

Official -Town of Montezuma

End of the Year

Board Meeting Minutes

December 19th, 2023

At 6pm

Supervisor David Corey opened the meeting, led by the Pledge of Allegiance.

Members Present: Supervisor: David Corey
Deputy Supervisor/Councilman: Lee Brew
Councilman: Tom Fitzsimmons
Councilman: Tom Hitchcock Jr.
Councilman: Chris Howard (ABSENT)

Others Present: Town Clerk: Marie L. Cronin
Deputy Town Clerk: Candis Cook
Highway Superintendent: Ken Cook
Code Enforcement Officer: John Greer
Historian: Cheryl Longyear
Water Operator: Stan Longyear

Public Present: Kathy and James Decker, speaker for (TNR) trap, neuter, return, Sue Secour.

Code Enforcement Officer report: John Greer issued 2 permits for the month of November 2023. John was in court in November 2023 with Kathleen Knapp on cleaning up around her home. He was in court last year Oct. 2022 appeared before Judge Futrell and Judge Futrell said that if she doesn't comply then she will receive a fine. When John appeared before Judge Eldrige this time with Kathleen, Judge Eldrige didn't want to do anything about this situation. John is worried that Judge Eldrige isn't following through and enforcing the laws. Kathleen Knapp has 365 days of violations for not cleaning up her property. (this should be a misdemeanor or civil infraction as determined by the Montezuma municipality by now). Per John Greer, If I were the Town Board I would invite Judge Eldrige to a meeting and discuss his reasonings of leniency in most of these cases presented to him. Per Lee Brew Judge Eldrige needs to meet with the Town Board as we've passed ordinances in the Town and the Judge is not enforcing these ordinances, (so the public is disobeying the ordinances as they know there will be no consequences).

No update on the Junk Yard at the Smith residence and Town Clerk Marie Cronin has found nothing to present to Sheila Smith on her FOIL request. Tom Fitzsimmons asking about the Indian Reservation progress and per John Greer they are in court over this case also in front of the same Judge. John issued them a stop order in May of 2022 for no site plan to be presented to the Planning Board, but they do have permits for all the other things they are doing on the property. Tom also said we should discuss all of this with the Town Lawyer (Kevin Cox) instead of the Board getting involved with all of this. John Greer will check on the website Justice courts and justice to see whom is in charge of our Justice in this area. David Corey to speak with Kevin Cox on all of this.

Sue Secour from (TNR) Trap, Neuter & Return program for feral cats. Sue was invited by Deputy Clerk Candis Cook to speak on this. Sue states that they don't call them feral cats they call them community cats. Feral cats are more of a behavioral problem. The whole county has the same problem, too many cats. So Auburn formed a group called the Community Cats, they are trying to reduce the population. They do not foster the cats or relocate them. The Town would need to have (vets, clinics, money, appointments, food, live traps, bait for traps, pillows, pads, blankets) a place for females to recover (3) \$80 to \$100 per cat to spay or neuter, try to get donations if the Town wants to set up a group for this situation. NO NETS USED. You need to check traps twice a day, never leave the animal in the trap for any length of time. Per David Corey, maybe we could put something in the Town news letter and facebook accounts to ask for the donations to help with the cat population.

Historian: Cheryl Longyear gave report: see attached report. The pavilion is ready to be delivered for the RT. 31 parking lot. Still waiting for the Merger application with port Byron to be approved. The County has funds to higher someone to head the youth bureau and a joint youth coordinator for the Town of Montezuma, Mentz or any other surrounding Towns that would like to help. Group ages for the Town of Montezuma are as followed:

Medium age group: 47.4 / Largest age group: 50 to 54: 160 Population as of 9/16/2023 for the Town of Montezuma is 1163.

Ages 0 to 4: 53	Ages 70 to 74: 92
Ages 5 to 9: 100	Ages 75 to 79: 38
Ages 10 to 14: 90	Ages 80 to 84: 31
Ages 15 to 19: 94	Ages 85 plus: 33

Highway Superintendent report: Ken Cook report, see attached report. A Christmas tree to the Town & lights ordered for it from amazon. Ken would like an ordinance for no parking on Town roads, it makes it hard to plow snow if they're parked in the street, (from November 30th to April 30th each year). He would like to warn them 2 times then have it towed at the owner's expense. Per Lee Brew the Town would have to have a Public Hearing and put in newspaper & have the Town Lawyer Kevin Cox write up the ordinance for the Town. David Corey said maybe Ken to send out a nice letter to ask them to keep cars out of the snowplows way. CHIPS money should be in and will be planning 2024 road work season. Ken needs the 284 and agreement signed by the Town Board so Ken can start getting culvert pipe in stock for work on Wilsey road. Ken also needs to sign agreement for permits for NYSEG so the VA Banners can be hung on their electrical poles and an

insurance binder if any accident or incidents occur by people looking at the banners and/or from weather related incidents.

Motion made by Lee Brew second by Tom Hitchcock Jr. to have Ken Cook and David Corey sign this agreement to hang VA banners or any other things on the NYSEG poles in our Town, and to have an insurance binder if any incidents occur with the banners hung on their poles. Motion carried 4/0. Also had the State right of way agreement signed and sent out for work on Rt. 90 and Rt. 31. Motion made by Lee Brew second by Tom Hitchcock Jr. to approve the working on State Rt. 90 and State Rt. 31 permit agreement as stated for the 2024 year. Motion carried 4/0. Motion made by Lee Brew second by Tom Fitzsimmons to have Supervisor David Corey and Highway Superintendent Ken Cook sign the CHIPS contract for the year 2024 road work. Motion carried 4/0. Highway staff did a ton of research on the flooding on Debra Learned property. The Town is unable to do anything more for her as the site she wants ditched out is wetlands and the Town cannot touch them.

