authorized to enter into Agreements, in furtherance of intermunicipal cooperation that serve the best interests of each municipality, and

WHEREAS, to the extent that the Town of Milo (hereinafter referred to as "Milo") is able, Milo will make employees, equipment and vehicles from its Highway Department and Water and Sewer Department available to the Town of Jerusalem (hereinafter referred to as "Jerusalem")

to assist in responding to, repairing and replacing water and sewer main breaks and repairing and replacing sewer main pumps, to the extent requested by Jerusalem, and

WHEREAS, to the extent Jerusalem is able, Jerusalem will make employees, equipment and vehicles from its Highway Department and Water and Sewer Department available to Milo to assist in responding to, repairing and replacing water and sewer main breaks and repairing and replacing sewer main pumps, to the extent requested by Milo, and

WHEREAS, it is the determination of the Town Board of the Town of Milo that it is in the Town of Milo's best interests to enter into said Intermunicipal Cooperation Agreements with the Town of Jerusalem.

NOW, THEREFORE BE IT

RESOLVED & ORDERED, that the Town of Milo shall enter into an Intermunicipal Cooperation Agreement (in the format attached hereto) with the Town of Jerusalem in Yates County, which, by the terms of said Intermunicipal Cooperation Agreement, each municipality, to the extent it is able, will make employees, equipment and vehicles from its Highway Department and Water and Sewer Department available to the other municipality to assist in responding to, repairing and replacing water and sewer main breaks and repairing and replacing sewer main pumps, to the extent requested by the other municipality, and it is further

RESOLVED & ORDERED, that the Supervisor of the Town of Milo, on behalf of the Town of Milo, is hereby authorized to enter into said Intermunicipal Cooperation Agreement, in the Agreement format that is attached hereto, with the Town of Jerusalem.

Seconded by Mr. James Harris and duly put to a vote with the following results:

AYES: Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

DATED: February 20, 2018

Patricia L. Christensen
Patricia L. Christensen
Town Clerk

RESOLUTION NO. 11- 2018
Intermunicipal Agreement Town of Jerusalem Certified Backup Personnel

Mr. Gene Spanneut offered the following Resolution and moved its adoption:

WHEREAS, pursuant to Article 5-G, Section 119-o of the General Municipal Law, municipalities are authorized to enter into Agreements, in furtherance of intermunicipal cooperation that serve the best interests of each municipality, and

WHEREAS, to the extent that the Town of Milo (hereinafter referred to as "Milo") is able, Milo will provide to Town of Jerusalem (hereinafter referred to as "Jerusalem") certified backup personnel, as well as, equipment/machinery, as are reasonably required to operate, maintain and/or monitor the Jerusalem water operations and sewage collection and disposal system at a cost to be determined by Milo based upon: the level of work, number and types of employees, use of equipment and/or machinery, materials and supplies reasonably required by the Jerusalem water operations and sewage collection and disposal system from Milo employees, and bookkeeping/clerical expenses incurred by Milo.

NOW, THEREFORE BE IT

RESOLVED & ORDERED, that the Town of Milo shall enter into an Intermunicipal Cooperation Agreement (in the format attached hereto) with the Town of Jerusalem in Yates County, which, by the terms of said Intermunicipal Cooperation Agreement, Milo, to the extent it is able, will provide to Town of Jerusalem (hereinafter referred to as "Jerusalem") certified

backup personnel, as well as, equipment/machinery, as are reasonably required to operate, maintain and/or monitor the Jerusalem water operations and sewage collection and disposal system at a cost to be determined by Milo based upon: the level of work, number and types of employees, use of equipment and/or machinery, materials and supplies reasonably required by the Jerusalem water operations and sewage collection and disposal system from Milo employees, as well as, bookkeeping/clerical expenses incurred by Milo, and it is further

RESOLVED & ORDERED, that the Supervisor of the Town of Milo, on behalf of the Town of Milo, is hereby authorized to enter into said Intermunicipal Cooperation Agreement, in the Agreement format that is attached hereto, with the Town of Jerusalem.

Seconded by Mr. James Harris and duly put to a vote with the following results:

AYES: Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

DATED: February 20, 2018

Patricia L. Christensen
Patricia L. Christensen
Town Clerk

S E A L

RESOLUTION NO. 12- 2017
Intermunicipal Agreement YC Towns and Villages Highway Services-Hold Harmless

Mr. Gene Spanneut offered the following Resolution and moved its adoption:

WHEREAS, pursuant to Article 5-G of the General Municipal Law, municipalities are authorized to enter into Agreements, in furtherance of Intermunicipal Cooperation that serve the best interests of each municipality, and

WHEREAS, to the extent that the Town of Milo (hereinafter referred to as "Milo") is able, Milo pledges to share or exchange highway services with the other Towns and Villages in Yates County, when mutually agreed upon by the respective Highway Superintendents, such as plowing, salting, sanding, or paving. The arrangement to perform services on a specific occasion **OR** on a regular basis may be reached by consent of the Highway Superintendents, and

WHEREAS, to the extent that the other Towns and Villages in Yates County are able, the other Towns and Villages in Yates County pledge to share or exchange highway services when mutually agreed upon by the respective Highway Superintendents, such as plowing, salting, sanding, or paving. The arrangement to perform services on a specific occasion **OR** on a regular basis may be reached by consent of the Highway Superintendents, and

WHEREAS, it is the determination of the Town Board of the Town of Milo that it is in the Town of Milo's best interests to enter into said Intermunicipal Cooperation Agreement with the other Towns and Villages in Yates County.

