

**GUILFORD REGULAR TOWN BOARD MEETING  
WEDNESDAY, MARCH 13, 2024, AT 7:00 PM  
TOWN HALL, GUILFORD CENTER  
STATE OF NEW YORK**

Town Board present: Councilmember Terence Ives  
Councilmember Thomas Ives  
Councilmember Matthew Retz  
Supervisor Susan McIntyre  
  
Councilmember Jordan Fleming arrived at 7:09 pm

Officials present: Town Clerk Jodie Ives  
Deputy Town Clerk Gail Hoffman  
Highway Superintendent Robert Fleming

**PUBLIC HEARING MINOR SUBDIVISION ROLFE TAX MAP #222.-1-5.1**

Town Clerk Jodie Ives read the legal notice regarding the public hearing on the Minor Subdivision for E. Rolfe Tax Map #222.-1-5.1.

Supervisor McIntyre declared the hearing open at 7:01 p.m.

Public Comment – No Comments

Supervisor McIntyre declared the Public Hearing closed at 7:01 p.m.

**I CALL TO ORDER**

Supervisor McIntyre called the regular meeting to order at 7:02 p.m.

**II PLEDGE OF ALLEGIANCE**

Councilmember Terry Ives led the Pledge of Allegiance to the Flag.

**III APPROVAL OF MINUTES**

RESOLUTION - Motion to dispense with the reading of the minutes from the February 14, 2024, meeting was moved by Councilmember Tom Ives. Seconded by Councilmember Terry Ives. Ayes: Councilmember Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

RESOLUTION - Motion to approve the minutes of the February 14, 2024, meeting as presented was moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

**IV FROM THE FLOOR** – Speaker One asked regarding the Hometown Heros Banner Program has the Town had discussion regarding paying for the brackets for the signs. Supervisor McIntyre replied that this was discussed at the meeting in February and the town had declined to offer financial support.

**V REPORTS**

**A. SUPERVISOR** – Supervisor McIntyre reported the following:

1. Union items

- Ed Arnold is the new Teamsters' Union representative. Initial contract discussions possibly as early as May.
- PERB mediation/arbitration is closed. It was withdrawn.
- Truck cameras

2. NYSOSC Audit

- The audit has been published online and does include our initial response letter.
- The Board has 90 days to issue a Corrective Action Plan from the audit release date March 8, 2024.

3. Pole Barn

- Comments from the pre-bid meeting necessitated new stamped drawings.
- Cost estimate = materials + 2x to 3x labor = \$180k - \$240k.
- The timeline will need to be revised.

4. Guilford Water Project

- Jeff Fuller, Guilford Water Superintendent – Water meters will be installed for the water system and will allow us to do the lead service line inspections. Lamont Engineers has completed an RFP process for the meters. The two top vendor candidates are Kamstrup and Master Meter. Master Meter is the meter vendor of choice. Communication options will include radio drive by, cellular, fixed station, or manual read options.
- Water samples – Two water samples are available from the Young's property well. One is a raw sample straight from the well and the other has been treated with chlorination. It is important to note that all our water sources will need to be treated with a chlorination agent.
- Water Sources - A well at the Young's property has the needed volume and it does contain sulfur. With chlorination and aeration, the smell would be taken care of. This well would be tied into the system at School Street and a water building would be constructed at the School Street location. Two wells drilled on County 38 on Fleming property near the tank are good quality water but do not produce the volume the Town needs.
- A backup system is required, and the options are to tie in the additional wells on County 38 to the Young's well. This will require an additional water building, another pump, a chlorination system, and additional telemetry equipment. A second well could be drilled on the Young's property and tied into the new system.
- Funding Sources for the Water Project - \$1.5 million in grant funds and \$470,000 loan through EFC that consists of two parts; a short-term construction loan and a long-term loan that would turn into a 30-year bond subsidized at zero percent interest and will be paid by the water district users. The Town's engineer feels the project costs will stay within the budget.
- A speaker from the floor will be very upset if the Town uses a well with sulfur in it knowing that there is good water up the hill on County 38 and suggests drilling 3-4 more wells on County 38 and tie them together to produce the volume needed.
- No decisions will be made this evening. Schedule a follow-up meeting where we can bring in design engineer Brendon Becker of Lamont.
- Lead Service Line Inspection for Mt. Upton – this will need to be done by visitation to the home. Met with Mark Rogers from Rural Water.

5. Guilford Dam status

- Colliers has provided a proposal for the next phase of potential dam work. Pursuing a second opinion from Don Lake, a dam specialist, to review our project and offer his suggestions on how to move forward.

