

Village of Leicester

December 4, 2023 Mayor's Meeting With Supervisor-Elect White

CALL TO ORDER: Mayor Briffa called the meeting to order at 12:00 pm.

PRESENT:

Mayor: Barry Briffa

Trustees: Dan Christiano, Ken Rizzo

Clerk-Treasurer: Deborah Beardsley

Deputy Clerk: Sam Bodratti

Residents: Joel Mike, Village of Mt. Morris Mayor; John Yasso, Fire Department President

Mayor Briffa began by stating the Village wants to get along with the Town and the game playing is over and welcomed Supervisor-Elect White.

WATER CONTRACT:

Discussion began regarding resolution of the water dispute between Town and Village which took over 1 year. Town is charging the cost back to customers and is being questioned as to why that was necessary and that would be double billing the customer. Check from the Town of Leicester for water settlement has not been signed or delivered to the Village and there was a comment that the Town is looking for ways in which to meet the expense. Questions remain as to what happened to the money that was collected from the Town customers that should have been paid to the Village for the water used. Multiple Town individuals knew the problem existed and did not then advise of the problem. Supervisor-Elect White agreed he would need to gather the numbers and find out what happened, and it was agreed that it would take some time. Mayor Briffa is upset by the unfairness of the customers in having to shoulder the added debt service.

Joel Mike inquired if the Town shut a valve off and stopped obtaining water from the Village of Mt Morris and instead obtained water from Hemlock. Trustee Christiano said yes without due notice. A letter was received by the Village from the Town stating they were notifying the Village the Town would be shutting the water off, but no definite date was given, and no further notice was provided when they took action.

Mayor Briffa would like to propose a new water contract that is reasonable and have the Town accept water for the Cuylerville residents if possible, at a potential lower cost than currently or what is proposed for the new year. Trustee Christiano states that since the change in supply at his shop he now has a fungus and rust problem due to the water quality over the last 12 months, which has eroded quickly.

Mayor Briffa stated that the water quality from Mt. Morris is "good stuff" and is tested by the Water Operator, which Mayor Mike also stated it gets tested twice, both in Mt. Morris and in Leicester. Mayor Mike asked Trustee Christiano what he thinks is causing the degradation of the quality of the water. Trustee Christiano answered he is at the end of the water line and that his water smells heavily of chemicals. He pays the minimum water usage, and his bill has increased at least 50% over the course of the year. No one at the County Water and Sewer Authority can answer his questions.

Mayor Briffa explained the Village found out about the water being shut off at the Starr Park meter when the meter was read in October 2022 and there was no usage. Mayor Mike questioned if there was any agreement that the Town would notify the Village in "so many days" of the water being shut off. Mayor Briffa stated there was a contract, but no notice when the action was taken, and he feels that is a breach of contract as a 90-day notice should have been given.

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Trustee Christiano stated that four of the five individuals making the change get their water in some way from the Village and thus does not affect them. Only one person out of the many that attended the Town Board meeting was in favor of turning the water over to the County.

Mayor Mike shared that he has good news. It is unknown where the County is with their water upgrades other than they did not get the grant money they wanted. The Village of Mt. Morris can't wait for the County, so they are proceeding forward with their water improvement plan. By the Spring of 2026 they will have 4 of their beds running once funding is received and this administration plans on being in the water business not with the County. Initially thought that going with the County would be the right course of action as it gets the municipality out of the water administration business as far as personalities, administrative problems, regulations problems. However, it seems with the County prices went up and quality went down based on the information provided by Trustee Christiano. Maintaining local control helps maintain control of customers. Mt. Morris completed their sewer plant improvements with the expectation that as sewer lines are laid and it grows throughout the area, they would be the processor of the product. They have applied for extensions and funding.

It is felt that no improvements of water quality have been realized in the Town with the changes made. Trustee Christiano stated that the Town has a sequence of dead-ends, and they need to agree to consistently flush hydrants on some sort of a continual basis and "waste" that water, and unfortunately it seems the Board left the rate stagnant and if they had raised the rate, they would have been able to stem the flushing they were doing. It seems as though, another point hotly contested, in the Public Hearing, they (the Town) stated they had no designated water operator. The Inter-Municipal agreement with the Town for supporting our water distinctly lists the Highway Superintendent as the decision maker for all things water for the Village. Trustee Christiano advised Supervisor-Elect White he likely will need some clarification on that. Mr. White stated after having conversations with a couple Board members, there seems to be a disconnect and he will need to go further to discover where that is happening. Impressions of the Town Board meetings from the past seem to indicate there is no preparation in advance by the Board members and "taking what is fed to them" and working from that based on what the Supervisor wanted. Supervisor-Elect White has many questions and is only able to work on assumptions at this point and needs to get in there to see what is happening.

Mayor Briffa stated that the bottom line is that it takes a while to sit down and work with the Board on various matters. Mayor Mike also advised that if a topic is not on the agenda, it is not discussed. It is learning as you go.

Wrapping up the Water conversation, the Village needs some type of water contract with the Town.

Supervisor-Elect White states that there will be times when both sides do not agree but he feels there is a lot more that can be agreed on than what is happening at the moment. Mayor Briffa states the Village Board wants to work with the Town and get a Water contract and questions the debt added to the Town water bill. Mr. White is looking at different ways to cut the debt down and eliminate it faster.