NOW, THEREFORE BE IT

RESOLVED & ORDERED, that the Town of Milo shall enter into an Intermunicipal Cooperation Agreement (in the format attached hereto) with the other Towns and Villages in Yates County, which, by the terms of said Intermunicipal Cooperation Agreement, Milo, to the extent it is able, pledges to share or exchange highway services when mutually agreed upon by the respective Highway Superintendents, such as plowing, salting, sanding, or paving. The

arrangement to perform services on a specific occasion **OR** on a regular basis may be reached by consent of the Highway Superintendents, and it is further

RESOLVED & ORDERED, that the Supervisor of the Town of Milo, on behalf of the Town of Milo, is hereby authorized to enter into said Intermunicipal Cooperation Agreement, in the Agreement format that is attached hereto, with the other Towns and Villages in Yates County.

Seconded by Mr. James Harris and duly put to a vote with the following results:

AYES: Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

DATED: February 20, 2018

Patricia L. Christensen
Patricia L. Christensen
Town Clerk

S E A L

Milo Fid
Intermuni Agmt 18-2-A
Reso auth milo re: below
Shar plow salt sand pave

RESOLUTION NO. 13 - 2017
Intermunicipal Agreement-Village of Dresden-Certified Backup Personnel

Mr. Gene Spanneut offered the following Resolution and moved its adoption:

WHEREAS, pursuant to Article 5-G, Section 119-o of the General Municipal Law, municipalities are authorized to enter into Agreements, in furtherance of intermunicipal cooperation that serve the best interests of each municipality, and

WHEREAS, to the extent that the Town of Milo (hereinafter referred to as "Milo") is able, Milo will provide to Village of Dresden (hereinafter referred to as "Dresden") certified backup

personnel, as well as, equipment/machinery, as are reasonably required to operate, maintain and/or monitor the Dresden water operations at a cost to be determined by Milo based upon: the level of work, number and types of employees, use of equipment and/or machinery, materials and supplies reasonably required by the Dresden water operations from Milo employees, and bookkeeping/clerical expenses incurred by Milo.

NOW, THEREFORE BE IT

RESOLVED & ORDERED, that the Town of Milo shall enter into an Intermunicipal Cooperation Agreement (in the format attached hereto) with the Village Dresden, in Yates County, which, by the terms of said Intermunicipal Cooperation Agreement, Milo, to the extent it is able, will provide to Dresden certified backup personnel, as well as, equipment/machinery, as are reasonably required to operate, maintain and/or monitor the Dresden water operations at a cost to be determined by Milo based upon: the level of work, number and types of employees, use of equipment and/or machinery, materials and supplies reasonably required by the Dresden water operations from Milo employees, as well as, bookkeeping/clerical expenses incurred by Milo, and it is further

RESOLVED & ORDERED, that the Supervisor of the Town of Milo, on behalf of the Town of Milo, is hereby authorized to enter into said Intermunicipal Cooperation Agreement, in the Agreement format that is attached hereto, with the Village of Dresden.

Seconded by Mr. James Harris and duly put to a vote with the following results:

AYES: Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

DATED: February 20, 2018

Patricia L. Christensen
Patricia L. Christensen
Town Clerk

S E A L

Milo Fid
Intermuni Agmt 18-2-A
Reso auth milo re: below
Wat back up pers'el & equip/mach'ery

**Resolution 14-18
Budget Adjustment**

Introduced by: Councilperson Spanneut
Seconded by: Councilperson Sorensen

Authorizing a budget adjustment to increase DA.5130.200 Machinery, Equipment by \$180,367 from the DA fund balance.

Motion Carried: Ayes: Hallings, Harris, Sorensen, Spanneut

Noes: none

**Resolution 15-18
2018 Dump Truck and Plow**

WHEREAS, Highway Superintendent, Lance Yonge recommended the purchase of 2018 Kenworth Dump Truck, and

WHEREAS, the Town Board of the Town of Milo authorized a budget adjustment to increase DA.5130.200 Machinery, Equipment by \$180,367 from the DA fund balance, for the purchase, and

WHEREAS, the 2018 Kenworth Dump Truck is listed on County of Onondaga contract award, bid reference number 7823

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Milo authorizes the purchase of a 2018 Kenworth Dump Truck from Kenworth Northeast Group, Inc, Rochester, NY at a price of \$180,367.00.

Duly put to a vote with the following results:

AYES: Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This resolution was hereby adopted:

Dated: February 20, 2018

Patricia L. Christensen
Patricia L. Christensen
Town Clerk

New Business

The next Supervisor's meeting is scheduled for March 23rd.

The Town of Milo was founded in 1818. This year marks the 200th anniversary of the Town of Milo.

A brief discussion was held regarding State money available for repairing and/or replacing septic systems.

Outstanding Business

The Bath Road sewer extension is moving forward.

Monthly Reports-reviewed

Introduced by: Councilperson Harris

Seconded by: Councilperson Spanneut

To pay abstracts as presented in the following amounts:

General A: \$ 36,514.58
General B: \$ 2,130.27
Highway DA: \$3,823.75
Highway DB: \$5,054.78
SS-Sewer: \$14,090.22

SW-Water: \$4,666.04
TA-Trust & Agency: \$7,302.42
V-Debt Service: \$
218,527.34

Motion Carried: Ayes: Hallings, Harris, Sorensen, Spanneut

Noes: None

Abstentions: none

Public Comment

None

There being no further business to come before the Town Board of the Town of Milo, a **Motion** was made by Councilperson Harris to adjourn, seconded by Councilperson Spanneut.

Motion Carried: Ayes: Hallings, Harris, Sorensen, Spanneut

Noes: none

Abstentions: none

Meeting adjourned at 7:45 PM.

Respectfully submitted,

Patricia L. Christensen
Town Clerk