

## Regular Meeting

The Regular Meeting was held on Tuesday December 12<sup>th</sup>, 2023 at 7:00<sub>pm</sub> in the Boardroom at Havana Glen

**Present:** David Scott – Town Supervisor  
Donna Taber – Councilperson  
Robert Simpson – Councilperson  
Brian Stamp – Councilperson  
Rick Carroll – Building Inspector III

**Absent:** Breana Yessman – Councilperson  
Dana Bailey – Highway Superintendent  
Gloria Stigers – Town Clerk

**Others:** Jim Howell – County Legislature

**Pledge of Allegiance:** Supervisor Scott invited everyone present to stand and join in the Pledge of Allegiance to the Flag at 7:00<sub>pm</sub>

### Resolution #55

#### READING OF MINUTES

On motion of Councilperson Taber, seconded by Councilperson Simpson, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that the minutes from the November 9<sup>th</sup>, 2023 meeting be accepted as read

### Resolution #56

#### PAYMENT OF BILLS

On motion of Councilperson Simpson, seconded by Councilperson Taber, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that Abstract #012 be paid in following manner, after proper audit:

- General: \$7,297.<sup>03</sup>
- Highway: \$15,428.<sup>49</sup>
- Trust & Agency: \$798.<sup>98</sup>

**Guest(s):** County Legislature, Jim Howell, informed the Board on happenings and resolutions being passed at the County level.

### Report of Town Officials and Committee Members:

HIGHWAY: No Report

SUPERVISOR: Supervisor Scott had his report for November 2023 available for the Board to look over

JUSTICE: Justice Tuttle sent over his report for November 2023

CLERK: Gloria submitted her report for November 2023

BUILDING INSPECTOR III: Rick submitted his report for November 2023

LANDFILL: No Report

PLANNING BOARD: Sherry submitted her minutes for November 2023 meeting

**Communications:** Received third quarter Charter franchise fee of \$1,028.<sup>01</sup>. Received Park Project Grant approval letter from NYS Parks, Recreation, and Historic Preservation.

**Unfinished Business:** Supervisor Scott informed the Board that he had met with our attorney, Rob Halpin, regarding the proposed Solar Project. The project company has refused the Towns offer on the Host Agreement; they will come back with their offer. Supervisor Scott also met with Judy Cherry from SCOPED. Judy informed Supervisor Scott that the Solar Company has submitted their application for a PILOT. Judy stated the IDA must accept. Then, the Town, County, and school will meet to decide the amount asked for the

**Regular Meeting December 12<sup>th</sup>, 2023**

**(Unfinished Business Cont'd...)** PILOT. Nothing will be accepted until the Solar Company agrees and pays the host community agreement. Once these two agreements are made, then the project can begin.

**New Business:** All correspondence for resolutions was emailed to the Board Members before the meeting so they could read through everything prior to the meeting.

**Resolution #57**

**BRIDGE PROJECT**

On motion of Supervisor Scott, seconded by Councilperson Simpson, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**BRIDGE NY RESOLUTION BY TOWN OF MUNICIPALITY  
2022 NY Bridge Project funded with BFP Off-System  
STATE Administered  
RESOLUTION NUMBER 57**

**Authorizing the implementation and funding of the costs of a transportation project, which may be eligible for federal-aid and/or state-aid, or reimbursement from Bridge NY funds.**

WHEREAS, a project for the Bridge NY (4) Bridge Replacement (BIN 2216050) Fitzpatrick Hill Road over Tributary to Catharine Creek, Town of Montour, Schuyler County, P.I.N. 6755.71 (the Project”) is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the “Bipartisan Infrastructure Law” (BIL); and

WHEREAS, the Town of Montour will design, let, and construct the Project; and

WHEREAS, the Town of Montour desires to advance the Project by making a commitment of 100% of the costs for Right of Way Incidentals.

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of Montour to pay 100% of the cost of Right of Way Incidentals work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED, that the sum of \$15,000 is hereby appropriated from Bridge Fund [or, appropriated pursuant to \_\_\_\_\_] and made available to cover the cost of participation in the above phase(s) of the Project;

RESOLVED, that the Town Board hereby agrees that the Town of Montour shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the Town of Montour; and it is further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Town of Montour shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

**Regular Meeting December 12<sup>th</sup>, 2023**

**(New Business Cont'd...)** RESOLVED, that the Town of Montour hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Supervisor of the Town of Montour be and is hereby authorized to execute on behalf of the Town of Montour all necessary agreements, certifications, reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and Town of Montour's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this resolution shall take effect immediately.

**Resolution #58**

**BRIDGE PROJECT**

On motion of Councilperson Stamp, seconded by Councilperson Taber, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**BRIDGE NY RESOLUTION BY TOWN OF MUNICIPALITY  
2022 NY Bridge Project funded with BFP Off-System  
STATE Administered  
RESOLUTION NUMBER 58**

**Authorizing the implementation and funding of the costs of a transportation project, which may be eligible for federal-aid and/or state-aid, or reimbursement from Bridge NY funds.**

WHEREAS, a project for the Bridge NY (4) Bridge Replacement (BIN 2216050) Fitzpatrick Hill Road over Tributary to Catharine Creek, Town of Montour, Schuyler County, P.I.N. 6755.71 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS, the Town of Montour will design, let, and construct the Project: and

WHEREAS, the Town of Montour desires to advance the Project by making a commitment of 100% of the costs for Right of Way Incidentals.

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of Montour to pay 100% of the cost of Design work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED, that the sum of \$344,000 is hereby appropriated from Bridge Fund [or, appropriated pursuant to \_\_\_\_\_] and made available to cover the cost of participation in the above phase(s) of the Project;

**Regular Meeting December 12<sup>th</sup>, 2023**

**(Unfinished Business Cont'd...)** RESOLVED, that the Town Board hereby agrees that the Town of Montour shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the Town of Montour; and it is further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Town of Montour shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, that the Town of Montour hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Supervisor of the Town of Montour be and is hereby authorized to execute on behalf of the Town of Montour all necessary agreements, certifications, reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and Town of Montour's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

REOSLVED, that this resolution shall take effect immediately.

**Resolution #59**

**RECYCLING AGREEMENT**

On motion of Councilperson Taber, seconded by Councilperson Simpson, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that the Town of Montour agrees to enter into the one-year Recycling Agreement with the Town of Catharine

**Resolution #60**

**SCT COMPUTERS ESTIMATE FOR UPDATES**

On motion of Councilperson Stamp, seconded by Councilperson Taber, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that the Town agrees to the submitted Estimate from SCT Computers for the suggested updates

**Havana Glen:** Up \$3,992.<sup>03</sup> from 2022

**End-of-Year Meeting:** Wednesday December 27<sup>th</sup>, 2023 at 6:00<sub>pm</sub>

**Next Regular Meeting:** Tuesday January 9<sup>th</sup>, 2024 at 7:00<sub>pm</sub>

**Adjourn:** On motion of Supervisor Scott, seconded by Councilperson Taber, with all-in-favor the meeting be adjourned at 7:48<sub>pm</sub>

*\*In the absence of Town Clerk, Gloria Stigers, the minutes for this meeting were taken by Supervisor Scott\**

Respectfully Submitted: \_\_\_\_\_ Gloria Stigers, Town Clerk