

REGULAR MEETING

Regular Minutes of the Parish Town Board held June 20th, 2019 at 2938 E. Main Street, Parish NY in the Village Gym. The Meeting was called to order by Supervisor Phillips at 6:30 pm..

PRESENT:

John Dunham, Councilor
Doug Jordan, Councilor
G.R. Horning, Councilor
John Horning, Councilor
Mary Ann Phillips, Supervisor
Kelly Reader, Town Clerk

ALSO PRESENT: Bob Genant, Town Attorney; Ron Horning, Carol Ann Horning, Jim Bernys, CEO; Dale Chapman, John Fadden, Robin Eaton-Novak, Jeff Dickerson, Jack Rucynski, Diane Spaziani, Eric Pond, B&L; Gary Wood, Shenvalee Lee, Paul Gage, Karen Gage, Charles Johnson, Mike Salazzo, Michelle Forsyth, and Tammy Miller, McFee Ambulance Rep; Paul Baxter, Tug Hill Rep.; and Bernie Horning, Deputy Supervisor

SUPERVISOR'S REPORT:

Supervisor Phillips read a Supervisor's Report regarding her opinion of how the Town Board's Meetings have been run in the past. Supervisor Phillips expressed her displeasure of the conduct of some of the Board Members and some members of the public at meetings. In the past the Supervisor explained that she has tried to run the meetings by Robert Rules of Order. The Supervisor does not feel this has happened. Supervisor Phillips expressed her opinion of how the Town Clerk's performs some of her job duties. The Supervisor is in disagreement with the way the Town Clerk assigns account codes to claims for payment and does not agree with the Minutes that are presented to the Board. A constable was present as Supervisor Phillips would have anyone not recognized by the Supervisor or being disruptive escorted out of the building.

The Supervisor read a statement instructing the public to refrain from personal attacks and insults directed at any individual or group. We request that attendees show respect for all speakers, including Councilors showing the same respect.

MEETING OPEN TO THE PUBLIC:

Jack Rucynski spoke in regards to personal attacks. Mr. Rucynski felt that the Supervisor Phillips had made personal attacks against Councilor Jordan and the Town Clerk. Mr Rucynski stated that you can not have the rules both ways as it only works one way. Mr. Rucynski stated that it was a Town Board with five equal votes. Mr. Rucynski does not think that Supervisor Phillips recognizes that.

Supervisor Phillips thanked Mr. Rucynski for his comments.

Gary Wood stated that he would like to second Mr. Rucynski's opinion. Mr. Wood stated that he thought that the supervisor was very disrespectful and unprofessional on the comments made at the beginning of the meeting. Mr. Wood did not think it was appropriate at all and thought it shows that Supervisor Phillip's conduct as Supervisor should be in question.

Supervisor Phillips responded that she would not address Mr. Wood's conduct or others at past meetings as being appropriate or not because those are the ones she is referring to.

Supervisor Phillips wanted Mr. Wood to be aware of that.

MEETING CLOSED TO THE PUBLIC.

APPROVAL OF BILLS:

Budget Transfers: A motion was made by Councilor Dunham, seconded by Councilor J. Horning to approve the Budget Transfer Modifications as presented. Roll taken...motion carried.

The BAR Chair Position was supposed to be \$325.00 in the Organizational Meeting Minutes. The BAR Members were suppose to be \$150.00 each. It was an oversight on the Supervisor's end. This is included in the Budget Transfers.

General Fund: A motion was made by Councilor Dunham seconded by Councilor J. Horning to approve the Revised Abstract presented by the Supervisor eliminating claim #123 for the amount of \$7,920.00 from Barton and Loguidice and approving the A Fund-those claims being #124-#162 with the exception of General Fund B claim #'s for a total warrant of \$28,829.93. Roll taken...motion carried.