Mayor Mike discussed ways in which the Village could track the debt service amounts through the water software. The debt service paid to the Village of Mt. Morris will be paid up in 2026 and the Town of Leicester payments to the Village of Leicester will be paid up at the end of 2026 as well. Mayor Briffa would like to keep both of those separate as they are now. It was also discussed that the contract with the Village of Mt. Morris was for 10 years and ends December 2025.

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Supervisor-elect White asked Mayor Mike about the condition of the transition line from Silver Lake. Mayor Mike states it is not in the best condition but they maintain it very well. There has been some opinion on the subject, but that is opinions not fact. The facts are that its working fine and they have plenty of flow. If they need to increase, they have the ability. They could double their capacity if needed. If the Town/Village needs to add customers, they have the ability to assist.

Further discussion took place regarding the County and their funding stream for their original plans for the water infrastructure they were proposing. It was brought up that AKZO funding was meant for the areas directly affected by the mine collapse, and why would other towns get to benefit from that money. And the way that fund is structured the Town should be able to access those funds to improve their water system and it is believed York is doing that with their pump system. The lease between the Town and County was also discussed as the Town still owns the infrastructure and it is leased to the County, and if there are any improvements made by the County, if the Town wants to take the system back, the Town needs to reimburse the County for the improvements. It is felt that that is intended to prohibit the ability of the Town to be able to take the system back. There was an exit clause written into the agreement, but Supervisor-elect White has not seen a final copy of the agreement.

No other questions were asked. Supervisor-elect White states it will take time to get with everyone and determine next steps. Mayor Briffa states there are still Town customers without a water contract.

FIRE DEPARTMENT CONTRACT:

Current contract expires January 1st 2024. The Town Board approved \$26,000 and the Village Board has not approved that amount. The Village Board is asking for an increase.

Fire Department President Yasso states that he looked at the expenses and the Village budget and more than 90% of their calls are within the Town of Leicester vs. the Village. President Yasso calculated a 75% share of expenses to the Town and 25% to the Village. Breakdown of where money is spent, not including Fire Hall maintenance costs but did include telephone, electric, gas because those are items needed to keep trucks, members in business. Included insurance, maintenance of trucks, lines and new equipment. Expenses were broken into that 75/25 breakdown (\$30,500/\$10,195) for approx. \$40,000. A copy of the breakdown was shared with Supervisor-elect White. The Town did not want to pay the whole \$40,000 because it would be Village assets and things done at the fire hall like new furnace, new roof should not be part of their expenses. However, telephone, gas, electric, internet to keep Fire Department going and the Village should not pay for all of that. If the Town were to agree to \$30,500 it would be an 18% increase and that includes 2 sets of gear, which is one of the big things. The rate has been the same since prior to 1999.

Supervisor-Elect White does not understand why this is an argument and feels that the percentage is less than what was requested by another department and feels the contract may be finished even before the end of December now that the Town Board has further information. Discussed the cost of turnout gear is about \$500 for 2 sets and some of the turnout gear the department is now using is 20 years old. Trustee Christiano asked if

it was true that some of the members going to training were told to come back because there gear was outdated, and President Yasso replied yes, that is true. Supervisor-elect White states he looks at a government as having basic foundation stuff, the rest can get filled in as you want, but you need to keep that foundation strong and the Fire Department is part of the foundation. He doesn't see an issue and is unable to promise anything currently. If this does not get resolved this month, he would like to look at it again in January and try to have the Board look at it in another perspective.

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Mayor Briffa is willing to sit down and work it out in the next few months. Supervisor-elect White does not feel the request is unreasonable.

The Village is a subset of the Town. When the Village owned the school building and received rental revenue and the Fire Department was applying for and receiving grant monies for a truck and equipment, the Village then did not request increases to the contract as a good faith measure. Now the need arises to request an increase due to service costs having increased. Trustee Christiano states the biggest thing that needs to be restored between the Town and Village is good faith between the Boards.

INTERMUNICIPAL AGREEMENT:

Last contract signed the Village was charged for use of Town equipment. Village taxpayers pay a hefty Town property tax which in the past was directed to pay for equipment, snow removal and salaries. Current Supervisor has indicated Village taxpayer tax monies goes only for snow removal. By law, no intermunicipal agreement is needed to have streets plowed.

The new contract has paragraph 16 removed regarding payment of equipment. Proposed three-year contract. Also since the County has taken over the water, will the Town Board approve paying for the Highway workers to keep their water licenses or is that a cost the Village would need to pay. If the Village has a water break after January 1, 2024, and the Town Highway workers do not have licenses, the Village will need to contact the Village of Mt. Morris to request assistance which would take longer than reaching out to Highway Superintendent Page. The Village has no information as to when the current licenses expire. The agreement states that decisions are at the discretion of the Highway Supervisor.

Supervisor-elect White states that is something to be addressed January 2, 2024.

Further discussion regarding a water leak was discovered in the park behind Brian's Diner. Two other residences in the Village also have higher than average water usage indicating potential leaks. Water tank still has overflow. Engineer to meet with Village Water Operator to check all valves on Thursday, December 7, 2024.

Discussion about SAM Grant process and the length of time it is taking for an answer.

Mayor Briffa states that the Village is willing to work with the Town. That is why everyone was elected to get along and work together. Supervisor-elect White agrees he has a lot of work ahead. It was asked if Mr. White will have set hours at the Town Hall. He plans having set hours but as yet unsure what they will look like.

ADJOURNMENT: End of meeting: 1:21 pm.

Respectfully Submitted,
Deborah Beardsley
Clerk-Treasurer
Village of Leicester