

1
MINUTES
TOWN OF WARSAW
JULY 13, 2022

Supervisor Ryan calls the meeting to order at 6:00 p.m. at the Warsaw Town Office located at 83 Center Street Warsaw, NY 14569 at which time and place the following were:

PRESENT:

Supervisor:	Rebecca Ryan
Councilman:	Chris Lonneville
Councilman:	Dave Mateer
Councilman:	Steve Perkins
Councilman:	Travis Jones

ALSO, PRESENT:

Historian:	Sally Smith
Town Clerk:	Cathy Smith
Zoning Officer:	Bob Martin
Hwy. Superintendent:	Jeff Royce
Attorney:	Dave DiMatteo
Resident:	Jeanne Yencer
Resident:	Richard Baker
Resident:	Dan Walczak

Pledge of Allegiance

Library report was given by Travis Jones. *The library will meet with Lindsay Yoder of Bero Architects on July 10th, 2022. *Have not heard from Attorney DiMatteo on the bonding. *Summer reading program has started and the book sale is this weekend.

A motion was made by Dave Mateer and seconded by Steve Perkins to approve the airport vouchers as submitted. Ayes: 5, NAYS: 0, AIF

Airport report was given by Steve Perkins. The new building is almost complete. Surveyors have been at the airport looking to design the lighting system. The FAA is sponsoring a UAV (unmanned aerial vehicle) seminar on August 3 at 6:30.

A motion was made by Travis Jones and seconded by Chris Lonneville to approve the minutes with a change for the date being June 08, not June 13. AYES: 5, NAYS: 0, AIF

A motion was made by Steve Perkins and seconded by Dave Mateer to approve the monthly budget report. AYES: 5, NAYS: 0, AIF

A motion was made by Chris Lonneville and seconded by Dave Mateer to approve the supervisors report. AYES: 5, NAYS: 0, AIF

A motion was made by Dave Mateer and seconded by Travis Jones to approve the vouchers as submitted. AYES: 5, NAYS: 0, AIF

Cemetery report was given by Sally Smith. Levi Wolcott is willing to show Jeff Royce the process of showing/selling a plot to a potential buyer. Ms. Smith noted that the entire process is quite extensive. Jeff Royce added that Levi Wolcott would continue opening of the grave and mowing. Currently a plot costs \$700, \$400 of the money goes towards opening the grave. There was some discussion on increasing the price and advertising plots being available. Craig Wolcott is now the President of Forrest Lawn Cemeteries.

The lower west side of the cemetery is uninhabitable as there are tires, concrete and car parts dumped there. Supervisor Ryan had a conversation with Perry Town Supervisor Jim Brick. They have advertised for a sexton. Supervisor Ryan questioned if this could be a shared service. Perry Town Clerk Sarah Ballinger indicated that it wouldn't work. Currently Perry has hired Nomad at \$45 per hour to mow the cemetery.

Steve Perkins noted that there should be a subcommittee. He spoke with Pete Robinson and Brian Kaczmarek, both are interested in being on the committee. Steve Perkins and Chris Lonneville will also be on the committee. Chris Lonneville addressed the wowing. It can not be done in one day; can the highway

guys manage the mowing now that they are working 4 days a week? Mr. Lonneville added that by tomorrow's meeting they should know what their plans are and is this something they want to do? Attorney Dave DiMatteo will be meeting with the Board of Cemeteries July 20th at his office. Jeff Royce said that it takes 32-man hours to mow and trim the cemetery. Steve Perkins stated that there are opportunities and we could better proceed after the meeting.

Historian report was given by Sally Smith. There have been several out of state and county visitors that Sally has assisted in locating graves and providing them with information. The County Historians office will have the Where in Wyoming County are the Gnomes game board again this year. The farm market will be selling the games as well. Proceeds will go to the participating municipal museums.

Attorney DiMatteo addressed the board regarding the installation of the Calamar meter pit that was to be completed by July 01, 2022. The escrow agreement indicated that the funds would be available to defray the cost to complete the work. Attorney DiMatteo recommends that the town should begin discussion to potentially contract with available contractors to complete the work and use the funds held in escrow.