A motion was made by Councilor J. Horning, seconded by Councilor G.R. Horning to approve the Revised Abstract presented by the Supervisor approving the B Fund- those claims being #137, #153, #158, #160, and #162 for a total warrant of \$795.28. Roll taken...motion carried.

Highway Fund: A motion was made by Councilor Jordan, seconded by Councilor J. Horning to approve the revised Abstract presented by the Supervisor for claims #098-#111 for a total warrant of \$61,740.22. Roll taken...motion carried.

SUPERVISOR'S REPORTS:

The Supervisor's Report, Revenue & Expenditure Reports were presented to the Board through May, 2019.

The 2018 final draft has been completed for the Town's books and balanced.

The 2018 final draft was presented to the Board.

The Final Annual Report for 2018 has been completed and presented to the Board.

The Supervisor and Bookkeeper will be working on the AUD (Annual Update Document).

REPORTS:

Hwy Report: Hwy Sup't Petit submitted a written Hwy Report and was excused.

Assessor's Report: Assessor Lopitz submitted a written Assessor's Report and was excused.

CEO Report: CEO Bernys submitted a written CEO Report.

Justice Report: Justice Dayger submitted a written Justice Report.

Town Clerk's Report: Clerk Reader submitted a written Clerk's Report.

DCO Report: DCO Spriggs submitted a written DCO Report.

Tug Hill Report: Paul Baxter gave the Tug Hill Report.

OLD BUSINESS:

Water Project Bond Resolution:

B&L Water Update:

Eric Pond gave a Water Update: Mr. Pond gave an update at the Joint Meeting on June 13th, 2019.

The Special Legislation for Water Project District 1 has passed the Senate.

Mr. Pond had not heard if it has passed through the Assembly.

Supervisor Phillips thought it had passed through the Assembly.

Mr. Pond gave an update that everything has been processed. The Water District has been formed, the SEQR Process has been completed, Bond Counsel is in place and everything is ready to go to submit the WIIA Grant and any other grant applications that the Town and Village are eligible for. The next step is passing a Bond Resolution. The Bond Resolution authorizes the Town to borrow money on Water District 1's behalf 9.2. million dollars.

The amount for the Bond Resolution is always the entire amount. However, that does not mean that the entire amount would be borrowed.

Discussion was held that the Board would not move forward with the water project unless grants were not received.

Mr. Pond explained that we did not receive a grant because a complete grant application was not submitted. There were some pieces missing. This is the next step that is required for the grant application.

Bond Resolution:

Discussion was held that there were two typos in the Resolution.

A motion was made by Councilor Dunham, seconded by Councilor Jordan to adopt a Bond Resolution of the Town of Parish authorizing the issuance of \$9,200,000 Aggregate Principal Amount of Serial General Obligation to Finance the Construction and Installation of a Water Supply and Distribution System for the Village/Town of Parish Water District 1 at an estimated Maximum cost of \$9,200,000 Levy of Tax in annual installments in payment thereof, the expenditure of such sum for such purpose, and determining other matters in connection therewith. Including the following changes below

#1 Date needs to be changed from June, 13th, 2019 to June 20th, 2019.

#2 Section 7-Language needs to be eliminated in reference to “The President of the Board of Education is here authorized to sign” with the correction that it should state The Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution.

Roll taken...

Councilor: Dunham: Aye Councilor G.R. Horning: Nay

Councilor Jordan: Aye Councilor J. Horning: Nay

Supervisor Phillips: Aye

motion did not carry as a Super Majority was needed to pass the Resolution-4 of 5.

Supervisor Phillips asked if she could ask the Councilors that did not support the Resolution why they did not support the vote?

Councilor J. Horning felt that the Town is not in good financial shape to take on more debt.

There are many things that are needed, road repair, replacement of the roof on the highway garage, and enough property to store the Town’s Hwy Equipment.

Councilor J. Horning felt that the Town should be saving.

Councilor G.R. Horning expressed concern regarding the Town’s debt and the fact that we had to borrow money and that we are already paying back a Town debt.

