

MINUTES
TOWN OF WARSAW
FEBRUARY 08, 2023

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

ASLO, PRESENT:

Town Clerk:	Cathy Smith
Historian:	Sally Smith
Hwy. Super:	Jeff Royce
Zoning Officer:	Bob Martin

Pledge of Allegiance

Guest time – none

Library events and construction update were given by Travis Jones. The master planning phase is complete. Preliminary drawings and construction estimates were provided. The goal is to start construction next winter. Mr. Jones will provide a disc with all of the information once he receives it. Travis Jones noted that construction grant funds have to be used in the year in which they are received, as for a historical building there is a list of items in which to qualify. Will fund the construction through bonding.

After a brief discussion on the cost of the Airport insurance and shopping around, a motion was made by Dave Mateer and seconded by Travis Jones to approve the Airport vouchers. Ayes: 5, Nays: 0, Absent/Abstain: 0

Airport minutes were dropped off due to the absence of Supervisor Ryan and Steve Perkins. CAP building had some wind damage from the storm. The building will be torn down. No final COO on the maintenance building. There is grant money available for lighting.

A motion was made by Dave Mateer and seconded by Travis Jones to approve the minutes of January 11, 2023. Ayes: 5, Nays: 0, Absent/Abstain: 0

A motion was made by Chris Lonneville and seconded by Dave Mateer to approve the monthly budget report. Ayes: 5, Nays: 0, Absent/Abstain: 0

After a brief discussion to remove Calamar and close out the Main Street Grant account a motion was made by Chris Lonneville and seconded by Dave Mateer to approve the Supervisors report. Ayes: 5, Nays: 0, Absent/Abstain: 0

After a brief discussion on approving Attorney David DiMatteos voucher in the amount of \$3,600.00 for Town Attorney a decision was made to HOLD until next months meeting. Travis Jones added that that there is a valid question of conflict. Attorney DiMatteo will be asked to attend the March meeting.

A motion was made by Dave Mateer and seconded by Chris Lonneville to approve the vouchers as presented minus Attorney DiMatteos. Ayes: 5, Nays: 0, Absent/Abstain: 0

Historian report was given by Sally Smith. Approximately 300 DVD's and 200 VCR tapes that were taped from the Letchworth Cable Access Channel were donated to the County Historians office. 14 boxes of the Perry Herald from 1974 to early 2000 were also donated. Select tapes and papers will be available at the County Historians office with the remainder being sent to the record retention center. Intentions are to transfer them to a disc or thumb drive.

Cemetery report was given by Sally Smith. The state audit went well. Minutes of 2017-2019 were provided. There will be a meeting with the state in March. The transfer could be approved in April. Levi Wolcott has notified the association that he wants \$40,000 to mow the cemetery. They will be going out to bid sometime in March.

Chris Lonneville noted that he spoke with a man named Mike who is 3rd in place at the state level. It was said that the Cemetery Association needs to stay intact. The association can not have any money other than the permanent maintenance fund. The state says the association has money. Mr. Lonneville continues that the funds are not the associations or the towns until it gets turned over to the Town. It was his understanding that it may not be until May or June before there is a final resolution.

Supervisor Ryan asked if the perpetual funds could be used. Chris Lonneville answered no, not unless the state says so. Sally Smith added that if the transfer happens sooner that we may be able to get some money returned from the mowing. The Association will hold its annual meeting the first week in April.

Clerk report was submitted by Cathy Smith. Harts' Insurance paperwork is complete, waiting on the quote. Have not inquired on Toshiba or Usherwood. The policy review signature sheet from January's meeting was signed.

A motion was made by Steve Perkins and seconded by Dave Mateer to approve the clerks report. Ayes: 5, Nays: 0, Absent/Abstain: 0

Zoning report was given by Bob Martin. The following permits were issued: storage building, garage, Smoke Shop sign; previously applied for one but added and additional backlit sign and needs a permit for that. Generators at the Town Hall and lift station were done.

There was discussion on the cellular dialer that PlanTech suggested for the lift station. There was concern of not having a good signal and it would need to be paid by a credit card. It would be difficult to arrange the payment due date around the meetings to avoid penalties. This is something to consider for the future

The Planning Board Operating By-Laws have been amended. A motion was made by Chris Lonneville and seconded by Travis Jones to approve the Resolution 1 of 2023 "Amending the Planning Board Operating By-Laws". Ayes: 5, Nays: 0, Absent/Abstain: 0

RESOLUTION 01 OF 2023

TOWN OF WARSAW

ADOPTING THE AMENDED PLANNING BOARD OPERATING BY-LAWS

Adopted February 08, 2023

The Town Board of the Town of Warsaw met at a regular meeting at the Town Office located at 83 Center Street Warsaw, NY 14569 on February 08, 2023 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, all board Members, having due notice of said meeting and 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, the Town of Warsaw and the Village of Warsaw desired to form a Joint Planning Board combining members from the existing boards.

WHEREAS, A Public Hearing was held on May 09, 2012 to adopt Local Law 3 of 2012 “Creating a Joint Planning Board”

WHEREAS, Operating By-Laws were created for the Joint Planning Board; and

WHEREAS, On August 05, 2022 the Village of Warsaw expressed their intention to exit the intermunicipal agreement with the Town of Warsaw; and

WHEREAS, after careful thought and consideration, the Town Board of the Town of Warsaw agrees to exit the intermunicipal agreement with the Village of Warsaw, and

NOW ON MOTION by Dave Mateer and seconded by Travis Jones to adopt resolution 1 of 2023 Adopting the Amended Planning Board By-Laws

RESOLVED, the Planning Board Operating By-Laws were amended to remove “the Village of Warsaw”.

