

SPECIAL MEETING

MOUNT MORRIS TOWN BOARD

August 27, 2026 – 4:00 PM

PRESENT

Supervisor David DiSalvo
Deputy Supervisor Don Huff
Councilmember Nate Guzzardi
Councilmember Karl Schrier
Town Attorney Ed Russell, via telephone
Town Clerk Chelsey Woodworth

Excused:

Councilmember Joseph Rawleigh

Also Present:

Village of Mount Morris Mayor Kelly Bacon
Village Clerk/Treasurer Lisa Torcello
Village DPW Superintendent Chris Young
Bev Falson
Jim Olverd
Sara Yencer
Robert Yencer

Supervisor DiSalvo called the Special Meeting of the Mount Morris Town Board to order at 4:00 PM, followed by the Pledge of Allegiance.

WATER AND SEWER AGREEMENT – VILLAGE OF MOUNT MORRIS

Town Attorney Ed Russell participated in the meeting by telephone and addressed the Board regarding the previously approved Intermunicipal Agreement (IMA) concerning the water transfer.

Attorney Russell advised that, upon further review and in light of recent changes regarding the Intermunicipal Agreement, it was the recommendation of his firm that the Town Board rescind its prior resolution.

Attorney Russell explained that if the Town wished to continue pursuing an agreement with the Village, the parties could enter into a revised, amended, or entirely restated Intermunicipal Agreement. He stated that a new agreement would address the terms and conditions associated with the new requirements being imposed by the State, as well as the costs associated with those requirements.

Attorney Russell further explained that rescinding the prior resolution and proceeding with a new IMA would allow the Town to restart the process and comply with the applicable requirements of Town Law, including the permissive referendum and notice requirements.

Supervisor DiSalvo asked whether the Board had any questions for Attorney Russell. No questions were raised.

A motion was made by Supervisor DiSalvo and seconded by Deputy Supervisor Huff to rescind the resolution adopted May 21, 2026, authorizing the proposed 40-year lease of the Town's water distribution and sewer systems to the Village of Mount Morris.

Vote: Aye 4 (DiSalvo, Huff, Guzzardi, Schrier) | No 0 | Excused 1 (Rawleigh) — **Motion Carried**

Attorney Russell further advised the Board that he would be sending an email with comments regarding the most recent draft agreement received from the Livingston County Water & Sewer Authority (LCWSA) for the Town's review and consideration.

Attorney Russell then concluded his participation in the meeting by telephone.

PROPOSED MEETING WITH VILLAGE BOARD

Following Attorney Russell's departure from the call, Councilmember Schrier made a motion for the Town Board to sit down with the Village Board in an effort to determine whether the two municipalities could reach an agreement.

It was noted that Councilmember Rawleigh would be unavailable until after Labor Day and that potential dates for a meeting would be discussed.

Councilmember Schrier reiterated his desire for the Town Board and Village Board to meet and discuss whether an agreement could be reached. The motion was seconded by Deputy Supervisor Huff.

Vote: Aye 3 (DiSalvo, Huff, Schrier) | No 1 (Guzzardi) | Excused 1 (Rawleigh) — **Motion Carried**

DISCUSSION WITH VILLAGE MAYOR

Before the meeting was formally adjourned, Village Mayor Kelly Bacon approached the Town Board table and provided Board members with copies of email correspondence between herself and members of the Town Board dating back to June regarding the water and sewer matter.

Mayor Bacon stated that she had brought the correspondence because she understood that some Board members had not seen the emails.

Mayor Bacon explained that the information she provided also included the original correspondence from the New York State Department of Environmental Conservation (DEC) to Supervisor DiSalvo dated June 18, as well as correspondence prepared by the Village's engineering firm, MRB Group, and submitted to the DEC.

Mayor Bacon stated that the Village's engineering firm had questioned why changing from wholesale service to retail service would require a new permit and that she had also included the DEC's response.

Mayor Bacon advised Board members that her email correspondence had consistently invited anyone with questions or concerns to contact her. She further noted that her cell phone number was included in her email signature and that Board members could contact her directly.

ADDITIONAL DISCUSSION – LIVINGSTON COUNTY WATER & SEWER AUTHORITY

Mayor Bacon stated that she had attended a Livingston County Water & Sewer Authority Board meeting the previous morning. She stated that, according to information provided to her at that meeting, neither Jason nor the Authority had initially reached out to the Town Board regarding the Town's water customers. Mayor Bacon stated that she had been told Supervisor DiSalvo had contacted the Authority.

Mayor Bacon further stated that she had recorded the Authority meeting and offered to make the recording available to anyone who wished to hear it.

Supervisor DiSalvo responded that Jason had called him and that the matter was subsequently brought before the Town Board. Supervisor DiSalvo stated that the Board discussed whether it wanted to receive a proposal from the County and agreed to do so.

Mayor Bacon stated that she had previously understood, based upon conversations and statements made at a public Board meeting, that the Authority had pursued the Town. She stated that representatives of the Authority had indicated at their meeting that they did not have an interest in intervening or taking customers away from the Village.

During the continuing discussion, there was some uncertainty as to whether the Special Meeting had already been formally adjourned. It was clarified that the formal adjournment had not yet occurred.

ADJOURNMENT

A motion was made by Councilmember Guzzardi and seconded by Councilmember Schrier to adjourn the Special Meeting.

Vote: Aye 4 (DiSalvo, Huff, Guzzardi, Schrier) | No 0 | Excused 1 (Rawleigh) — **Motion Carried**

The Special Meeting was adjourned at 4:04 PM.

DISCUSSION FOLLOWING ADJOURNMENT

Following the formal adjournment of the Special Meeting at 4:04 PM, individuals in attendance remained and continued an informal discussion. No further motions were made and no action was taken by the Town Board.

Respectfully submitted,

Chelsey Woodworth
Town Clerk