

## February Regular Meeting

Minutes of the Regular Meeting of the Parish Town Board held February 19, 2009 at the Village Gym. The meeting was called to order by Supervisor Stelmashuck at 7:00 p.m.

**Present:** Stephen Stelmashuck, Supervisor  
Mary Ann Phillips, Councilor  
Robert Frederick, Councilor  
Douglas Jordan, Councilor  
Dale Chapman, Councilor  
Kelly Reader, Parish Town Clerk

**Excused:** Zackary Schryver, Youth Rep.

**Also Present:** L.J. Harvey, Fire Chief; John Dunham, Assist Fire Chief; Carl Dayger, Hwy Sup't; Kathy McGaffick, Bookkeeper; Mary LaFlair, Deputy Interim DCO; Bob Genant, Town Attorney; Paul Gage, Planning Brd Member; Dan Dalin, Village Trustee/Chamber President; Karen Gage, BAR Member; Paul Baxter, Tug Hill Rep.; Sandy Mensch, Mary Anne Pelkey, David Fadden, Doug Houghton, Ed Pernisi, Christmas Assoc. Rep. Jason Lamb, Christmas Assoc. Attorney; Dick Palmer, American Legion Commander; Lynn Palmer, Lynn Wood, and Steven Scott.

### APPROVAL OF MINUTES:

**December 29<sup>th</sup>, 2008 Public Hearing Minutes:** A motion was made by Councilor Phillips, seconded by Councilor Chapman to approve the Minutes of the December 29<sup>th</sup>, 2008 Public Hearing Minutes as received. Roll taken...motion carried.

**December 29<sup>th</sup>, 2008 Special Meeting:** A motion was made by Councilor Chapman, seconded by Councilor Phillips to approve the Minutes of the December 29<sup>th</sup>, 2008 Special Meeting as received. Roll taken...motion carried.

**2009 Organizational Meeting Minutes:** A motion was made by Councilor Chapman, seconded by Councilor Jordan to approve the Minutes of the 2009 Organizational Meeting as received. Roll taken...motion carried.

**January Regular Meeting Minutes:** A motion was made by Councilor Chapman seconded by Councilor Frederick to approve the Minutes of the 2009 Regular January Meeting Minutes as received. Roll taken...motion carried.

### SUPERVISOR'S REPORT:

**Supervisor's Report:** The Supervisor's Report was reviewed by the Board and filed with the clerk.

**March Calendar:** The March Calendar was presented to the Board and Supervisor Stelmashuck noted the following events and dates:

March 8<sup>th</sup>-Daylight Savings Time.

March 18<sup>th</sup>-Village Elections

March 20<sup>th</sup> -Town of Parish Day

March 22<sup>nd</sup>-Cub Scout Pine Wood Derby

March 25<sup>th</sup>- Rescheduled Village Board Meeting

March 26<sup>th</sup>-Tug Hill Conference

**Revenue Reports:** The General Revenue and Justice Reports were reviewed by the Board and filed with the clerk.

**Payroll Reports:** The Payroll Report was reviewed by the Board and filed with the clerk. The 2008 Payroll Report was submitted for review. There were 43 individuals for 2008 for the amount of \$386,703.84.

### COMMITTEE REPORTS:

**Fiscal Oversight Report:** No Report

Supervisor Stelmashuck stated that he would have the committee audit the Supervisor's Petty Cash at the end of March.

**Assessor Selection Committee:** Councilor Chapman stated that six candidates have applied for the position of Sole Assessor. Interviews are scheduled for next week. A motion was made by Supervisor Stelmashuck, seconded by Councilor Jordan to re-advertise for the position if none of the six candidates are acceptable for the position. Roll taken...motion carried.

**Joint Municipal Water Committee:** No Report.

**Recreation Coordinator Report:** Vacant

The Village has appointed two Trustees to the committee:  
Trustees Lewis and Allardice

The representatives from the Town are Councilor Phillips, Councilor Frederick and Zack Schryver, Youth Rep.

The committee will meet with Mary Lou Guindon to prepare a job description for a Rec. Coordinator.

**Municipal Bldg Committee:** No report at this time. Supervisor Stelmashuck requested to be added to the committee and stated he would be willing to meet with the committee members separately to avoid a violation of the "Open Meetings Law".

**REPORTS:**

**Legislator's Report:** No Report at this time.

**Hwy Report:** Hwy Sup't Dayger submitted a quote for a 2009 International Plow Truck on NYS Contract for the amount of \$156,536.00 on a five year lease with a 5 year extended warranty for the amount of \$2,826.00. Hwy Sup't Dayger stated that he would like to stay with International Trucks as they have had good luck with the International and the parts are interchangeable with the rest of the fleet.

A motion was made by Supervisor Stelmashuck, seconded by Councilor Frederick to approve purchase of a 2009 International Plow Truck on NYS Contract on a five year lease for the amount of \$156,536.00 with an extended warranty for the amount of \$2,826.00. Roll taken...

