

REGULAR MEETING
March 18, 2021

Minutes of the Regular Board Meeting held on March 18th, 2021 at 2938 E. Main Street, Parish, NY in the Village and via Zoom. Supervisor Phillips called the meeting to order at 6:36 pm.

Present:

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

Also Present: Jim Bernys, CEO, Craig Petit, Hwy Sup't; Robin Eaton-Novak, Deputy Supervisor; Jeff Dickinson, John Horning, and George Horning.

Present By Zoom: Eleanor Kinney, Jack Spriggs, DCO; Jackie Murphy, Village Trustee; Robert Prockup, and Doug Houghton.

SUPERVISOR'S REPORT:

Supervisor Phillips presented a Supervisor's Report through the end of February, 2021.

APPROVAL OF BILLS:

General Fund A: A motion was made by Councilor Horning, seconded by Councilor Jordan to approve the claims to the General Fund A Account for claims # 56-#79 for a total warrant of \$22,441.81.

Discussion: Councilor Jordan asked why Supervisor Phillips continues to purchase items on her personal Staples account. Councilor Jordan explained that there are account numbers under the Town's name and the manager can help with the town accounts. Also, the issue that an original receipt should be turned in was discussed.

Supervisor Phillips responded that she had tried to purchase items under the Town's account and she was not successful. Also, she can provide the original receipt.

A motion was made by Councilor Jordan, seconded by Councilor Wood to approve the claims to the General Fund A account for claims #56-#79, excluding #73 for the amount of \$137.40, for a total warrant of \$22,304.41 and to revisit approving the claim once the original receipt is submitted.

Roll taken...Councilor Dunham, Councilor Horning, Councilor Wood, Councilor Jordan-Aye (4) and Supervisor Phillips-Nay (1). motion carried.

H Capital Project Water Fund: A motion was made by Councilor Wood, seconded by Councilor Jordan to pay the claims to the Capital Project H Fund, those being claims #80-#81 for a total warrant of \$1,138.09. Roll taken...Councilor Dunham, Councilor Horning, Councilor Wood, Councilor Jordan, and Supervisor Phillips.Aye (5) Nay (0) motion carried.

Highway DA Fund: A motion was made by Councilor Horning, seconded by Councilor Wood to approve the claims to the Highway DA Fund, those being claims #40-#60 for a total warrant of \$21,954.50. Roll taken...Councilor Dunham, Councilor Horning, Councilor Jordan, Councilor Wood, and Supervisor Phillips-Aye-(5) Nay-()) motion carried.

REPORTS:

Hwy Report-Highway Sup't Petit gave the Highway Report and presented the 284 Contract-an agreement to spend Town Highway Funds for road maintenance. Hwy Sup't Petit reviewed some of the road work scheduled for this year. Voorhees Road is one of the roads scheduled for maintenance among others pending available funding.

Hwy Sup't Petit brought up the possibility of purchasing a 2013 Road Broom with 1,000.00 hrs on it. The cost for the Broom is \$23,000.00 and he informed the Board that money had been budgeted for in the equipment line.

The Town's current Broom was built in the 60's and it is getting expensive to repair. It also needs a truck to drag it around which is not convenient as it ties up a truck.

Supervisor Phillips was not prepared to discuss it as it was not on the agenda and it could be placed on the April agenda. Supervisor Phillips was not sure of the amount that they would have to solicit for bids on a purchase.

Hwy Sup't Petit stated that it just became available.

A couple of residents in the audience interrupted Hwy Sup't Petit during his report and commented that they could rent.

Hwy Sup't Petit responded that the Broom will be gone by April and if the Town wants to rent then he will continue to rent.

Merrill Park: Hwy Sup't Petit informed the Board that there has been a lot of vandalism done at the park this year. Hwy Sup't Petit has contacted Law Enforcement. However, if the vandalism is not witnessed and there is not physical proof then there is nothing that can be done. Installing cameras were discussed to catch the violators.

Discussion on Hwy Building Grant: Hwy Sup't Petit has been in contact with Jay Grasso, Grant Writer regarding a grant for the Hwy Building. The Hwy Garage is in need of repair and estimated to cost around \$200,000.00. Some of the repairs needed is to replace the roof, replace the floor drains, doors, the boiler, and other necessary repairs. Hwy Sup't stated that the Grant Writer explained that the Town could apply for a grant. However, a lot of the funding would be paid to engineer fees and attorney fees for a grant of that size.

The Grant Writer suggested that the Town could apply for a low interest loan. Currently, there are low interest loans at interests rates as low as 1.6 % depending on the number of years selected for the loan. The interest rate at 1.6 % interest is good for 45 days. Other financial options were discussed. The Town Board needed additional time to review the options.

The Truck Grant is still being processed.