A motion was made by Steve Perkins and seconded by Travis Jones to adopt "Resolution of the Town Board to Hire Contractors to Complete Meter Pit Work with Funds Held in Escrow" ROLL CALL: 5 AYES: - Rebecca Ryan, Chris Lonneville, Dave Mateer, Steve Perkins, Travis Jones

**TOWN OF WARSAW
RESOLUTION OF THE TOWN BOARD
TO HIRE CONTRACTORS TO COMPLETE METER PIT WORK
WITH FUNDS HELD IN ESCROW**

Adopted: July 13, 2022

The Town Board of the Town of Warsaw met at a regular board meeting at the Town Hall located at 83 Center Street, Warsaw, New York, on the 13th day of July, 2022, commencing at 6:00 p.m., at which time and place the following members were:

Present:	Supervisor	Rebecca Ryan
	Council Member	Chris Lonneville
	Council Member	Dave Mateer
	Council Member	Steve Perkins
	Council Member	Travis Jones

Absent:

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, on January 31st, 2022 the Town of Warsaw entered into an Escrow Agreement (attached hereto as **Exhibit A**) with RM4 Holdings, LLC (also known as Calamar); and

WHEREAS, RM4 Holdings, LLC had deposited \$75,000.00 in the Escrow account of the Attorney for the Town of Warsaw on January 31st, 2022; and

WHEREAS, said Escrow agreement authorized the Town of Warsaw to contract with contractors to complete the meter pit work, if RM4 Holdings, LLC had not completed the necessary meter pit work by July 1, 2022; and

WHEREAS, RM4 Holdings, LLC has neglected to provide further updates to the Town Board with regard to status of the project; and

WHEREAS, RM4 Holdings, LLC was given a deadline of July 1, 2022 for all the meter pit work to be completed, otherwise the Town Board will need to obtain a contractor to ensure the meter pit work is completed timely; and

WHEREAS, the Town Board of the Town of Warsaw recognizes that RM4 Holdings, LLC has surpassed their allotted timeframe of July 1st, 2022 for all the meter pit work to be completed; and

WHEREAS, the Town Board of the Town of Warsaw believes it to be in their best interest to intervene by obtaining bids for contractors, and utilizing the funds held in Escrow to complete the necessary work; and

WHEREAS, in an effort to complete the work in a timely matter, the Town Board of the Town of Warsaw agrees to continue the meter pit project pursuant to the design plans provided by

RM4 Holdings, LLC hired contractor; and

NOW ON MOTION OF Steve Perkins which has been duly seconded by Travis Jones, be it

RESOLVED, the Town Board of the Town of Warsaw hereby agrees to issue bid requests for contractors to complete the unfinished meter pit work; and be it further

RESOLVED, the Town Board of the Town of Warsaw shall pay any and all related invoices with the funds held in Escrow, as authorized and agreed upon within the Escrow Agreement between the Town of Warsaw and RM4 Holdings, LLC; and be it further

RESOLVED, the Town Board of the Town of Warsaw shall use the design plans that have been furnished by the contractors of RM4 Holdings, LLC to ensure completion of the work, and consistency; and be it further

RESOLVED, the Town Board of the Town of Warsaw shall notify RM4 Holdings, LLC that their timeline fails to be accordance with the Escrow Agreement, and that the Town will now take all necessary steps to ensure the meter pit work is completed; and be it further

RESOLVED, RM4 Holdings, LLC is in default and the \$75,000.00 in Escrow will be utilized to pay for meter pit construction.

ROLL CALL: 5 AYES; Rebecca Ryan, Chris Lonneville, Dave Mateer, Steve Perkins, Travis Jones

Ayes: 5

Nays: 0

Quorum Present: x Yes No

Dated: July 13, 2022

[SEAL]

Cathy Smith
Cathy Smith, Clerk
Town of Warsaw

A motion was made by Dave Mateer and seconded by Travis Jones to approve the Clerks report. AYES: 5, NAYS: 0, AIF

Zoning report was given by Bob Martin. Permits issued were for a deck, solar project and a sign. Trailer Park inspections have been completed. The following resolutions were adopted.