Councilor Phillips-Aye      Councilor Jordan-Aye      Supervisor Stelmashuck-Aye  
Councilor Frederick-Aye      Councilor Chapman-Aye  
motion carried.

A motion was made by Councilor Chapman, seconded by Councilor Jordan to advertise to place a 1988 Ford Ten Wheel Dump Truck with Plow Harness, as is, out on bid. Roll taken...motion carried.

**Assessors' Report:** Interim Assessor Webster submitted a written Assessor's Report. Mr. Webster is holding Assessor's hours on Thursday evenings from 7:00 p.m. to 9:00 p.m.

**CEO/ZEO Report:** CEO Babcock submitted a written CEO/ZEO Report for January, 2009. CEO Babcock reported that the codes Dept. has been slow but Zoning issues have been very busy. CEO Babcock also stated that he has been assisting the Assessor with building permit information.

Councilor Phillips asked about the Zoning Violation on the end of Co Rt. 38 and St. Rt. 104.

CEO Babcock stated that he has been busy with Zoning issues but he would get with the Town Attorney to pursue the issue.

**DCO Report:** Interim Deputy DCO LaFlair submitted a written DCO Report for January 2009. Deputy DCO LaFlair stated that they took the position over on January 26<sup>th</sup> and has picked up 6 dogs in the Town of Parish.

Deputy DCO LaFlair also discussed agencies that they are connected with in relation to dog adoption.

**Planning Board Chair Report:** Planning Board Minutes were submitted for the Board's review.

Paul Gage, Planning Board Member stated that they are working on updating the Comprehensive Plan and will be working on updating the subdivision Laws for the Village.

**Fire Chief's Report:** Fire Chief Harvey gave the Fire Chief's Report for January 2009.

**Rec. Coordinator's Report:** Position Vacant.

Dan Dalin, Chamber President stated that Irish Days will be held on March 14<sup>th</sup> & 15<sup>th</sup>.

**Correspondence, Communications & Petitions:**

Letters from Time Warner Cable.

Notice from Clerk of Legislator-Dog Quarantine.

December Economic Task Force Minutes.

Information on Municipal Consolidation from Attorney Genant.

**MEETING OPEN TO THE PUBLIC:**

Dick Palmer, American Legion Commander stated he wanted to commend the Town Board for appointing Martin Webster as Interim Sole Assessor.

Mr. Palmer expressed concerns regarding Real Property Law #328 regarding Sole Appointed Assessors and the process and procedures to adopt a Sole Appointed Assessor position. Mr. Palmer stated that according to the information he received the Town Board did not follow proper procedure when establishing a Sole Appointed Assessor Position. Mr. Palmer stated that according to the information that he obtained the elected assessors are eligible to remain in office until December 31, 2009. Mr. Palmer stated that the Local Law was not filed with the Secretary of State until January 2<sup>nd</sup>, 2009 and therefore the law would not go into effect until January 1<sup>st</sup>, 2010.

Supervisor Stelmashuck stated that Attorney Genant would research the information for a definitive answer.

Paul Baxter, Tug Hill Rep. stated a workshop will be held in West Monroe at the Town Hall on February 26, 2009 at 7:00 p.m. on Planning Board Issues and ZBA Basics.

Also, Paul Baxter provided information for clarification on Official Minutes. The information provided indicated that Minutes are official even if they are not approved by the Board.

Paul Baxter also reported on the Town of Parish Website and had compiled information providing statistics.

**MEETING CLOSED TO THE PUBLIC.**

**OLD BUSINESS:**

**Approve a Grant Writer:**

1. Ross Gullo
2. DBS Planning Consultants
3. Peter Clough, Four Point Construction Management & Consulting

A motion was made by Councilor Jordan, seconded by Councilor Phillips to appoint DBS Planning Consultants as the Town's Grant Writer. Roll taken...motion carried.

**Interview and/or Approve an External Auditor:**

1. Frank J. Basile CPA's-New Hartford
2. The Bonadio Group-Syracuse
3. Green & Seifter-Syracuse

A motion was made by Councilor Chapman, seconded by Councilor Frederick to appoint Frank J. Basile, CPA's contingent that at least three positive references are provided. Roll taken...motion carried.

**Establishing a Parish Constabulary:** A motion was made by Supervisor Stelmashuck, seconded by Councilor Jordan to hold a workshop on March 19<sup>th</sup>, 2009 from 5:00 p.m. to 6:30 p.m. prior to the Regular March Meeting to discuss establishing a Constabulary. Roll taken...motion carried.

**Special Counsel to Definitively address BAR Issues, Ethics Issues and Payroll**

**Information Issues:** Only one counsel responded.

A motion was made by Councilor Jordan, seconded by Councilor Chapman to appoint Scott Chatfield, Attorney as Special Counsel to the Town of Parish. Roll taken...motion

carried.

