The first regular meeting of the Andover Town Board for 2023 was held on January 10, 2023

**Present:**

Gus Weber, Supervisor

Joe Kent, Deputy Councilman

Matthew Zengerle, Councilman

Mandi Joyce-Phelps, Councilwoman

James Frungillo, Highway Superintendent

Tasha Rossrucker, Clerk

**Absent:** Heather Simon, Councilwoman

**Call Meeting to Order:** Meeting called to order by Supervisor Weber at 6:04 p.m.

**Pledge of Allegiance:** Led by Joe Kent

**Regular Meeting Minutes:** The regular meeting minutes from the December 2022 meeting were reviewed. Motion was made by Mandi Joyce-Phelps and seconded by Joe Kent to approve minutes. **4 Members** **approving, 0 Disapproving, 1 absent Carried**

**Reports**

**Dog Control Officer:**  Report was submitted by DCO, Kevin Waters for month of December. Report was read aloud by Supervisor Gus Weber and reviewed. A motion was made by Joe Kent and seconded by Matt Zengerle to accept the report**. 4 Members approving, 0 Disapproving, 1 absent Carried**

**Highway Report:** Highway Superintendent Jim Frungillo reports that they have been plowing snow, salting the roads. We have gotten quite a bit of ice so far. The guys have been cutting brush and have been working on Davis Hill and Lever Hill. A motion was made by Joe Kent and seconded by Matt Zengerle to accept the report**. 4 Members approving, 0 Disapproving, 1 absent Carried**

The board approved for Jim to go ahead and order a new trailer and 10 wheeler. The 10 wheeler will take up to three years to come in with everything being so backed up. A motion was made by Matt Zengerle and seconded by Mandi Joyce-Phelps to accept the trailer and 10 wheeler**. 4 Members approving, 0 Disapproving, 1 absent Carried**

**Code Enforcement Report:**  No report submitted.

**Town Clerk’s Report**. The December 2022 Clerk’s report was read a loud. The town collected $82.50 total. $77.50 local shares and $5.00 to Ag and Markets and $0.00 to NYS Dept. of Health.Motion was made to accept Clerk’s report by Mandi Joyce-Phelps and seconded by Joe Kent.  **4 Members approving, 0 Disapproving, 1 absent Carried**

**Town Justice Report:** Justice James Ames submitted the December 2022 report which was passed around for the board members to review. A motion was made to accept the Town Justice report by Joe Kent and seconded by Matt Zengerle. **4 Members approving, 0 Disapproving, 1 absent Carried**

**Andover Police Department Report:** A police activity report was submitted by Officer Rumfelt. The report was read aloud and reviewed. A motion was made to accept the Police report by Joe Kent and seconded by Mandi Joyce-Phelps. **4 Members approving, 0 Disapproving, 1 absent Carried**

Town of Andover

Friendship Town Hall

22 E. Greenwood Street

PO Box 777

Andover, NY 14806

Resoluon #

To appoint Timothy J Dannheim

As Assessor for the Town of Andover

WHEREAS, the Town of Andover at the regular Town Board Meeng held on \_\_\_/\_\_\_/\_\_\_\_

agreed to the appointment of Timothy J. Dannheim as the Assessor for the town of Andover,

and; WHEREAS, the term of appointment is a period of six years in accordance with Real

Property Tax Law 310 and will commence on the 1

st

day of October 2019 and connue

through the 30

th

day of September 2025.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Andover does hereby

appoint Timothy J. Dannheim as the Assessor for the Town of Andover for the term

commencing on October 1, 2019 connuing through September 30, 2025.