Councilor G.R. Horning was concerned that we are going to burden the taxpayers with more debt.

Councilor Dunham explained that we have to pass the Bond Resolution to see if we get the grants.

If we don’t get it this year we have to reapply again next year.

If the application is delayed the cost could increase 10% each year.

The Water District Vote was discussed, 2-1 voted and the people that voted in that district want water.

The upfront costs still have to be paid back, the Engineers, Bond Counsel, and all costs related to the submission of the grant application.

The costs have to be paid back by those that live in Water District 1 regardless if the grant application is submitted or not.

Eric Pond explained that the Water District is a Special District and sometimes it’s hard to separate a Special District and the Town’s general business. They are separate.

CEO Bernys asked if the Town still had to pay the cost back if we don’t move forward.

The response was that only those that live in Water District 1 and it has to be paid back regardless if we move forward or not.

The guesstimate was around \$60,000 that would have to be paid back.

Jack Rucynski spoke in regards to the Water District and the election. Jack was aware of that the entire project was 9.2 million that was needed to fund the project. He was aware for the next 30 years the Water Project to be paid for. He is having a hard time understanding that they are not distinguishing between the two budgets. Mr. Rucynski wants water.

He felt that Councilor G.R. Horning and Councilor J. Horning has the right to vote the way they did, however he thinks they are wrong.

Councilor J. Horning expressed concerns regarding not receiving the grants with the first application submission.

Jack Rucynski stated that there were five points that we needed to complete the grant. If the Bond Resolution is not approved tonight Mr. Rucynski felt that Parish would never see water.

Robin Eaton-Novak felt that the Town has come along way. Some incorrect information was given regarding the money that the Town had to come up with and we had to come up with was less than expected. Ms. Novak expressed concerns that a lot of energy, time and money will be wasted if we don't move forward. Ms. Novak asked if it would be possible to reconsider the decision at a Special Meeting or another Meeting.

Councilor G.R. Horning stated he was the a member of the Board and he had a right to his opinion.

Tammy Miller, Sandy Creek Town Clerk stated that she has been working with B&L since about 2007 and has the utmost confidence in them. They do well finding the grants. Once the first Water District went through more people wanted safe drinking water. They are now on Water District 3.

Tammy initially came as part of the McFee Ambulance Board but felt that she should share her experience with B&L on water projects.

It was her opinion that the Town could be really be missing out on a good thing.

Attorney Genant suggested that the Board could vote to rescind the vote for the Bond Resolution and table the vote until another meeting.

Supervisor Phillips asked Mr. Pond if they had time to delay approving the Bond Resolution and bring it up at another meeting for consideration.

Mr. Pond responded that we did have time as the deadline for the grant application has not been announced.

Shenvalee Lee asked if there was time to re-poll to get more accurate information out to the voters.

The time has expired to object to the vote for Water District One. They had 60 days after the election to object.

Paul Baxter thought that this situation is a little like a chick and egg situation. The initial WIIA Application was not approved because it was not complete.

A motion was made by Councilor Dunham, seconded by Councilor Jordan to rescind the motion to pass the Bond Resolution and to reconsider it at the July Meeting. Roll taken...motion carried.

Community Clean UP:

Trustee Chatterton gave a presentation at the Joint Meeting and noted it was a success.

Councilor Dunham also agreed it was successful and a lot of electronics were discarded this year. Hopefully more Town Officials can participate next year.

Payroll Verification Process:

It was the consensus of the Board not to pass and implement a Payroll Policy. However, the Supervisor requires a Payroll Verification Form-signed by those in attendance and the Chairman also signs the form verifying that a meeting was held and those that signed the form were present. Supervisor Phillips informed the Board that the Comptroller's Office was in agreement.

If appointed Board Member submit a sheet that then Board Member gets paid. If a form is not submitted they don't get paid.

Councilor Jordan responded that the Board voted against doing that in the middle of the year.