RESOLUTION TP
TRAILER PARK RENEWAL
TOWN OF WARSAW
83 CENTER STREET
WARSAW, NEW YORK 14569
TP-01-22
ADOPTED: July 13, 2022

The Town Board of the town of Warsaw met at a regular meeting at the Town Office located at 83 Center Street on July 13, 2022 commencing at 6:00 p.m. at which time and place the following were

PRESENT:

Supervisor:	Rebecca Ryan
Councilman:	Chris Lonneville
Councilman:	Dave Mateer
Councilman:	Steve Perkins
Councilman:	Travis Jones

NOW ON MOTION OF which has been made by Travis Jones and duly seconded by Steve Perkins to APPROVE the annual trailer park renewal TP-01-22 for Warsaw Park CC LLC for the period of June 01, 2022 to June 01, 2023

AYES : 5

NAYS : 0

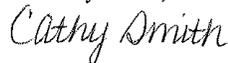
ABSENT/ABSTAIN : 0

QUORUM PRESENT: X YES NO

APPROVED: July 13, 2022

[SEAL]

Cathy Smith, Clerk



Town of Warsaw

RESOLUTION TP
TRAILER PARK RENEWAL
TOWN OF WARSAW
83 CENTER STREET
WARSAW, NEW YORK 14569
TP-02-22
ADOPTED: July 13, 2022

The Town Board of the own of Warsaw met at a regular meeting at the Town Office located at 83 Center Street on July 13, 2022 commencing at 6:00 p.m. at which time and place the following were

PRESENT:

Supervisor:	Rebecca Ryan
Councilman:	Chris Lonneville
Councilman:	Dave Mateer
Councilman:	Steve Perkins
Councilman:	Travis Jones

NOW ON MOTION OF which has been made by Travis Jones and duly seconded by Steve Perkins to APPROVE the annual trailer park renewal TP-02-22 for Keith & Lucinda Herrmann for the period of June 01, 2022 to June 01, 2023

AYES : 5

NAYS : 0

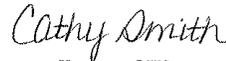
ABSENT/ABSTAIN : 0

QUORUM PRESENT: X YES NO

APPROVED: July 13, 2022

[SEAL]

Cathy Smith, Clerk



Town of Warsaw

Attorney DiMatteo asked the Planning Board to seek lead agency on Robert Fontaine's project. The ZBA declined. Mr. Martin noted that the village has no representation as the Village code enforcement officer has not been to a meeting in

9 months. It was requested that Chairwoman Heather Aldrich discuss the situation with Attorney DiMatteo. There were stipulations for approvals that never came before the Planning Board

RESOLUTION TP
TRAILER PARK RENEWAL
TOWN OF WARSAW
83 CENTER STREET
WARSAW, NEW YORK 14569
TP-03-22
ADOPTED: July 13, 2022

The Town Board of the own of Warsaw met at a regular meeting at the Town Office located at 83 Center Street on July 13, 2022 commencing at 6:00 p.m. at which time and place the following were

PRESENT:

Supervisor:	Rebecca Ryan
Councilman:	Chris Lonneville
Councilman:	Dave Mateer
Councilman:	Steve Perkins
Councilman:	Travis Jones

NOW ON MOTION OF which has been made by Travis Jones and duly seconded by Steve Perkins to APPROVE the annual trailer park renewal TP-02-22 for Shawn McGuire for the period of June 01, 2022 to June 01, 2023

AYES : 5

NAYS : 0

ABSENT/ABSTAIN : 0

QUORUM PRESENT: X YES NO

APPROVED: July 13, 2022

[SEAL]

Cathy Smith, Clerk

Cathy Smith
Town of Warsaw

Ron Smith's ZBA Chairman term will be expiring August 2022. Mr. Smith does not want to continue with the ZBA and will be resigning. Dan Lacey's term will be expiring August 2022 and he is interested in staying on the ZBA.

Bob Martin noted that the joint boards may want to dissolve. Per the agreement 180 days' notice has to be given. Supervisor Ryan stated that there are advantages to being combined boards. Councilman Chris Lonneville and Dave Mateer would like to meet with the Village. Supervisor Ryan added that a planning board member should be on the county planning board.

Mr. Martin added that the proposed solar project for Curtis Road now wants to locate to Monteleone's property which is in the village and has protected wetlands.

Highway report was given by Jeff Royce. *Several trucks needed work done on them. *Helped Middlebury, Orangeville and Castile pave. *Helped Middlebury, Orangeville and Gainesville with backing up shoulders. *Fiber mat was put down on Truesdell Rd., Wilder Rd. (upper), Dick Rd. (Liberty end), Buffalo Rd. (dead end) and Ryan Rd to the dirt road for a total of 4.5 miles.

Mr. Royce requested a "NO OVERNIGHT PARKING from November 1st to April 1st between the hours of 11 p.m. to 10 a.m." sign for the office parking lot. This will allow Mr. Royce to be able to clear the parking lot without a problem.

