

## REGULAR MONTHLY MEETING FEBRUARY 8<sup>TH</sup> 2022

The Regular Monthly Meeting of the Mayfield Town Board was held on February 8<sup>th</sup>, 2022 at the Mayfield Municipal Complex, 28 N. School St. Mayfield NY 12117. The meeting was opened at 6:30 pm by Supervisor Richard Argotsinger with the Pledge of Allegiance.

PRESENT: Supervisor Richard Argotsinger  
Councilman Ralph Desiderio  
Councilwoman Melissa Mazzarelli  
Councilman Jack Putman  
Councilman Thomas Ruliffson

ALSO PRESENT: CEO/BI Damon Curley, Assessor Connie Henry, Highway Superintendent Jeff Martin, Scott Henze, Travis Mitchell, Bob Murphy, Will Murphy, Roberta Ricciardi, Christine Goossens, Michelle Kaplan.

PUBLIC COMMENT: None at this time

### DEPARTMENT REPORTS:

CEO/BI Damon Curley submitted his report stating 6 permits were issued in January. The Planning Boards scheduled meeting for Wednesday, February 16, 2022 has been cancelled. Januarys meeting held the public hearing on the proposed RV Park on Rt. 30 and Woods Hollow Rd. There was a large turnout both for and against the project. The Winneys, after hearing the statements of the public, have decided to make changes to the proposed plan in an attempt to satisfy the publics concerns regarding safety and traffic on Woods Hollow Rd. The next scheduled meeting will be held on March 16, 2022 at 6:00 PM.

2 letters of interest were received for the codes/building inspector position.

The structure formerly known as Pour Jims has been demolished and removed.

The property belonging to Earl Hare has been sold, for a possible 40 unit senior housing complex. Catching up on office work.

HIGHWAY SUPERINTENDENT Jeff Martin submitted his report stating that 1100 tons of salt were used in the first 3 ice storms. Working on trucks to assure they do not break down in bad weather, and fixed the trailer and welded a new tongue on it.

Carl Avery is retiring in April and would like to get started hiring a full time person. Paving checks should arrive in March. Councilman Desiderio rode along with us as we plowed and salted.

Ferguson and Foss have been called multiple times with no response. Inventories have been handed in. Discussion about garbage truck and part time positions.

RES # 44 On motion by Councilwoman Mazzarelli, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board authorizes the advertisement of 1 full time highway worker position effective March 1, 2022.

**SUPERVISOR** Richard Argotsinger gave his report stating that sales tax will be up for 2022 and discussed how sales tax is divided between cities, towns and the county. Petoff Gardens paid the PILOT and has vacancies for the first time. A letter was received from Lance Winney to request a zoning change for his property in Vail Mills.

**RES #45** On motion by Councilman Putman, seconded by Councilman Ruliffson the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

**RESOLVED** that the Mayfield Town Board agrees to send the request to the Zoning Board for consideration of change.

#### OLD BUSINESS

##### American Relief Money

The Town of Mayfield received just over \$500,000.00 from the Federal Government. At the workshop meeting in January, the Town Board of the Town of Mayfield decided to use the money to extend the Vail Mills sewer district. The extension will go to the corner of County Highway 155 and State Highway 30, and run on County Hwy 155 to Petoff Gardens. Travis Mitchell will design the entire thing and has a proposal for design and specs. The contract was forwarded to Town Attorney Carmel Greco and has been approved. The contract agreement is not to exceed \$78,000.00. Lengthy discussion followed.

**RES #46** On motion by Councilwoman Mazzarelli, seconded by Councilman Desiderio the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

**RESOLVED** that the Mayfield Town Board will move forward with the contract and authorizes the supervisor to sign.

#### NEW BUSINESS:

**CEMETERY** – The cemetery caretaker has retired leaving an opening for that position.

Lengthy discussion as to position should be salaried or hourly. The cemetery committee will discuss and have decision at the March 8<sup>th</sup> meeting.

**RES #47** On motion by Councilman Putman, seconded by Councilman Ruliffson the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

**RESOLVED** that the Mayfield Town board will advertise on the website and the clerks board for the cemetery caretaker position with letters of interest due by March 1, 2022.

Cemetery administrator stated that the solar panel has been stolen, and a discussion the cemetery administrator and cemetery committee will take place for lot pricing, grave openings and foundations for stones.

#### HAZZARD MITIGATION PLAN

The Hazzard Mitigation Plan must be in place to receive funds from any FEMA declared disasters.

**RES #48** On motion by Councilman Ruliffson, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

**RESOLVED** that the Mayfield Town Board authorizes the Supervisor to sign the Hazzard Mitigation Plan.

ANNUAL FINANCIAL REPORT UPDATE DOCUMENT (AUD)

RES #49 On motion by Councilwoman Mazzarelli, seconded by Councilman Ruliffson the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board accepts the AUD for auditing purposes.

PARADISE POINT DEVELOPMENT CORP.

