

## REGULAR MEETING

Minutes of the Regular Meeting of the Parish Town Board held May 16<sup>th</sup>, 2019 at 2938 E. Main Street, Parish, NY in the Village Gym. The meeting was called to order by Supervisor Phillips at 6:30 p.m.

### **PRESENT:**

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

**ALSO PRESENT:** Bob Genant, Town Attorney; Neil Chatterton, Village Trustee; Jim Bernys, CEO; Lynn Wood, Gary Wood, Shenvalee Lee, Craig Petit, Hwy Sup't; Kevin Dwyer, Tax Collector; Bernie Horning, Deputy Supervisor; Eric Pond, B&L Engineers; Dale Chapman, Jack Rucynski, Jack Spriggs, DCO; Paul Baxter, Tug Hill Rep.; Rich Lopitz, Assessor; Rebeka Prosachik, Special Municipal Attorney; Rodney Perkins, Jackie Murphy, Village Trustee; and Kathryn Perkins, Village Mayor.

### **MEETING OPEN TO THE PUBLIC:**

No Comments

### **MEETING CLOSED TO THE PUBLIC.**

### **EXECUTIVE SESSION:**

A motion was made by Councilor Jordan, seconded by Councilor Dunham to enter into Executive Session at 6:40 p.m. to discuss matters leading to the employment, dismissal or removal of a particular person or corporation. Roll taken...motion carried.

A motion was made by Councilor Dunham, seconded by Councilor Jordan to adjourn from Executive Session to the Regular Meeting at 7:00 p.m. Roll taken...motion carried.

### **APPROVAL OF MINUTES:**

**Regular Meeting Minutes: 3/21/2019-**A motion was made by Councilor J. Horning, seconded by Councilor G.R. Horning to approve the Minutes of the Regular March 21<sup>st</sup>, 2019 Meeting as received with the correction that Minutes should read Rebeka Prosachik was approved to be hired as the Town's Municipal Attorney for the Town of Parish District 1 Water Project. Roll taken...motion carried.

**\*Clarification:** The Town Clerk has consulted with Robert Freeman from the Committee on Open Government. Minutes of an open meeting must consist of "a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon." There was some confusion that the Town of Parish had two municipal attorneys, therefore the clerk referred to Attorney Prosachik as Special Counsel which is well within the clerk's authority to do so. The Town of Parish is a municipality, therefore it is reasonable to refer to Attorney Genant as the Town's Municipal Attorney. Attorney Prosachik was appointed as the Town's Special Municipal Attorney or Special Counsel for the Town of Parish District 1 Water Project. The Town Minutes are a permanent record of the Town's Official record of actions. They serve a historical purpose as well. Minutes are not a detailed report on Board Meetings and can be summarized. Motions can be summarized if the content of the motion is the same. The Town Minutes should be presented to allow clarity and transparency. It is the clerk's responsibility to present and sign the Minutes.

**Special Meeting: 4/1/2019:** A motion was made by Councilor Jordan, seconded by Councilor J. Horning to approve the Minutes of the April 1<sup>st</sup>, 2019 Special Meeting as presented. Roll taken...motion carried.

**Regular Meeting: 4/18/2019:** A motion was made by Councilor J. Horning, seconded by Councilor G.R. Horning to approve the Minutes of the April 18<sup>th</sup>, 2019 Regular Meeting as received with the correction that Minutes should read that the General Fund and

Highway Fund was approved with the revised abstracts as presented by the Supervisor. Roll taken...motion carried.

**APPROVAL OF BILLS:**

**General Fund:** A motion was made by Councilor J. Horning, seconded by Councilor G.R. Horning to approve the claims to the General Fund on the revised Unaudited Abstract, those being claims #98-#122 for a total warrant of \$29,461.87. Roll taken...motion carried.

**Highway Fund:** A motion was made by Councilor Jordan, seconded by Councilor J. Horning to approve the claims to the Highway Fund on the revised Unaudited Abstract, those being claims #82-#97 for a total warrant of \$24,134.45. Roll taken...motion carried.

**FINANCIAL REPORTS:**

**Supervisor's Financial Report:** The Supervisor's Report for Revenue and Expenditures was presented by the Board through the end of April 30<sup>th</sup>, 2019.

A motion was made by Councilor J. Horning, seconded by Councilor G.R. Horning to approve Budget Modifications as presented by Supervisor Phillips. Roll taken...motion carried.

**REPORTS:**

**Hwy Reports:** Hwy Sup't Petit gave the Highway Report.

Discussion was held regarding mowing County Roads in the Town of Parish. Hwy Sup't Petit stated that the Town does end up a little a head after payment is received from the county.

