The regular meeting of the Villenova Town Board held Nov. 8, 2022 at 1094 Butcher Road, South Dayton NY was called to order by Supervisor Park at 7:00PM after the Pledge to the Flag.

**Present: Yvonne Park - Supervisor**

**Keith Butcher - Councilmember**

**Nathan Palmer - Councilmember**

**Daniel DiStasio - Councilmember**

**Absent:**

**Sarah LoManto - Councilmember**

**Others Present:**

**Pamela Miktuk - Highway Superintendent**

**Donald Michalak - Town Attorney**

**Ken Chase - Consultant – Highway**

**Sue Palmer - Resident**

**Dave & MaryEllen Dayton – Residents**

**Michael Walker - Highway Employee**

**Recording Secretary:**

**Julie Goodway - Town Clerk**

**\*\*\*A MOTION** was made by Dan DiStasio and seconded by Keith Butcher WHEREAS, minutes of the October 12, 2022 meeting be accepted as presented by Town Clerk Goodway.

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**Reports:**

**Pam Miktuk –** Highway Superintendent reports they have been doing shared services with Cherry Creek and Arkwright, Lovers Lane is finished, worked on sluices on N. Hill, rims are on order for the F600. The Oshkosh is still at Boyles could cost over $17,000 to repair, they haven’t found the issue, it may be electrical.

**Ken Chase –** Highway consultant – He hasn’t received a fuel bill in some time and is concerned that there is only $97.10 left in that line. CHIPS has been filed.

**Don Michalak –** Town Attorney – continues his research on abandonment of roads, participated in a webinar conducted by the Association of Towns discussing first amendment auditors.

**Town Clerk –** received and disbursed a total of $177.00 and presented a check in the amount of $136.66 to the supervisor for the portion of town fees collected.

**Justice –** received and disbursed a total of $50.00, presented a check to the Supervisor on Nov. 1, 22.

**\*\*\*A MOTION** was made by Yvonne Park and seconded by Dan DiStasio to close the regular meeting at 7:10 and open the public hearing for the Preliminary 2023 Budget.

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**Jen Dye – Villenova Burial Association** thanked the board for the Town’s support. She thanked the highway department for the assistance in removing debris from tree damage, and adding gravel to the driveway. The Association is grateful for the monetary donations they have received in the past and hope this can continue. She finished by thanking the municipality for all their assistance.

No other public in attendance spoke on the budget, no questions were asked.

**\*\*\*A MOTION** was made by Yvonne Park and seconded by Dan DiStasio at 7:16PM to close the public hearing and reconvene the regular meeting of the board.

**Roll Call – Park, aye – Butcher, aye – Palmer, aye – DiStasio, aye -MOTION CARRIED**

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**\*\*\*A MOTION** was made by Dan DiStasio and seconded by Nate Palmer approving the 2023 Preliminary Budget and adopting it as the final 2023 Approved Budget.

**Roll Call – Park, aye – Butcher, aye – Palmer, aye – DiStasio, aye -MOTION CARRIED**

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**A complete 2023 Adopted Budget can be found in the front of the minute book, the summary is as follows:**

**General Appropriations: $335,673.00, less estimated revenues $88,500.00, less unexpended balance $70,000.00 – the General amount to be raised by taxes - $177,173.00.**

**Highway Appropriations: $617,745.00, less estimated revenues $230,500.00, less unexpended balance $60,000.00 – the Highway amount to be raised by taxes $327,245.00.**

**South Dayton Fire District – amount to be raised by taxes - $112,102.00**

**Total appropriations - $935,418.00 less estimated revenues $319,000.00, less unexpended balance $130,000.00, total amount to be raised by taxes $504,418.00.**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **SCHEDULE OF SALARIES OF ELECTED OFFICERS** | | | | | | | |
|  | **(ARTICLE 8 OF THE TOWN LAW)** | | | | | | | |
|  |  |  |  |  |  |  |  |  |
|  | **OFFICER** | | |  |  |  |  | **SALARY** |
|  |  |  |  |  |  |  |  |  |
|  | YVONNE PARK |  | SUPERVISOR | |  |  |  | 8,400 |
|  | NATHAN PALMER |  | COUNCILPERSON | |  |  |  | 1,200 |
|  | SARAH LOMANTO |  | COUNCILPERSON | |  |  |  | 1,200 |
|  | DAN DISTASIO |  | COUNCILPERSON | |  |  |  | 1,200 |
|  | KEITH BUTCHER |  | COUNCILPERSON | |  |  |  | 1,200 |
|  | PAM MIKTUK |  | HIGHWAY SUPERINTENDENT | | | |  | 35,000 |
|  | RONALD LUCAS |  | JUSTICE |  |  |  |  | 4,050 |
|  | JULIE GOODWAY |  | TOWN CLERK/TAX COLLECTOR | | | |  | 14,500 |

**Reports continued:**

**Supervisor –** Paid all bills, made deposits, completed payroll and issued copes of the financial report to the board as prepared by Bahgat & Laurito Bahgat. The highway re-roof over the end closest to the hall is complete. The cemetery signs are in place, those are part of the historical mitigation project of the Ball Hill Wind Project. A policy regarding tree stump removal was discussed. After discussion regarding the status of the 2012 Ford F350, the board decided to declare the 2012 Ford F350 Pickup/plow and sander surplus and directed the clerk to publish notice of such and

**\*\*\*A MOTION** was made by Yvonne Park and seconded by Nate Palmer declaring the 2012 F350 4X4, 8 cylinder gas with 111,112 miles to include a Fisher Xtreme V Yellow 8’ snowplow minute mount 2 system blade and off-truck kit, hooks up to truck kit, and 1 Salt Dogg Sander by Buyers, Plastic V Sander 6.5’ box, 12 volt system SURPLUS.