Discussion-in 2013 Paradise Point Development Corp requested the Town of Mayfield create a sewer district on Lakeside Dr. (known as Town of Mayfield Sewer District #1 and Town of Mayfield stormwater district No. 1). The owner does not want to fulfill the requirements as requested by the Town of Mayfield and states the homeowners association will take care of all requirements without an established sewer district. CEO/BI Damon Curley stated that several issues and inspections have been overlooked by the owner. Town Attorney Carmel Greco recommends the resolutions No. 79 and 83 of 2013 regarding this sewer district be rescinded.

RES #49 On motion by Councilman Ruliffson, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board will rescind Resolution #79 of 2013.

RESOLUTION NO. 79 OF 2013

RESOLUTION AND ORDER APPROVING THE CREATION OF TOWN OF MAYFIELD SEWER DISTRICT NO. 1

WHEREAS, a written petition, dated January 9, 2013, signed and acknowledged by Paradise Point Development Corp., petitioner, the owner of Lakeview Village at Paradise Point Subdivision, has been presented to and filed with the Town Board of the Town of Mayfield, New York (the "Town") requesting the approval of a Sewer District to be known as the Town of Mayfield Sewer District No.1 (the "District"), as more particularly described in the attached map and plan, and

WHEREAS, a certified copy of the Order of this Board calling for a public hearing thereon, which Order is dated February 21, 2013, was duly and regularly published in the Leader- Herald, the said Town's official newspaper, on March 4, 2013 and was posted according to law, and

WHEREAS, a public hearing duly took place at the Mayfield Town Hall, 28 North School Street, Mayfield, New York on March 21, 2013 at 7:10 P.M., at which time all persons interested in this matter was heard, and

WHEREAS, the proposed action constitutes an unlisted action under Environmental Conservation Law Article 8, and

WHEREAS, the Town Board wished to make a determination of significance in accordance with 6 NYCRR Part 617 of the implementing regulations pertaining to SEQRA, and

WHEREAS, the Town Board has given due deliberation to the hearing and testimony presented and has determined that the formation of the said District is in the public interest;

NOW, ON MOTION DULY MADE, SECONDED AND UNANIMOUSLY ADOPTED by each and every member of the Mayfield Town Board, all of whom were present and voted thereon,

BE IT HEREBY RESOLVED, by the Town Board that it is and hereby is determined as follows:

- (1) The aforesaid petition is signed and acknowledged as provided by law and is otherwise sufficient.
- (2) That all of the property and property owners within the proposed Sewer District are benefited thereby.
- (3) That all of the property and property owners benefited are included within the proposed Sewer District.
- (4) It is in the public interest to establish the proposed sewer District as hereinafter described and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a Sewer District as hereinafter described to be known as the Town of Mayfield Sewer District No.1, the description and boundaries of which are more particularly described in the attached map and plan, and it is further

ORDERED, that each and every expense occasioned by the creation of the said Sewer District shall be borne by the petitioner, since the petitioner shall install all improvements prior to relinquishing control of the said Sewer District to the Town and that the Town shall not incur any such expense prior thereto, and it is further

ORDERED, that once the Sewer District has been constructed by the petitioner and turned over to the Town, the cost for maintaining the District shall be assessed, levied and collected from the several lots and parcels of land within the said District in proportion as nearly may be to the benefit which each lot or parcel of land in said District will derive therefrom, and it is further

ORDERED, that the Town Board hereby determines that the proposed action will not have any significant environmental impacts in the following areas:

- (a) There will be no creation of material conflict with the Town's officially adopted zoning regulations.
- (b) There will be no substantial change in existing air quality, ground or surface water quantity, traffic or noise levels.
- (c) There will be no substantial increase in potential for erosion, flooding, leaching or drainage problems.
- (d) There will be no removal or destruction of large quantities of vegetation or fauna.
- (e) There will be no substantial increase in traffic or the use of existing infrastructure.
- (f) There will be no significant impairment of the character or quality of architectural or aesthetic resources or of the existing neighborhood character, and it is further

ORDERED, that the Town Board hereby issues a negative SEQR declaration, and be it further

RESOLVED, that the Town Clerk be and she hereby is authorized and directed to file a certified copy of this Resolution in the office of the State Department of Audit and Control, at Albany, New York, and in the office of the Fulton County Clerk and the office of the Clerk of the Fulton County Board of Supervisors.