**Vacancy of Clerk to the Planning Board, ZBA, and BAR:** No response.

**Town Property in Happy Valley:** Supervisor Stelmashuck reviewed information from Christmas Associates. The Town had requested \$2,500 from the McCarthy's and a counter offer was made for \$500.00 to the Town for conveyance of the property. Mr. Lamb, Christmas Associates Attorney stated that the taxes had been paid on the property for the past seventy years and litigation would be more costly if this matter can not be settled.

A motion was made by Supervisor Stelmashuck, seconded by Councilor Jordan to convey interest of the Town's Property on Churchill Road to the McCarthy's for the sum of \$500.00 with Attorney Genant drawing up the legal paperwork.

Roll taken...

Councilor Phillips-Nay            Councilor Jordan-Aye            Supervisor Stelmashuck-Aye

Councilor Frederick-Nay        Councilor Chapman-Aye

motion carried.

**Moving Assessors Office to Municipal Offices:** It was the consensus of the Town Board to obtain additional quotes as only one quote was received from Ianuzi Office Supply for \$2,630.75.

Councilor Jordan suggested that the Board contact Griffiss Air Force Base to inquire if they have any surplus office petitions.

#### **NEW BUSINESS:**

**Filling Dog Control Officer and Deputy Position:** It was the consensus of the Town Board to table discussion until Executive Session.

#### **APPROVAL OF BILLS:**

**General Fund:** A motion was made by Supervisor Stelmashuck, seconded by Councilor Frederick to approve the claims to the General Fund those being claims #33 to #83 with claim #59 changed to \$257.00 and claim #60 changed to \$544.50 for a total warrant of \$21,354.55.

It was the consensus of the Town Board to table approving the claims to the General Fund until Executive Session as there were some questions.

**Highway Fund:** A motion was made by Supervisor Stelmashuck, seconded by Councilor Phillips to approve the claims to the Highway Fund those being claims #21 to #45 excluding claim #26 as it is a duplicate payment for a total warrant of \$25,420.39. Roll taken...motion carried.

#### **EXECUTIVE SESSION:**

A motion was made by Supervisor Stelmashuck, seconded by Councilor Phillips to enter into Executive Session after a 10 minute recess at 8:35 p.m. to discuss Contract Negotiations with the Teamsters Union and the employment history of particular employees. Roll taken...motion carried. CEO Babcock, Attorney Genant, and Bookkeeper McGaffick were invited to attend Executive Session.

A motion was made by Councilor Stelmashuck, seconded by Councilor Chapman to postpone Executive Session for 10 minutes to hear comments from Dan Dalin, Chamber of Commerce President. Roll taken...motion carried.

Chamber President requested the Board authorize \$500.00 from the Recreation Contractual to help with the expenses for the Irish Days Celebration.

A motion was made by Councilor Chapman, seconded by Supervisor Stelmashuck to authorize \$500.00 from the Recreation Contractual to help with the Irish Days Celebration expenses. Roll taken...motion carried.

A motion was made by Councilor Chapman, seconded by Councilor Jordan to adjourn from Executive Session at 10:10 p.m. Roll taken...motion carried.

A motion was made by Supervisor Stelmashuck, seconded by Councilor Chapman to approve the claims to the General Fund, those being claims #33 to #83 excluding claim #68 for a total warrant of \$21,117.59. Roll taken...motion carried.

A motion was made by Supervisor Stelmashuck, seconded by Councilor Chapman to formally request the Highway Superintendent take over active maintenance of Merrill Park. Roll taken...motion carried.

A motion was made by Supervisor Stelmashuck, seconded by Councilor Chapman to reduce the amount of the Town Board's Petty Cash Fund from \$300.00 to \$200.00 established for coffee, etc. Roll taken...motion carried.

A motion was made by Supervisor Stelmashuck, seconded by Councilor Phillips to authorize an additional 100 hours for Records Retention Clerk, Linda McNamara. Roll taken...motion carried.

A motion was made by Councilor Chapman, seconded by Councilor Phillips to authorize Records Retention Clerk, Linda McNamara to attend the Tug Hill Conference in March. Roll taken...motion carried.

A motion was made by Councilor Chapman, seconded by Supervisor Stelmashuck to appoint Michael LaFlair as DCO and Mary LaFlair as Deputy DCO for the Town of Parish. Roll taken...motion carried.

Discussion was held regarding Town ID Cards. Supervisor Stelmashuck will look into APW supplying lanyards for ID Badges.

Discussion was held regarding Lollipop Farms. Supervisor Stelmashuck will look into the Board conducting an onsite visit to facility.

A motion was made by Councilor Chapman, seconded by Councilor Jordan to adjourn at 10:21 p.m. Roll taken...motion carried.

Respectfully submitted,

Kelly Reader  
Parish Town Clerk