Vote Taken: Gus Weber/Supervisor --- \_\_\_\_Yes/No\_\_\_\_

Joe Kent/Deputy Supervisor --- \_\_\_\_Yes/No\_\_\_\_

Wayne Grant/Town Council --- \_\_\_\_Yes/No\_\_\_\_

Heather Simon/Town Council --- \_\_\_\_Yes/No\_\_\_\_

Ma>hew Zengerle/Town Council --- \_\_\_\_Yes/No\_\_

**Bills:**

General A Vouchers 1-23 $26,875.70

General B Vouchers 1 $500.00

Highway DA Vouchers 1-2 $13,774.12

Highway DB Vouchers 1-4 $14,565.95

Motion made by Mandi Joyce-Phelps and seconded by Joe Kent to pay the bills as submitted. **4 Members approving, 0 Disapproving, 1 absent Carried**

**Unfinished Business:**

**Association of Towns Report:** The Town designated Joe Kent and Matt Zengerle for the Association of Towns.

**IMA Police Coverage:** The Town of Andover sent the Police Agreement over to the Village for them to sign. The Town of Andover would like to keep the same agreement we have now. A motion was made to accept the IMPA Police Coverage with no changes by Joe Kent and seconded by Mandi Joyce-Phelps. **4 Members approving, 0 Disapproving, 1 absent Carried**

**Town of Andover Police Coverage**

The Inter-municipal Agreement (IMA) is entered into on this 1st day of January, 2023 by and between the Town of Andover, a municipal corporation in the County of Allegany in the State of New York with its offices at 22 East Greenwood Street, Andover, NY and the Village of Andover, a municipal corporation in the County of Allegany in the State of New York with its offices at Main Street, Andover, NY.

A: Legal Basis

This agreement (IMA) is authorized by Article 5-G of the General Municipal Law of the State of New York.

B: Police Service:

1. The Village shall, during the term of this IMA, furnish police service to that area of the Town of Andover’s geographic limits of the Town.
2. The Andover Village Police shall enforce State statutes and all other laws and/or ordinances applicable to the municipality covered by the IMA.
3. The Andover Village Police shall deliver part-time law enforcement to the Town.
4. The Andover Village Police shall provide the police officer(s) and the patrol vehicles(s) to the Town during this IMA. Times of patrol will be determined by mutual agreement between the Village Police and the Town of Andover.

C: Reporting:

The Andover Police Department shall provide to the Town a monthly report of activities occurring during each month in which this IMA is in effect.

D: Coordination:

The Town Supervisor and the Village Mayor shall confer upon matters concerning the delivery of police services by the Village Police to the Town. All such matters will be coordinated by the Andover Village Police.

E: Liability:

The Village Police Department shall assume liability for and secure the Town from all costs on damages for injury to persons on property caused by any employees of the Village Police Department arising of the performance of the IMA.

F: Insurance:

The Village of Andover shall have all insurance policies covering the operations of its Police Department endorsed listing the Town of Andover as an Additional Insured. The Village of Andover shall provide a certificate of insurance to the Town evidencing such insurance.

G: Indemnity:

All Village police officers performing services under this IMA shall be deemed employees of the Village of Andover for the purposes of Workman’s Compensation Law and the Town shall not be responsible for any payments of any benefits there under.

H: Fees:

The Town of Andover under this IMA shall pay the Village of Andover for

services rendered pursuant to this contract as follows:

1. The total sum for services for the fiscal year running from January 1st to December 31st shall be $5,000.
2. This shall be paid ¼ in April for January – March, ¼ in July for April - June, and ¼ in October for July – September and ¼ in December for October – December. An invoice from the Village of Andover Clerk for the amounts in this IMA will be provided to the Town in April, June, September and December on the first business day of these months for payment. The amount during this IMA for these quarterly payments shall be $1,250.00.
3. The fines generated by this IMA for police services shall be transferred from Town A Funds – Fines Collected to B 1520 Revenue.

I: Term:

1. This IMA shall be effective as of the 1st day of January 2023 and shall terminate or the 31st day of December, 2023.
2. In the event that the Town wishes to renew or re-negotiate this IMA, the Town recognizes that it is in the best interest of both parties if the Town notifies the Village of such intentions within a reasonable period of time prior to the expiration of this IMA.
3. This agreement may be terminated at any time by either party upon thirty days written notice to the other party.