RES #50 On motion by Councilman Putman, seconded by Councilman Ruliffson the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town board will rescind Resolution # 83 of 2013

RESOLUTION NO. 83 OF 2013

RESOLUTION AND ORDER APPROVING THE CREATION OF TOWN OF MAYFIELD STORMWATER DISTRICT NO.1

WHEREAS, a written petition, dated January 9, 2013, signed and acknowledged by Paradise Point Development Corp. petitioner, the owner of Lakeview Village at Paradise Point Subdivision has been presented to and filed with the Town Board of the Town of Mayfield, New York (the "Town") requesting the approval of a Stormwater District to be known as the Town of Mayfield Stormwater District No.1 (the "District"), as more particularly described in the attached map, and plan, and

WHEREAS, a certified copy of the Order of this Board calling for a public hearing thereon, which Order is dated February 21, 2013, was duly and regularly published in the Leader-Herald the said Town's official newspaper, on March 4, 2013 and was posted according to law, and

WHEREAS, a public hearing duly took place at the Mayfield Town Hall, 28 North School Street, New York on March 21, 2013 at 7:20 P.M., at which time all persons interested in this matter were heard, and

WHEREAS, the proposed action constitutes an unlisted action under Environmental Conservation Law Article 8, and

WHEREAS, the Town Board wishes to make a determination of significance in accordance with 6 NYCRR Part 617 of the implementing regulations pertaining to SEQR, and

WHEREAS, the Town Board has given due deliberation to the hearing and testimony presented and has determined that the formation of the said District is in the public interest;

NOW ON THE MOTION DULY MADE, SECONDED AND UNANIMOUSLY ADOPTED by each and every member of the Mayfield Town Board, all of whom were present and voted thereon,

BE IT HEREBY RESOLVED, by the Town Board that it be and hereby is determined as follows:

- (1) The aforesaid petition is signed and acknowledged as provided by law and is otherwise sufficient.
- (2) That all of the property and property owners within the proposed Stormwater District are benefited thereby.
- (3) That all of the property and property owners benefited are included within the proposed Stormwater District.
- (4) It is in the public interest to establish the proposed Stormwater District as hereinafter described, and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a Stormwater District as hereinafter described to be known as the Town of Mayfield Stormwater District No.1, the description and boundaries of which are more particularly described in the attached map and plan, and it is further

ORDERED, that each and every expense occasioned by the creation of the said Stormwater District shall be borne by the petitioner, since the petitioner shall install all improvements prior to relinquishing control of the said Stormwater District to the Town and that the Town shall not incur any such expense prior thereto, and it is further

ORDERED, that once the Stormwater District has been constructed by the petitioner and turned over to the Town, the cost for maintaining the District shall be assessed, levied and collected from the several lots and parcels of land within the said District in proportion as nearly may be to the benefit which each lot or parcel of land in said District will derive therefrom, and it is further

ORDERED, that the Town Board hereby determines that the proposed action will not have any significant environmental impacts in the following areas:

- (a) There will be no creation of material conflict with the Town's officially adopted zoning regulations.
- (b) There will be no substantial change in existing air quality, ground or surface water quality or quantity, traffic or noise levels.
- (c) There will be no substantial increase in potential for erosion, flooding, leaching or drainage problems.
- (d) There will be no removal or destruction of large quantities of vegetation or fauna.
- (e) There will be no substantial increase in traffic or the use of existing infrastructure.
- (f) There will be no significant impairment of the character or quality of architectural or aesthetic resources or of the existing neighborhood character, and it is further

ORDERED, that the Town Board hereby issues a negative SEQRA declaration, and be it further

RESOLVED, that the Town Clerk be and she hereby is authorized to file a certified copy of this Resolution in the office of the State Department of Audit and control at Albany, New York, and in the office of the Fulton County Clerk and the office of the Clerk of the Fulton County Board of Supervisors.

Councilwoman Mazzarelli questioned conflict of interest concerns regarding Councilman Putman, which have been resolved and Councilman Ruliffson serving on the Town Board and Village Board.

#### APPROVAL OF MINUTES – JANUARY 11<sup>TH</sup> AND JANUARY 25TH

RES # 51 On motion by Councilwoman Mazzarelli, seconded by Councilman Desiderio the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board approves the minutes from January 11<sup>th</sup> and January 25<sup>th</sup>.

#### APPROVAL OF WEX PAYMENT

RES # 52 On motion by Councilwoman Mazzarelli, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board approves the payment of the WEX voucher.

#### APPROVAL OF VOUCHERS

RES #53 On motion by Councilman Ruliffson, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board approves the payment of vouchers in the following accounts for Abstract #2 of 2022

A	GENERAL TOWNWIDE	\$ 81,675.17
B	GENERAL OUTSIDE VILLAGE	\$ 6,071.02
DA	HEGHWAY TOWNWIDE	\$132,615.47
DB	HIGHWAY OUTSIDE VILLAGE	\$ 40.97

FIRE DISTRICT #1	\$ 45,200.00
------------------	--------------

**EXECUTIVE SESSION-EMPLOYMENT HISTORY**

RES #54 On motion by Councilwoman Mazzarelli, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board entered Executive Session at 7:30 PM.

RES #55 On motion by Councilman Desiderio, seconded by Councilman Putman the following resolution was adopted 5 AYES (Argotsinger, Desiderio, Mazzarelli, Putman, Ruliffson)

RESOLVED that the Mayfield Town Board exited Executive session at 8:02 PM.

**ADJOURNMENT**

On motion by Councilman Ruliffson, seconded by Councilman Desiderio the meeting was adjourned at 8:03 PM

Nancy Parker  
Town Clerk/RMO