A motion was made by Councilor Jordan, seconded by Councilor J. Horning to leave the decision up to the Highway Sup't Petit upon the Hwy Sup't review of funds available with the Bookkeeper. Roll taken...all in favor except Supervisor Phillips: Nay motion carried.

Highway Sup't Petit submitted an estimate for completing some road work in the Village for the Board to review.

**Assessor Report:** Assessor Lopitz stated that he had sat with the roll. Greivance Day is May 28<sup>th</sup>, 5 p.m.-9 p.m. at the Village Gym.

**CEO Report:** CEO Bernys

**Justice Report:** Justice Dayger

**Town Clerk Report:** Clerk Reader

**Dog Control Report:** DCO Spriggs. The Dog Enumeration will begin July 1<sup>st</sup>, 2019.

**Tug Hill Circuit Rider's Report:** Paul Baxter

**Tax Collector's Report:** Tax Collector Dwyer reported that he would be turning over around \$4,423.04 to the Town for interest and penalties.

The Tax Collector must maintain around \$100.00 in the tax account so it will remain open.

**Village Trustee Update:** Trustee Chatterton reported that Clean-up Day will be held on June 1<sup>st</sup>, 2019 from 7:30 am-11:00 am.

There is a limit of 8 tires that will be accepted with no rims, electronics, furniture, documents, and cardboard. Items that will not be accepted: batteries, paint, chemicals, asbestos, household waste (trash), grass, or tree limbs.

Mayor Perkins stated that both boards should participate in the community event.

**CORRESPONDENCE, COMMUNICATION, AND PETITIONS:**

Dues & Don't, a guide to discussing the Taylor Law.

**OLD BUSINESS:**

Language for State/County approved Bids List: Councilor Dunham provided the website address to the Supervisor.

**Service Record Policy:** Discussion was held regarding the policy. Supervisor Phillips had asked the Board to reconsider the policy at the April Meeting. Discussion was held regarding the legality of the policy. Attorney Genant will research the policy and have the findings available at the next meeting.

**Merrill Park:** Open and closing the Town Park was discussed. Mowing, weedeating the parks, and cleaning the park bathrooms were discussed. It was determined that the park and bathroom will remain open.

A motion was made by Councilor Jordan, seconded by Councilor Dunham to hire Mike Wisner III as Park Maintenance Personnel for Merrill Park beginning May 20<sup>th</sup>, 2019 until October 6<sup>th</sup>. Roll taken...motion carried.

It was determined by the Board that the park will open the first part of May and closed the first weekend of October.

Hwy Sup't Petit will review the job duties with Mr. Wisner for the park.

Councilor G.R. Horning stated that he had met with the CARPP Committee and they had discussed holding fund raisers to re-blacktop the basketball court and the tennis court. Hwy Sup't Petit got a quote for the basketball court of \$9,000.00. A quote was also obtained for both the basketball court and tennis court for \$29,000.00. The CARPP Committee had suggested holding fundraisers to help fund the project. Discussion was held regarding considering the proposal for the 2020 Budget.

**Water Project:**

Eric Bond reviewed a Water Update for the Village/Town Water District 1.

**Approval Bond Counsel:**

A motion was made by Councilor Dunham, seconded by Councilor Jordan to approve Bond Counsel's Legal Service Agreement with Barclay Damon for the Village/Town of Parish Water District 1 Project. Roll taken...

Councilor Dunham: Aye                      Councilor G.R. Horning: Nay  
Councilor Jordan: Aye                      Councilor J. Horning: Nay  
Supervisor Phillips: Aye  
motion carried.

Mr. Pond from Barton & Loguidice asked what the concerns were for those that did not vote to approve Bond Counsel.

Councilor G.R. Horning expressed concerns regarding the money needed to move forward with the water project. He felt that there was a limit on how much taxpayers want to spend.

Mr. Pond expressed that he would be happy to address any concerns that the Board Members have. In order to move forward with the project it takes a Super Majority Vote- 4 of 5 Board Members. If there is not a Super Majority Vote, they can not move forward with the next steps to get to the WIIA Grant.

It was explained that the costs are all part of the project and are in the WIIA Grant. The costs are broken down in different categories so the Board can see exactly where the money is being spent.

Also, Mr. Pond reported that there is one WIIA Grant per project. However, they are applying for a USDA Rural Development Grant. Also, information was received from AG & Markets has notified B&L that it will not be necessary to conduct Archeological

investigations as they have been waived. SHPO has determined that there is a No impact determination.

A requirement of SEQRA (State Environmental Quality Review Act) is that municipalities are required to take a hard look at the Full Environmental Assessment Form Part 2-Identification of Potential Project Impacts and Full Environmental Assessment Form Part 3-Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance.

Mr. Pond reviewed parts 2&3 of the SEQR EAF.