J: Authorization:

This IMA is made and executed pursuant of the Town Board of Andover, Adopted 10th January, 2023 and provided by a resolution of approval for the IMA by the Town Board of the Town of Andover, Resolution #2-2023.

**Hazard Mitigation:** Mandi Joyce-Phelps is going to help with the hazard mitigation.

**New Business:**

**Annual Appointment/ Resolution for Organization 2023:** Gus Weber read the Annual Appointment. Some changes were made from last year.

**RESOLUTION #2023-1**

**TITLE: 2023 RESOLUTION OF ORGANIZATION**

The following resolution offered by Joe Kent and Mandi Joyce-Phelps.

**Offered by:** Joe Kent.

**WHEREAS:** It is required by law that The Town Board take certain actions at the beginning of each fiscal year to provide necessary services for the Town, And

**WHEREAS:** Such actions could include appointments, setting stipends, identifying duties, clarifying arrangements, taking oaths of office, and

**THEREFORE:** Let it be resolved:

That the Town Board, Town of Andover shall meet in regular sessions on the second Tuesday of each month at 6:00pm in the Town Office at 22 E. Greenwood Street, Andover, NY and the Town Clerk is authorized to advertise such dates and location for the monthly meeting in the designated newspapers and post on the official bulletin board at the Town Hall.

That the Patriot is designated as the official newspaper, secondary is the Evening Tribune.

That the Community Bank N.A., Wellsville branch, is the designated depository for Town Funds.

That the reimbursement for mileage will be 55 cents (fifty-five) per mile.

That the Town Highway Superintendent may purchase parts and equipment up to $1500.00 without prior Town Board approval.

That all purchases shall be in compliance with the Town of Andover Procurement Policy as adopted by the Town Board on file in the Town Clerk’s office.

That according to law, the Supervisor, Town Clerk or any two board members may call an emergency meeting and is authorized to do so.

The position of Deputy Supervisor is authorized and the Supervisor is authorized to fill the position.

That the Town Highway Employees Rate of pay will concur with the current Union Contract.

That the advance payment of certain claims is necessary to efficiently conduct the Towns fiscal responsibilities. The Supervisor is authorized to pay such bills upon receipt of billing.

That the Town Supervisor, acting as chief fiscal officer for the Town of Andover, may expediently and expeditiously place Town funds in interest bearing accounts, within the guideline of the State of New York Financial Management Policy.

That the Town of Andover continues its participation in the Allegany County Highway Mutual Aid Plan.

That the Highway Superintendent is authorized to receive a clothing allowance of $500.00 (five hundred and ten dollars) and is eligible to collect that by submitting a voucher to the board for such an amount on or before December 1, 2023.

That the Town has the authorization for the Town Officials to attend Official Town and County meetings with mileage and expense paid.

That copier fees shall be at $0.75 per regular copy and $0.25 for Freedom of Information Law Request.

That the Community Center rental fee shall be $40.00 per day plus a $50.00 deposit fee which is refundable to the payee upon inspection of the Community Center by the Town Clerk after the event.

**AND:**

That the following appointments are made:

Historian – Diane Pitts

Registrar of Vital Statistics – Tasha Rossrucker

Deputy Clerk- Amanda Joyce-Phelps

Deputy Registrar of Vital Statistics – Cindy Welch

Court Clerk – Wendy Seeley

Bookkeeper – Cindy Welch

Records Management Officer – Tasha Rossrucker

Janitor – Tasha Rossrucker

Receiver of Taxes – Tasha Rossrucker

Attorney for the Town – Michael Finn

Dog Control Officer – Kevin Waters

Deputy Supervisor – Joe Kent

Town Assessor – Timothy Joe Dannheim (2019-2025)