6. Highbridge Wind project
  - Supervisor McIntyre and Highway Superintendent Robert Fleming visited Northland Power at their Bluestone facility in the Town of Sanford.
  - There is a new NYSDEC project manager.
7. Chenango County items
  - County DPW to pave County Road 35 from Gospel Hill to County Road 38.
  - Bridge replacement on County Road 36 (BIN 3350470) was awarded to IW Construction, Inc (Parish NY) for piles and Buckley Excavating, Inc (Sherburne NY) for pre-stressed concrete beams.
8. BAGS landfill quarterly meeting – March 20<sup>th</sup> 4pm, Bainbridge Town Hall.
9. PERMA Safety training opportunities and NYSATA Finance School.
10. AFLAC and Deferred Comp [jennifer\\_boulle@us.aflac.com](mailto:jennifer_boulle@us.aflac.com) and [gene.nescot@nationwide.com](mailto:gene.nescot@nationwide.com) are voluntary benefits available to Town employees.
11. March 23 rabies clinic at Guilford Highway garage.

**B. TOWN CLERK** – Town Clerk Jodie Ives reported the following:

1. A report of the February tax collections was included in the Board packet.
2. The February statistics, Dog Control Officer and Assessor reports were included in the Board packet.

**C. FINANCIALS** - Supervisor McIntyre reported the following:

1. Received final December 2023 and January 2024 financial reports.
2. Received the February 2024 financial report.
3. The Annual Financial Report been filed for the year ending December 31, 2023.

RESOLUTION - Motion to accept the December 2023 financials as presented moved by Councilmember Tom Ives. Seconded by Councilmember Terry Ives. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

RESOLUTION - Motion to accept the January 2024 financials as presented moved by Councilmember Tom Ives. Seconded by Councilmember Jordan Fleming. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

RESOLUTION - Motion to accept the February 2024 financials as presented moved by Councilmember Tom Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

**Proposed Town of Guilford  
Budget Amendments  
For March 2024**

**Town General**

		Remainder
From: A1990.4 Contingent	(\$1500.00)	15,000
To: A1420.4 Attorney Contractual	\$1,500.00	13,500
From: A1990.4 Contingent	(\$4000.00)	13,500
To: A1440.42 Engineer Lake Dam	\$4,000.00	9,500

From: A8664.4 Code Enforcement (\$4,750.00) \$1,250  
To: A8664.1 Code Enforcement Personnel \$4,750.00

RESOLUTION - Motion to accept the proposed budget amendments moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

**D. HIGHWAY** – Highway Superintendent Robert Fleming reported the following:

- a. Met with Highway committee on 3/12/24.
- b. Discussed what to do with White’s Hill.
- c. Having stone hauled in on last year’s bid prices.
- d. Cutting brush on White’s Hill. There are wood chips available.
- e. Rented a sweeper and started sweeping the roads.
- f. Talked with the County regarding the grates on Gospel Hill and CR 38.
- g. The stone bid prices are up fifty cents per ton from last year’s prices.

**E. COMMITTEE REPORTS**

1. **HIGHWAY COMMITTEE** – Councilmember Matt Retz reported the following:

Met to discuss advertising for a full time MEO position.  
White’s Hill repair discussions continue.  
CHIPS funding may see a decrease.  
Highbridge Wind ETA affects highway repairs.

2. **BUILDING COMMITTEE** – Councilmembers Terry Ives and Jordan Fleming reported the following:

Have not met.

3. **PLANNING COMMITTEE**

Chairperson Bob Davis reviewed a simple subdivision request for Elsie Rolfe on Robinson Road, tax map #210.-1-39.1. Only consideration is to note that the driveway is a private drive and no responsibility of the Town.

RESOLUTION - Motion to approve the subdivision request for Elsie Rolfe, tax map #210.-1-39.1, moved by Councilmember Tom Ives. Seconded by Councilmember Jordan Fleming. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion Carries.

Chairperson Bob Davis reviewed a minor subdivision request for Elsie Rolfe on Robinson Road, tax map #222.-1-5.1.

RESOLUTION - Motion to approve the minor subdivision request for Elsie Rolfe, tax map #222.-1-5.1, moved by Councilmember Jordan Fleming. Seconded by Councilmember Matt Retz. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion Carries.

Chairperson Bob Davis reviewed a simple subdivision request for Michael and Pennie Currie on County Road 37, tax map #199.-1-19.1.