Discussion of Amish tree proposal: the Amish gentleman (Daniel Miller) would like to pay the Town of Montezuma the sum of \$12,000.00 from the sale of the black walnut trees taken off of the Town property and the gentleman will give the Town a paper that states the Town is not responsible if any injury comes to him while on Town property while cutting and cleaning up the trees. David Corey to negotiate a higher amount for the trees. Motion made by Lee Brew second by Tom Fitzsimmons to allow Supervisor David Corey to go into an agreement with the Amish gentleman for the walnut tree removal on Towns property and the money for the Town from the sale of the trees put into the appropriate account. Motion carried 4/0. Make sure they clean up their mess when finished cutting down the trees.

Discussion of Dog Warden situation: Per David Corey, Carl Collier (Town Dog Warden now) has a meeting with the City of Auburn Ny on bid for dog control Friday 12/22,2023 and will let David know his decision ASAP. If Carl gets the bid for the city then he will still be the Dog Warden for the Town of Montezuma, but would like a raise. Raise his pay to \$750.00 per month. Per Lee Brew to have Carl clean up the delinquent accounts that haven't paid the dog licenses. Per David Corey also would like to pay someone to go around the Town and see how many dogs are in Town and how many are not licensed. Motion made by Lee Brew second Tom Fitzsimmons by to allow David Corey Supervisor to go into an agreement with Carl Collier if he chooses to stay on with us. Motion carried 4/0.

Approval of the Bills: Motion made by Lee Brew second by Tom Hitchcock Jr. to approve the bills as presented. Motion carried 4/0.

Budget Modifications: Motion made by Lee Brew second by Tom Hitchcock Jr. to approve the Resolution of the budget modifications and for the Town Bookkeeper Pat Craine to make all the

necessary budget modifications changes not listed on the Resolution so the accounting books can be closed at the end of the year 2023. Motion carried 4/0.

Supervisors Report: Motion made by Lee Brew second by Tom Fitzsimmons to approve the Supervisors report as presented. Motion carried 4/0. NYCLASS interest \$3,100.23 and Mortgage tax check came in \$5,131.00 and it is reflected on Dec. 2023 report. Still have one more sales tax check coming to the Town. Senior citizens didn't use all of their balance. David letting everyone know that the Town has to decide by the end of the year 2024 how we're going to use the rest of the ARPA funds

\$13,054.95. They don't have to be spent until the year 2026. Use some ARPA funds for the puppet show. Cheryl Longyear wondering if the Town could use some of the funds to put towards a coordinator for the summer youth program. Tom Fitzsimmons states we have to make sure the Bookkeeper Pat Craine move the excavator money from the water acct in the amount of \$4,771.00 and general funds of acct. of \$4771.00 to the highway account, the bill has been paid but not moved money yet. Lee Brew wondering about money for the playground equipment. \$1,000.00 is in this acct.

Approval of Minutes: Motion made by Lee Brew second by Tom Fitzsimmons to approve the November 20th, 2023 minutes as presented and amended. Motion carried 3/0. Tom Hitchcock Jr. abstained. Lee Brew asking about the water committee making a recommendation on bounced checks. Tom Fitzsimmons stating that we need something put into our rules and regulations about the bounced checks. The Water Clerk Heather Tanner in the past has written to those residents and explained that they will not take anymore checks from them for water bill payments, only cash or a money order. Motion made by Lee Brew second by Tom Fitzsimmons to continue with the previous rule policy on dishonest checks issue and that it gets put into our rules and regulations. Motion carried 4/0.

Discussion of Date for Jan. 2024 re-organizational meeting: Thursday January 4th, 2024 at 6pm. Motion made by Lee Brew second by Tom Fitzsimmons to have the meeting on said date and time. Motion carried 4/0.

Executive Session: Motion made by David Corey at 7:27pm second by Tom Fitzsimmons to go into executive session to discuss a personal matter. Motion carried 4/0. Motion made by Lee Brew at 7:58pm second by Tom Hitchcock Jr. to end executive session. Motion carried 4/0. Motion made by Tom Fitzsimmons at 8:00pm second by Tom Hitchcock Jr. to reopen Board Meeting. Motion carried 4/0. David Corey needs a motion on 2 water accounts the Town has, acct. #12470 and acct. #12120 that need an adjustments on the water bill accounts. Motion made by Lee Brew second by Tom Hitchcock Jr. to make the adjustments on the water bills. Motion carried 3/0. Tom Fitzsimmons abstained.

Public comments and concerns: David Corey congratulating Lee Brew for all of his years of service on the Town of Montezuma Board and he will be missed. Lee was happy of all that the

Town has accomplished in the 12 years he's been here and that Lee thinks great things are going to happen for our Town in the upcoming years. Parks, programs, investments and more.

Adjourn Meeting: Motion made by Tom Fitzsimmons second by Tom Hitchcock Jr. to adjourn the December 19th, 2023 end of the year meeting. Motion carried 4/0.

Minutes submitted by Town of Montezuma Clerk: Marie L. Cronin