Dustin Clark reviewed part 1 of SEQR EAF at the April 18<sup>th</sup>, 2019 Meeting.

### **Resolution NO. 3**

A motion was made by Councilor Dunham, seconded by Councilor Jordan to approve Resolution NO. 3 determining that the proposed Town of Parish Water Supply Area NO. 1 Project is a Type 1 Action and will not have a significant adverse impact on the Environment. Roll taken...

Councilor Dunham: Aye      Councilor G.R. Horning: Aye      Supervisor Phillips: Aye

Councilor Jordan: Aye      Councilor J. Horning: Aye

motion carried-See attached.

### **Other:**

**Reimbursement:** Councilor Jordan asked Supervisor Phillips if she was reimbursed for a computer program she purchased earlier in the year. Supervisor Phillips responded that she did get reimbursement and it has been taken care of.

**Supervisor Training Cost:** Councilor Jordan asked if the other towns that were present when Williamson Law Book came to provide training help pay the cost of the training. Supervisor Phillips responded that she did ask but no they did not contribute to payment.

**AUD Report:** Councilor Jordan asked if the Report had been submitted to the Comptroller's Office for 2018. Supervisor Phillips had applied for an extension due to the fact there was information that was required that was not submitted before. Discussion was held that the deadline for an extension was April 1<sup>st</sup>. Supervisor Phillips has spoken to the Comptroller's Office and they are fine with the delay. The AUD Report will not be accepted until the information requested is in the report.

Councilor Jordan requested to look at payroll records to see what payroll is going out. Supervisor Phillips responded that payroll records do not leave her office and Councilor Jordan should make an appointment.

Councilor Jordan requested that she leave them with the Records Management Officer as they have conflicting schedules.

Supervisor Phillips requested that Councilor Jordan make an appointment so she could go over them with him.

Discussion was held regarding Tax Collector Dwyer receiving copies of his payroll records for 2018. There was some confusion as what Tax Collector Dwyer actually was requesting. Tax Collector Dwyer stated just his. Supervisor Phillips stated that was not what he asked for in the Foil Request. The request was resolved.

Councilor Jordan requested that the Town Board receive the agenda 3 days ahead of time so the Board could review the information prior to the Board Meeting.

Supervisor Phillips wanted to do packets prior to the Board Meeting but the Board was not in favor of it.

Some of the information on the May's Agenda was just received.

It was the consensus of the Board to have the supervisor present a generic agenda.

Councilor Jordan suggested that if there are other matters that come after the agenda is printed then the Board will make consideration to add the topics that are important to the agenda for discussion.

**NEW BUSINESS:**

**Town Finance Training, May 8-10:** Supervisor Phillips attended. Supervisor Phillips expressed that some good information was provided.

**Williamson Law Book Payroll Program:** Supervisor Phillips is looking into the payroll program from Williamson Law Book to consider doing payroll in-house. The bookkeeper has experience with the program as she used it for another municipality.

**Other:**

**Cemeteries:** Councilor G.R. Horning mentioned that the Town Cemeteries need surveying and he has a surveyor that would be interested in providing the service. It was the consensus of the Board to hold a mobile workshop on May 23rd to evaluate the Getman and Mitchell Cemeteries for surveying. They will meet at the Town Hall at 6:00 p.m.

**INFORMATIONAL ITEMS:**

Tug Hill Times-April 26<sup>th</sup> & May 10<sup>th</sup>.

It's Our Policy-NYMIR Handout

Planning Board: March & April Minutes, April's Agenda.

**MEETING OPEN TO THE PUBLIC:**

Paul Baxter offered to post water updates on the Town's Website from Barton and Loguidice. Paul also offered to post the mobile workshop information on the 23<sup>rd</sup> regarding the Town's rural cemeteries.

Councilor Jordan asked when Paul would have time to transfer the Town Clerk's information from the clerk's current computer to the DEC Computer. Councilor Jordan was concerned that the newer computer would be outdated before the information is transferred. Paul stated that the newer computer has Windows 8 and would be supported until 2023. He will also schedule some time to transfer the data.

**MEETING CLOSED TO THE PUBLIC.**

**EXECUTIVE SESSION:**

A motion was made by Councilor Jordan, seconded by Councilor J. Horning to adjourn to Executive Session at 9:12 p.m. to discuss matters leading to the employment, dismissal, or removal of a particular person or corporation and Comptroller Audit information. Roll taken...motion carried.

A motion was made by Councilor J. Horning, seconded by Councilor G.R. Horning to adjourn from Executive Session and the Regular Meeting at 10:05 p.m. Roll taken... motion carried.

Respectfully submitted,

Kelly Reader  
Parish Town Clerk