A motion was made by Chris Lonneville and seconded by Travis Jones to approve the sign. AYES: 5, NAYS: 0, AIF

Resolution for the 2021/2022 Municipal Snow and Ice Agreement, Supplemental Agreement and Adjustment/Calculation worksheets was approved and signed at last month's meeting. Mr. Royce brought the paperwork back in to Cathy Smith as the figures on the worksheets as given by the NYSDOT were not correct. The amount in the resolution was corrected and returned to the NYSDOT. Note the paperwork was not given to Mr. Royce until May.

2021/2022 MUNICIPAL SNOW AND ICE AGREEMENT, SUPPLEMENTAL AGREEMENT AND
ADJUSTMENT/CALCULATION WORKSHEETS
WITH NEW YORK STATE
ADOPTED: April 13 2022

WHEREAS, the Town Board of the Town of Warsaw met at a regular meeting at the located at 83 Center Street Warsaw, NY 14569 on April 13, 2022 commencing at 6:00 p.m., at which time and place the following members were:

PRESENT:

Supervisor:	Rebecca Ryan
Councilman:	Chris Lonneville
Councilman:	Dave Mateer
Councilman:	Steve Perkins
Councilman:	Travis Jones

WHEREAS, the "2021-2022 Municipal Snow and Ice Agreement, Supplemental Agreement and Adjustment/Calculation Worksheets" were reviewed by the Warsaw Town Board.

WHEREAS, the "Indexed Lump Sum Snow and Ice Agreement " between New York State and the Town of Warsaw of Wyoming County commences July 01, 2019 and ends June 30, 2024

WHEREAS: the adjustment worksheet indicates that the combined total for the 2021/2022 season for contract number DO14833 is \$41,890.74

WHEREAS, 4 copies of the contract to be signed dated and notarized. 4 copies of the resolution to be signed, dated and embossed with the Town seal, 4 maps to be signed and dated along with supporting documentation for wage increase to be dated and signed.

RESOLVED, a motion was made by Chris Lonneville and seconded by Dave Mateer to adopt the Supplemental Agreement and Adjustment/Calculation for the Snow and Ice Agreement with the State of New York for years 2021/2022

AYES: 5
NAYS:0
ADOPTED: April 13, 2022

Cathy Smith, Clerk
Cathy Smith
Town of Warsaw

[SEAL]

Community events: Valley Fest is July 14, 15 and 16. There will be a bridge dedication for Dan Murtha Saturday July 16th at 1 p.m. between Livingston Street and Brooklyn Street.

Correspondence: Received notification that the town will be receiving the second payment of ARPA funds in the amount of \$79,025. The town has committed to a \$38,000 generator for the Town Highway building and would like to purchase a small backhoe in the amount of \$60,000.

Received notification from the Wyoming County Building Department regarding zoning enforcement consolidated.



WYOMING COUNTY BUILDING DEPARTMENT

Wyoming County Ag & Business Center
36 Center St., Suite C Street
Warsaw, NY 14569

Donald J. Roberts
Code Enforcement Officer

Telephone: (585) 786-8820
Fax: (585) 786-6020

Wyoming County Zoning Enforcement Consolidation

July 6, 2022

Municipal Board Members

Dear Board Members:

We are excited to offer, to all current non-participating Municipalities, a free trial of our program. From now until January 1st, 2023 you can send over any pending zoning application(s) for review and comment conducted by our zoning team. We will provide you with: zoning compliance path, site plan comments, missing legal information and a year-end report of problem areas of your current Land Use Regulation.

If you are interested in taking part of our free trial period, just provide us with a copy of your current Zoning Law via mail, e-mail or you can drop off a copy at our office. Feel free to send over whatever you want feedback on.

If you have any questions regarding this matter, please contact our office at 786-3152 or via e-mail (droberts@wyomingco.net, jemarley@wyomingco.net, nlgrover@wyomingco.net).

Sincerely,

Donald J. Roberts
Code Enforcement Officer

CC:

James Bragg – Wyoming County Planner
Dan Leuer – Wyoming County Chairman Planning Committee

Summer rec update was given by Chris Lonneville. The program is going well and providing services 4 days a week. Attendance is up 45% from last year. Dave Mateer commented that his grand kids enjoy the program.

Working on a MOU with the County for IT services as needed.

Working on Sexual Harassment training with Wyoming County Human Resources.

Steve Perks asked to be put on next months agenda to discuss the grant for meter replacement.

A motion was made by Dave Mateer and seconded by Travis Jones to adjourn at 7:08 p.m.