**Roll Call – Park, aye – Butcher, aye – Palmer, aye – DiStasio, aye -MOTION CARRIED**

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**\*\*\*A MOTION** was made by Yvonne Park and seconded by Keith Butcher to advertise the Surplus equipment listed above for sale. The Town will accept sealed bids only until December 13, 2022 at Noon for a the 2012 F350 4X4, 8 cylinder gas with 111,112 miles to include a Fisher Xtreme V Yellow 8’ snowplow minute mount 2 system blade and off-truck kit, hooks up to truck kit, and 1 Salt Dogg Sander by Buyers, Plastic V Sander 6.5’ box, 12 volt system. The truck and plow will go as one unit the Salt Dogg Sander will be a separate bid.

**Roll Call – Park, aye – Butcher, aye – Palmer, aye – DiStasio, aye -MOTION CARRIED**

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**\*\*\*A MOTION** was made by Yvonne Park and seconded by Keith Butcher to Modify the 2022 Adopted Budget by General Fund

Increasing Revenue Line A1120 Sales Tax from County by $10,000.00 and

Increasing Expenditure Line A1440.4 Engineer Contractual by $7,000.00 and Expenditure Line

A1620.4 Building Contractual by $3,000.00

Highway Fund

Increasing Revenue Line DA1120 Sales Tax from County by $10,000.00 and

Increasing Expenditure Line DA5130.41 Machinery Fuel by $10,000.00

**Roll Call – Park, aye – Butcher, aye – Palmer, aye – DiStasio, aye -MOTION CARRIED**

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**Pursuant** to Uniform Justice Court Act §2019-a, it is the duty of the Justice to present his records and docket at least once a year to the board for an annual audit. That notice having been presented at the April meeting, the Town Board did conduct an audit of the 2021 court books and docket prior to calling this meeting to order,

**\*\*\*A MOTION** was made by Yvonne Park and seconded by Nathan Palmer WHEREAS the annual audit of the court books was conducted on Nov. 08, 2022 at 6:30PM by Yvonne Park, Supervisor and the present board members, they report no finding. All receipts and disbursements agree with the records that are computer generated and the hand written ledger style receipts book, with corresponding docket numbers and the monthly comptroller reports. Duplicate deposit tickets and receipt books are being utilized and are all accounted for. Bank accounts are reconciled in a timely manner and were checked for accuracy. The monthly reports to the board and comptroller are in compliance with the NYS Comptroller’s Office of Court Reporting.

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**\*\*\*A MOTION** was made by Dan DiStasio and seconded by Nate Palmer WHEREAS General Vouchers #98 – 103 totaling $2,436.88, General Prepays #71 – 77 totaling $8,928.34 and Highway Vouchers #99 – 113 totaling $65,009.23 were submitted, reviewed and approved for payment.

**Roll Call – Park, aye – Butcher, aye – Palmer, aye – DiStasio, aye -MOTION CARRIED**

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**\*\*\*A MOTION** was made by Nate Palmer and seconded by Keith Butcher to accept all department reports as given.

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**\*\*\*A MOTION** was made by Dan DiStasio and seconded by Nate Palmer to accept the final bid on the Sterling, it closed bidding at $19,700.00

**Roll Call – Park, aye – Butcher, aye – Palmer, aye – DiStasio, aye -MOTION CARRIED**

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**\*\*\*A MOTION** was made by Yvonne Park and seconded by Dan DiStasio as follows:

RESOLUTION AUTHORIZING TRUCK PURCHASE

WHEREAS, the Town Superintendent of Highways duly recommends pursuant to the provision of Section 142 of the Highway Law, the purchase of a pick-up truck needed by the highway department before the winter season of 2022-23, and

WHEREAS, the Town Superintendent of Highways reports that ordering a new pick-up truck at this time universally has a delivery date many months well into 2023, or later, and there is currently a near total lack of pick-up trucks available on sales lots that meets the town’s requirements. and that at present all dealers represent that any replenishment of their inventory will not be for months well into 2023, that there is a real potential that any currently available pick-up truck in the dealer inventory will be purchased by a third party before the town could complete the competitive bidding process, and there would be a probable lack of interest by prospective bidders with little or no inventory and inability to meet the necessary delivery date,

WHEREAS, Section 103 subdivision (4) of the General Municipal Law provides for an exception to competitive bidding in the case of an emergency arising from an unforeseen occurrence or condition requiring immediate action which can not await competitive bidding,

Now, therefore,

BE IT RESOLVED, that the town board of the Town of Villenova deems the above circumstances and conditions to constitute an unforeseen occurrence or condition requiring immediate action which can not await competitive bidding,

BE IT FURTHER RESOLVED that the Town Superintendent of Highways is authorized to purchase, in accordance with Article 5-A of the General Municipal Law, including the exception to competitive bidding provided in Section 103 subdivision (4) of the General Municipal Law, the following:

A 2022 Chevrolet Silverado Pick-up 4 X 4 for a maximum price of $51,391.50 with an immediate delivery.

**Roll Call – Park, aye – Butcher, aye – Palmer, aye – DiStasio, aye -MOTION CARRIED**

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**\*\*\*A MOTION** was made by Yvonne Park and seconded by Dan DiStasio to adjourn meeting at 7:37PM.

**Adopted: Park - aye**

**Butcher - aye**

**Palmer - aye**

**DiStasio - aye**

**Respectfully Submitted,**

**Julie Goodway**

**Villenova Town Clerk**