Ayes: 5

Nays: 0

Cathy Smith, Clerk

Absent/Abstain: 0

Quorum present: X Y N

Town of Warsaw

Adopted February 08, 2023

{SEAL}

Highway report was given by Jeff Royce. There was a brief discussion that the TEAMSTERS agreement has not been given to the highway department. Mr. Royce would like to attend conference in Albany on March 7th & 8th. A motion was made by Dave Mateer and seconded by Travis Jones to approve Mr. Royce’s attendance. Ayes: 5, Nays: 0, Absent/Abstain: 0

A motion was made by Chris Lonneville and seconded by Travis Jones to set up a petty cash fund in the amount of \$100 for the highway department. Ayes: 5, Nays: 0, Absent/Abstain: 0
Resolution 2 of 2023.

**TOWN OF WARSAW
RESOLUTION 2 of 2023**

AMENDING

**PETTY CASH FUND IN THE AMOUNT OF \$100 FOR THE TOWN CLERK AND \$100
FOR THE HIGHWAY DEPARTMENT**

Adopted: February 08, 2023

WHEREAS, 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 08 day of February 08 2023, 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, 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, the Town Board of the Town of Warsaw previously established a petty cash fund of \$100.00 on January 13, 2012 and feels it is in the best interest to establish an additional petty cash fund of \$1000 for the Highway department to be maintained by the Town Clerk as the custodian of the fund; and

WHEREAS, as custodian of the petty cash fund, the Town Clerk will be responsible for handling all petty cash transactions, securing the fund in a locked location separate from other cash drawers, maintaining the record keeping of the fund, regularly submitting vouchers to the town board for auditing, and periodically reconciling the petty cash on hand; and

WHEREAS, the Town Board of the Town of Warsaw previously adopted a Petty Cash Policy to establish internal controls for the petty cash fund of the Town of Warsaw, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Town Board of the Town of Warsaw feels it is in the best interest of the Town to establish the petty cash fund of \$100.00 for the Town Clerk and to establish a new petty cash fund in the amount of \$100 for the Town Highway Department. Each department is to keep their funds separate and assign the Town Clerk as the custodian, and to adopt the proposed Petty Cash Policy.

NOW ON MOTION OF Chris Lonneville, which has been duly seconded by Dave Mateer, therefore, be it

RESOLVED, that the Town Board of the Town of Warsaw hereby establishes the petty cash fund of \$100.00 for the Clerk and \$100 for the Highway Department and assigns the Town Clerk as the custodian of the fund to handle all petty cash transactions, secure the fund in a locked location separate from other cash drawers, maintain the record keeping of the fund, regularly submit vouchers to the town board for auditing, and periodically reconcile the petty cash on hand; and be it further

RESOLVED, that the Town Board amends the previously adopted Petty Cash Resolution with no changes to the petty cash policy.

Ayes: 5

Nays: 0

Absent/Abstain: 0

Quorum Present: X Yes ___ No

Dated: February 08, 2023

[SEAL]

Cathy Smith, Clerk

Town of Warsaw

Community events: Nothing

Correspondence: A motion was made by Steve Perkins and seconded by Travis Jones to authorize Supervisor Ryan to write a letter of support for the Gates House for the Pomeroy Foundation Grant to purchase historic markers. Ayes: 5, Nays: 0, Absent/Abstain: 0

Economic Development: Nothing

A motion was made by Chris Lonneville and seconded by Dave Mateer to accept Carolyn Posts verbal resignation as Town Court Clerk effective February 03, 2023. Ayes: 5, Nays: 0, Absent/Abstain: 0

A motion was made by Travis Jones and seconded by Chris Lonneville to hire Pat Wagner as Town Court Clerk at a pro-rated salaried amount of \$9,199 for the 2023 year. Ayes: 5, Nays: 0, Absent/Abstain: 0

A motion was made by Chris Lonneville and seconded by Travis Jones to approve Resolution 3 of 2023 Retaining Attorney's DiMatteo, Roach and McWhinney as Town Prosecutors. Ayes: 5, Nays: 0, Absent/Abstain: 0.

Resolution 3 of 2023

Retaining Attorney's DiMatteo, Roache and McWhinney as Town Prosecutors

Adopted: February 08, 2023

The Town Board of the Town of Warsaw met at a regular Town Board Meeting at the Town Offices of the Town of Warsaw located at 83 Center Street, Warsaw, New York on the 8th day of February 2023, 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, 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, DiMatteo & Roach Attorneys at Law have served as Prosecutor for the Town of Warsaw for many years, specifically Attorney David M. DiMatteo and Attorney David M. Roach; and

WHEREAS, the Town Board of the Town of Warsaw wish to continue to have David M. DiMatteo, David M. Roach, and Elijah H. McWhinney, serve as the Town Prosecutors for the Town of Warsaw; and

WHEREAS, that the Town Board of the Town of Warsaw feels it to be in best interests of the Town of Warsaw to continue the appointments of David M. DiMatteo, David M. Roach, and Elijah H. McWhinney, as prosecutors on behalf of DiMatteo & Roach Attorneys at Law and the Town; and

NOW ON MOTION OF Chris Lonneville, which has been duly seconded by Travis Jones, therefore, be it

RESOLVED, that the Town Board of the Town of Warsaw feels it to be in the best interests of the Town of Warsaw to continue the appointments of David M. DiMatteo, David M. Roach, and Elijah H. McWhinney, as prosecutors on behalf of DiMatteo & Roach Attorneys at Law and the Town of Warsaw.

Ayes: 5

Nays: 0

Absent/Abstain: 0

Quorum Present: X Yes No

Dated: 8th day of February, 2023

[SEAL]

Cathy Smith, Clerk

Town of Warsaw

A motion was made by Dave Mateer and seconded by Travis Jones to adjourn at 7:10