

The February 14<sup>th</sup>, 2023 Town of Tioga board meeting was brought to order at 7:00pm. Present were Councilman Robert Strong, Councilman Gerald Hyatt, Councilman Drew Griffin, Councilman Paul Welch with Supervisor Lewis Zorn presiding. Also present was Highway Superintendent Russell Story and REAP Rep Pat Hansen.

Councilman Strong made the motion to approve the January 10<sup>th</sup>, 2023 board minutes as presented, Councilman Welch seconded, carried. Councilman Strong made the motion to accept the January Planning Board minutes as presented, Councilman Hyatt seconded, carried.

Councilman Strong made the motion to approve the December reports as given, Councilman Hyatt seconded, carried.

Roll call vote:

Councilman Hyatt – Aye	Councilman Strong – Aye
Councilman Griffin – Aye	Councilman Welch – Aye

Supervisor Zorn stated that Code Enforcer Chrzanowski will be putting the bids for the projects out in the March paper that were discussed in December 13<sup>th</sup>, 2022 Board meeting.

Update from Highway Superintendent Story:

- Gravel crushing is completed.
- V-Plow is completed.
- Did repair on the broom. New metal on the blade and over the broom
- Tree removal at the Park is almost completed
- Greg Williams from Sourcewell provided me with two generator quotes. These prices are for the generator only, no installation. A propane 50KW generator for the price of \$35,036.00 and a diesel 50KW generator for \$45,386.00.
- Received quotes with trade-in of the 2020 excavator we currently have. Milton CAT can provide us with a new leftover 2022 for \$96,000.00, Volvo \$125,000.00 and Hyundai \$92,000.00. Volvo and Hyundai wouldn't be available until 2024.

Councilman Griffin made the motion to pay the additional shipping for the playground equipment and park grills that the Grant did not cover, Councilman Hyatt seconded, carried.

Roll call vote:

Councilman Hyatt – Aye	Councilman Strong – Aye
Councilman Griffin – Aye	Councilman Welch – Aye

Councilman Hyatt made the motion to accept the 2023 Stray Haven contract as presented, Councilman Griffin seconded, carried.

Roll call vote:

Councilman Hyatt – Aye	Councilman Strong – Aye
Councilman Griffin – Aye	Councilman Welch – Aye

There was discussion on updating the breakroom. Discussion is tabled until next meeting with the Town Clerk gathering more information.

Councilman Griffin made the motion to accept Resolution #2-2023, Agreement for electronic recycling program between Tioga County NY and the Town of Tioga, Councilman Welch seconded, carried.

Roll call vote:

Councilman Hyatt – Aye

Councilman Strong – Aye

Councilman Griffin – Aye

Councilman Welch – Aye

## **RESOLUTION #2-2023**

### **AGREEMENT FOR ELECTRONIC RECYCLING PROGRAM BETWEEN TIOGA COUNTY NY AND THE TOWN OF TIOGA**

**AGREEMENT** effective February 14<sup>th</sup>, 2023, by and between Tioga County, a municipal corporation, with offices at 56 Main street, Owego, New York, Tioga County and The Town of Tioga offices at 54 Fifth Ave, Barton, New York, hereafter as follows:

#### **Recitals**

**WHEREAS**, Tioga County through its Department of Solid Waste Tioga County has proposed establishing an electronics waste drop off in the Town with the intent to provide a safe, environmentally friendly, and economical method for its residents and municipalities to recycle their electronic waste, and

**WHEREAS**, Said agreement will commence from date written above through December 31, 2023; and

**WHEREAS**, the County will select and directly reimburse a certified electronic recycler which will retrieve and recycle such waste from the Town's site; and

**WHEREAS**, the Town will provide an appropriate location for collection and storage of the electronic waste which may be dropped off by any Tioga County resident; and

**WHEREAS**, the Town will be providing all labor for the collection including separation and storage; and

**NOW THEREFORE**, in the consideration of the mutual covenants, conditions and provisions set forth herein, the parties agree as follows:

1. The Town shall cooperate with the County in promoting the recycling project and shall promote at its Town Hall and on its website.
2. The Town shall have personnel available during hours of operation of the collection, which personnel shall be responsible for the supervision, safety and management of the collection activity.
3. The County shall promptly pay the certified electronic recycler for acceptable electronic waste (see exhibit A) collected at the Town's facility from Tioga County residents.
4. The County will directly invoice the Town at the current rate of \$0.27/lbs. for any charges related to the cost of recycling or disposing of items that were collected by the recycler but are

not listed on exhibit A. The Town will reimburse the County within 30 days of the invoicing mailing date.

5. The Town agrees at all times to maintain the requisite insurance amounts required under the "Tioga County, New York, General Contract and Insurance Specifications" attached as Exhibit B and to provide the County at the time of contract execution with a certificate naming it as a certificate holder and additional insured. If the certificate or insurance policy expires during the pendency of this agreement, the Town will cause a subsequent certificate to be issued showing coverage for the dates required.
6. The Town agrees to the defense and indemnification provisions set forth in Exhibit B which are incorporated as if set forth herein and the parties will each be responsible for providing supervision and workers compensation coverage for their own employees engaged in providing services under this agreement.
7. This agreement may be terminated by either party on no less than 30 days written notice to the other. In the event of termination, a final collection will be scheduled at the Town to retrieve any remaining items.
8. In any action arising between the parties arising out of this agreement, the prevailing party shall be entitled to reasonable attorney fees and court costs.
9. The parties acknowledge and represent that they have the authority to enter into this agreement and that all resolutions to execute this agreement have been passed according to applicable law.

**IN WITNESS WHEREOF**, the parties have executed this agreement as of the date first written above.

Councilman Strong made the motion to pay the General Fund in the amount of \$56,731.80, Councilman Welch seconded, carried.

Roll call vote:

Councilman Hyatt – Aye

Councilman Strong – Aye

Councilman Griffin – Aye

Councilman Welch – Aye

Councilman Hyatt made the motion to pay the Highway Fund in the amount of \$96,718.63, Councilman Griffin seconded, carried.

Roll call vote:

Councilman Hyatt – Aye

Councilman Strong – Aye

Councilman Griffin – Aye

Councilman Welch – Aye

The future of Ayres Rd was discussed.

Potential new Highway Barn locations were discussed.

Councilman Hyatt made the motion to close the public meeting at 8:12pm and open an executive session, Councilman Griffin seconded, carried.

Roll call vote:

Councilman Hyatt – Aye

Councilman Strong – Aye

Councilman Griffin – Aye

Councilman Welch – Aye

Councilman Griffin made a motion to close the executive session at 8:55pm and open the public meeting, Councilman Hyatt seconded, carried.

Roll call vote:

Councilman Hyatt – Aye

Councilman Strong – Aye

Councilman Griffin – Aye

Councilman Welch – Aye

Councilman Griffin made the motion to adjourn at 8:56pm, Councilman Hyatt seconded, carried.

Tiffany Middendorf

Tioga Town Clerk