RESOLUTION - Motion to approve the subdivision request for Michael and Pennie Currie, tax map #199.-1-19.1, moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion Carries.

RESOLUTION – Motion to create a Guilford Comprehensive Plan Update Task Force; members include the Planning Board, Councilmembers Jordan Fleming and Terry Ives, and Citizen Leota Hendrix moved by Councilmember Tom Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

**VI OLD BUSINESS**

**A. CORRECTING RESOLUTION SENIOR CITIZEN TAX EXEMPTION-DEFINITION OF INCOME** – At the February 14, 2024, the Board passed a resolution regarding the definition of income for the Senior Citizen Tax Exemption.

The Resolution should have read as follows:

RESOLUTION – Senior Citizen Tax Exemption Pursuant to Real Property Tax Law 467 to define Income

WHEREAS, The Town of Guilford Has previously by resolution adopted a partial property tax exemption for persons 65 years of age and older, based on certain income qualifications, pursuant to Real Property Tax Law 467

WHEREAS, The definition of what is considered income for Real Property Tax Law 467 was modified in the 2023-2024 Executive Budget by budget bill S.4009-C

NOW, THEREFORE, be it

RESOLVED, That the Town of Guilford hereby sets the calculation of income for the purpose of the exemption as follows:

INCOME QUALIFICATIONS

(a) The “applicable income tax year” as used herein shall mean the second most recent calendar year.

(b) The term “income” as used herein shall mean the “adjusted gross income” for federal income tax purposes as reported on the applicant’s federal or state income tax return for the applicable income tax year, subject to any subsequent amendments or revisions to Real Property Tax Law 467 (3) (iv); provided that if no such return was filed for the applicable income tax year, the applicant’s income shall be determined based on the amounts that would have so been reported if such a return had been filed; and provided further, that when determining income for purposes of this section, the following conditions shall be applicable:

(1) any social security benefits not included in such federal adjusted gross income shall be considered income;

(2) distributions received from an individual retirement account or individual retirement annuity that were included in the applicant’s federal adjusted gross income shall be considered income and shall not be excluded;

(3) any tax-exempt interest or dividends that were excluded from the applicant’s federal adjusted gross income shall be considered income;

(4) any losses that were applied to reduce the applicant’s federal gross income shall be subject to the following limitations:

(a) the net amount of the loss reported on federal Schedule C, D, E, or F shall not exceed three thousand dollars (\$3,000) per schedule,

(b) the net amount of any other separate category of loss shall not exceed three thousand dollars (\$3,000), and

(c) the aggregate amount of all losses shall not exceed fifteen thousand dollars (\$15,000);

(c) No exemption shall be granted

(1) If the income of the owner or the combined income of the owners of the property for the applicable income tax year exceed the sum provided in Section 3 of this local law.

(2) Where title is vested in a married person, the combined income of such person and such person’s spouse may not exceed sub sum, except where one spouse or ex-spouse is absent from the property due to divorce,

legal separation or abandonment, in which case only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum.

This resolution supersedes all resolutions and local laws adopted by the Town of Guilford in regard to income calculations for the Senior Citizen Tax Exemption pursuant to Real Property Tax Law 467.

This resolution shall take effect immediately and shall apply to the assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2024.

RESOLUTION – Motion to amend the resolution from February 14, 2024, regarding the Senior Citizen Tax Exemption- Definition of Income to reflect the above resolution moved by Councilmember Tom Ives. Seconded by Councilmember Terry Ives. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, Matt Retz. Noes: None. Motion carries.

**B. FCC RADIO FREQUENCY** - County has received additional funding of \$3 million for this project. Supervisor McIntyre met with Matt Beckwith. The Town was offered a talk group. Our Town Board has decided to delay and let the County come back to us and does ask Matt to come in to talk to the Board.