Building Inspector – Charles Cagle

Code Enforcement – Charles Cagle

Delegate to NYS Association of Towns – Joe Kent, Alternate: Matt Zengerle

Marriage Officer – Steve Walker (2022-2024)

Assessment Review Board- Frank Russell, Cal Densmore, Deb Rossrucker

That the schedule of payments shall be as follows:

Councilman – Quarterly

Justice- Monthly

Justice Clerk – Monthly

Supervisor – Monthly

Assessor – Monthly

Dog Control Officer – Monthly

Bookkeeper – Monthly

Code Enforcement Officer – Monthly

Highway Superintendent, Highway Union Employees, Town Clerk – Bi-weekly

Tax Collector – Annual Amount Budgeted on or about April 1st.

Historian - quarterly

Supervisor Annual Appointments for 2023 shall be

Mr. Zengerle – Co-chairman: Highway Committee, Chairman: Bridge committee, Chairman: Fire and Building Code Committee, Co-Chairman: Fire and Emergency Committee, Co-Chairman: Dog Control Committee, Chairman: Cemeteries Committee, Labor Management Safety Committee Representative - ALTERNATE

Mr. Kent: Deputy Supervisor, Chairman: Highway Committee, Co-Chairman: Equalization and Assessment Committee, Liaison Officer with Andover Village Board, Labor Management Safety Committee Representative-Chairman, Co-Chairman: Cemeteries Committee

Ms. Simon – Chairman: Equalization and Assessment Committee, Co-chairman: Data Processing Committee, Chairman: Parks and Recreation Committee, Co-Chairman: Planning and Economic Development Committee, Co-Chairman: Bridge Committee

Mrs. Joyce-Phelps – Chairman: Fire and Emergency Committee, Chairman: Town Owned Property Committee, Chairman: Data-Processing Committee, Chairman: Planning and Economic Development Committee, Chairman: Dog Control Committee

WHEREAS; The Andover Town Board is required, by the State of New York and Local Employees Retirement System to establish a standard workday for elected and appointed officials, the following is a standard workday for determining days worked reportable for the New York State and Local Employees Retirement System:

ALL ELECTED OFFICIALS: Supervisor, Councilperson, Town Clerk, Tax Collector and Town Justice – five day work week, six hour day and Superintendent of Highways **–** four day work week, ten hour day.

ALL APPPOINTED OFFICIALS: Dog Control Officer, Assessor, Bookkeeper and Code Enforcement Officer – Five day work week, six hour day.

Mandi Joyce-Phelps made a motion and Matt Zengerle seconded the motion to accept the Resolution 2023-1 Joe Kent.

After discussion of the proposal, the Town Supervisor instructed the Town Clerk to call the Roll of the Town Board, which was done with the following results:

Supervisor WEBER – aye

Councilwoman JOYCE-PHELPS – aye

Councilman KENT – aye

Councilwoman SIMON - absent

Councilman ZENGERLE– aye

**Shared Services:** The Town signed a contract for the County for shared services.

RESOLUTION 2023-3

RESOLUTION APPROVING MUTUAL AID AGREEMENT BETWEEN THE MUNICIPALITIES OF ALLEGANY COUNTY, NEW YORK

Offered by: Allegany County Town Highway Superintendents Association

Whereas, the Town Board of the Town of Andover hereby agrees to allow James Frungillo, Highway Superintendent to extend Mutual Aid assistance to another participating municipality within the County of Allegany when requested to do so by such municipality in time of abnormal snow or work conditions. This agreement is subject to the conditions listed in the written agreement.

**Assessments for First Responders:** The Town had someone reach out to us regarding the assessments for First Responders. Supervisor Weber contacted Assessor Joe Dannheim and is looking for more information about this.

Motion made by Joe Kent and seconded by Matt Zengerle to adjourn the meeting for the evening. Meeting adjourned at 7:20 pm. **4 Members approving, 0 Disapproving, 1 absent Carried**

Respectfully submitted,

Tasha Rossrucker

Clerk