Supervisor Phillips responded that it has been done since January and the Board voted down a Service Record Policy.

Councilor Jordan asked about Planning and Zoning Board Members getting paid for attending required training as that would take place of missed meetings.

Supervisor Phillips didn't think that was ever brought up before, however it could be considered.

Councilor Jordan didn't think it was in this years budget.

Discussion was held regarding recent BAR Members Payroll Verification Forms being submitted.

Councilor Dunham asked if the Verification Form Process was explained to the BAR Clerk.

Supervisor Phillips left the forms on the BAR Clerk's desk.

BAR Member Dwyer stated he did not receive a form.

The BAR Member turned in a sheets verifying her time for attending grievance and taking the Minutes signed by the BAR Chair.

Gary Wood responded that his wife was the BAR Chair and she did not sign any BAR Member's time sheet.

Supervisor Phillips will look into the matter as she was not aware of the situation and assumed that the BAR Chair had signed the sheets.

Merrill Park:

Discussion was held regarding of the status of recommendations from the NYMIR Insurance Company. The Board will discuss the status at a later time when Hwy Sup't Petit is present. It was acknowledge that some of the recommendations from the insurance company had been completed.

Cemeteries:

Councilor J. Horning stated that he had talked to the surveyor that is surveying the Getman Cemetery and Mitchell Cemetery. The surveys should be completed by the end of summer. Getman should be around \$500.00 and Mitchell should be around \$1,000. A permanent right of way was found for Mitchell Cemetery.

Joint Meeting:

The Joint Board Meetings are held quarterly and the next one is scheduled for September 12th. Discussion was held that more attendance is needed from the Town Board Members and to try harder to attend.

NEW BUSINESS:

McFee Ambulance Presentation:

Tabled until July as some of the members had to leave unexpectedly.

Williamson Law Book Payroll Program:

Supervisor Phillips is looking into purchasing the payroll program from Williamson Law Book. The bookkeeper has experience with using the program when she worked for another municipality. It is cheaper than what we are using for processing payroll now.

The program is \$3,000 and the cost will be split up in two payments, \$1,500.00 this year and \$1,500.00 next year.

The annual computer support cost is \$1,038.00.

If they can do it they would like to use it for the first payroll in July if not it would be used for the first payroll in October. That would coincide with the quarterly reports.

Councilor Jordan asked if that was something the Board had to vote on.

Supervisor Phillips responded no. They are not sure if they can get it put together by the first week in July.

Councilor Jordan asked if there was money in the budget for the program.

Supervisor Phillips responded that it would come out of her budget line.

2018 Audit Report:

It was the consensus of the Board to review the Comptroller's Audit Report at a Workshop on June 27th, 2019 at 7:00 pm.

The Clerk's Office has a copy of the report on file if anyone is interested in looking at it.

CORRESPONDENCE, COMMUNICATIONS & PETITIONS:

Old Home Days e-mail-August 10th 9am-2pm-Contact Kathy Allardice for more information.

Village Letter raising Town Rent.

Information Items:

Tug Hill Times, May 23 & June 7

CiTi Spotlight

Planning Board Agenda

EXECUTIVE SESSION:

A motion was made by Councilor J. Horning, seconded by Councilor G.R. Horning to enter into Executive Session at 8:20 pm. to discuss matters leading to the employment, dismissal, or removal of a particular person or corporation. Roll taken...motion carried.

Attorney Genant and Deputy Supervisor B. Horning were invited to attend.

A motion was made by Councilor Dunham, seconded by Councilor J. Horning, to adjourn from Executive Session to the Regular Meeting at 8:39 pm. Roll taken...motion carried.

A motion was made by Councilor Dunham, seconded by Councilor J. Horning to adjourn from the Regular Meeting at 8:44 pm. Roll taken...motion carried.

Respectfully submitted,

Kelly Reader,
Parish Town Clerk