## VII NEW BUSINESS

- A. RESOLUTION SAND, STONE, AND GRAVEL AWARD** – RESOLUTION – Motion to accept the bids for sand and gravel based on whatever quadrant the work is being completed in moved by Councilmember Tom Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries. RESOLUTION – Motion to accept the low bid for delivered 1<sup>ST</sup> 1A, 1B, mixed 1's & 2's, #1 NYS, and #1A NYS from Cobleskill Stone Products with ER Popes secondary and subject to quality assurance testing and picked up 1<sup>ST</sup>, 1A, 1B, mixed 1's & 2's, #1 NYS, and #1A NYS from Cobleskill Stone Products with ER Popes and Lopke secondary moved by Councilmember Matt Retz. Seconded by Councilmember Jordan Fleming. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, Matt Retz. Noes: None. Motion carries.
- B. APPOINT ENFORCEMENT OFFICER** – RESOLUTION – Motion to accept the application from Steven Fox for the position of Enforcement Officer, the appointment will begin on March 15, 2024, and the rate of pay will be an annual salary of \$6,000, prorated in 2024 moved by Councilmember Matt Retz. Seconded by Councilmember Terry Ives. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries. RESOLUTION – Motion to create an Account Code in the General fund for the Enforcement Officer position code A8664.1 moved by Councilmember Tom Ives. Seconded by Councilmember Terry Ives. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.
- C. APPOINT BOARD OF ASSESSMENT REVIEW MEMBER** – We had two applicants for this position. Both candidates were equally qualified, as stated by Eric Carmen, Chairperson of the B.A.R., who conducted the interviews. RESOLUTION - Motion to appoint Michael Scholl to the Board of Assessment Review effective immediately for the remainder of the term to expire on 9/30/2026 moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.
- D. PURCHASE OF TWO HIGHWAY TRUCKS** – RESOLUTION - Motion to amend the resolution from December 14, 2022, regarding the purchase of two Western Star 10-wheel dump trucks. The two trucks will be 2025 Western Star 47X with Everest Equipment Packages and the cost will be \$312,000 each per the Onondaga County pricing Contract #0010914 moved by Councilmember Tom Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

Resolution – Motion to consider factory extended 7-year, 250,000-mile warranties at \$11,260 per truck, \$22,520 total moved by Councilmember Terry Ives. Seconded by Councilmember Tom Ives. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

- E. AUCTIONS INTERNATIONAL ONLINE AUCTION CONTRACT – RESOLUTION –** Motion to accept the Auctions International Online Auction Contract and allow Supervisor McIntyre to sign this contract moved by Councilmember Terry Ives. Seconded by Councilmember Jordan Fleming. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.
- F. PUBLIC OUTREACH SUPPORT CONTRACT –** Public Engagement regarding the Comprehensive Plan update, lead service line inspection, Highbridge activity, road closings, detours, and delays. **RESOLUTION -** Motion to accept the Public Outreach Support Contract with Amber Gray establishing a budget not to exceed \$4,000 for 2024 that will include 5 hours per month at \$65/hour = \$325/month moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

**VIII FROM THE FLOOR –** Speaker 1 regarding the Guilford area and water sources there are few reserves, and few that will perk. He suggests that we do not put a well downstream from a septic service and does not suggest we use the Young's well with sulfur water. Speaker 1 also, regarding the wind farm, the developers did go to the state to get more money and funding.

Speaker 2 would like to sample the water and believes that sulfur water may affect appliances. He would also like an estimate of the costs to the water district users annually to treat with chemicals. In addition, for the new water meters he asks who is paying the bill. Supervisor McIntyre replies that the meter purchase and installation are grant funded and covered by the project. Speaker 2 also asks will there be a cost distributed to the water district payees and the town should be able to offer this number. Lastly, regarding the windmills he asks are they 600 feet tall. Supervisor McIntyre replied that the height has not changed.

Speaker 3 The Northland sale to Invenergy fell through. She asked were they negotiating with any other buyers. Supervisor McIntyre replied not that we know of. Speaker 3 also asked about the changes to the Cold Storage building plans. Supervisor McIntyre replied that the changes were made to insufficient details and no changes were made to the size, structure, or location.

#### **IX AUDIT & PAYMENT OF BILLS**

At an earlier time, General Fund vouchers number 52 – 73 in the amount of \$27,129.67, Highway Fund vouchers number 28 – 44 in the amount of \$33,516.83, Lighting District voucher number 6 in the amount of \$836.43, Mt. Upton Water District vouchers number 16 – 19 in the amount of \$839.99 and Guilford Water District vouchers number 13 – 19 in the amount of \$4,219.97 were audited. **RESOLUTION -** Motion to approve payment of the bills moved by Councilmember Terry Ives. Seconded by Councilmember Tom Ives. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

#### **X ADJOURNMENT**

Being no further business, Councilmember Tom Ives moved to adjourn at 9:16 p.m. Seconded by Councilmember Matt Retz. Ayes: Councilmember Jordan Fleming, Terry Ives, Tom Ives, and Matt Retz. Noes: None. Motion carries.

Respectfully Submitted,

Jodie M. Ives, Town Clerk