Assessor's Report: Tabled

CEO: CEO Bernys

Justice Report: Justice Dayger

Town Clerk Report: Clerk Reader

DCO's Report: DCO Spriggs

Tug Hill Report: Paul Baxter, Tug Hill Rep. gave the following report:

The Tug Hill Offices are still operating at 50% occupancy level. The Governor's Executive Order allowing remote meetings and Public Hearings (via such as Zoom has been extended through March 28th, 2021.

North Shore and Salmon Rivers has started to use a contractor to assist Paul with meeting coverage.

The Tug Hill Commission met on 3/17/2021 via Zoom. The April Meeting will be on 4/9/2021.

The Tug Hill Commission has several webinars scheduled between now and the end of the month.

Tax Collector's Report: Tax Collector Dwyer

Fire Chief's Report: Fire Chief Harvey.

OLD BUSINESS:

Water District 1: Supervisor Phillips has e-mailed DANC, the Water Engineering Firm, and the Water Attorney to see where the Water Project goes next. The Water Attorney responded nothing at this point. DANC is compiling all the bills paid for Water District #1 to see what those that live in the Water District 1 will have to be pay. The engineers responded if the Town needed anything to let them know. Supervisor Phillips asked the Board if they had any ideas on what they would like to do or not do when it comes to Water District #1? Supervisor Phillips informed the Board that they could vote tonight and say yes so that the Board could move forward.

Councilor Dunham responded that if it was up to him he would fire the current engineers and go back to Miller Engineering because their plan didn't work.

Supervisor Phillips asked Councilor Dunham if he really wanted her to get into that?

A discussion was held regarding Miller Engineering.

Supervisor Phillips responded that the Board better not bring Miller Engineering back in and she had information that she would share with the Board.

Councilor Jordan responded that it was up to Councilor Dunham if he wanted to make a motion.

Councilor Dunham responded that he would wait to make a motion until the Board gets the information from the Supervisor for the Board to review.

Councilor Jordan stated that he had something to discuss under Old Business and wanted to know where the Town stands with going with Paychex?

Councilor Jordan responded that he see's nothing has been done after the Board gave direction.

The Supervisor responded that it was her call and she was not going with Paychex.

Councilor Jordan disagreed.

Supervisor Phillips responded that she is doing it in-house to save money and legally it's her call.

Councilor Jordan responded that the Board made a motion to go with Paychex.

Councilor Wood responded that the Supervisor says it is her call, then he would like her to prove it.

Supervisor Phillips has the law but not with her.

Councilor Wood had the Town Law Book and he explained the according to the Town Law, it's the Board's call. Councilor Wood explained that the law is in the book and he is not the Town Attorney and by Board Resolution the Town Board can choose a payroll company or a banking institution to process payroll.

Councilor Wood suggested that the Supervisor look it up the law like he did.

Supervisor Phillips asked why the Board wanted to go with a payroll company?

Discussion was held that the Supervisor has previously stated that she was very busy with her job responsibilities.

Councilor Wood reminded that Supervisor that they had all ready discussed this issue and she agreed they had.

Supervisor Philips responded that she didn't understand why they didn't want to keep it in house.

An argument ensued regarding which process was cheaper.

Councilor Wood responded that the Board made a Resolution to go with Paychex and the Supervisor is in violation by not following the direction of the Board.

If a Resolution is passed, the Supervisor is obligated to follow the Resolution.

Councilor Wood has personally seen the Village's process with Paychex. It is a simple process and very easy to understand.

W2's are figured out for you.

Councilor Wood stated that the whole point is that the Board made a Resolution and suggests that the Supervisor follow the Resolution.

Cost savings was discussed and there were disagreements regarding the issue.

Councilor Jordan stated that there are a lot of motions that the Board makes that the Supervisor doesn't follow.

Attendance for the Planning Board was discussed and the Board made a Resolution that the Planning Board Members were not required to sign an attendance sheet. The Planning Board Minutes verifies who was in attendance.

Comments were made that there was no attendance problem and they are required to attend 4 hours of training with no compensation.

Also, it was pointed out that some of the Town Board Members miss meetings and sometimes people have emergencies that come up beyond their control. They should not be penalized for missing one meeting and they are salaried. There are different requirements for elected officials and appointed officials.

Discussion was held that if attendance becomes an issue, then the Chairman of the Boards can bring the issue to the Town Board's attention so they can address it.

Supervisor Phillips disagreed and expressed that it is a requirement by the Comptroller's Office and she is going to continue to require attendance sheets. Supervisor Phillips will provide the law for the Board.

NEW BUSINESS:

Agreement to Spend Town Highway 284 Agreement: All Board Members were in Agreement to approve and sign the 284 Highway Agreement.

Bond Insurance Coverage: Update and increasing coverage for those positions that handle money was discussed. The increase would cost around \$1,000.00. Supervisor Phillips will check to see if she can get the amount cheaper. This would apply to the Supervisor, Deputy Supervisor, Tax Collector, Deputy Tax Collector, Justice, and the Court Clerk.

A motion was made by Councilor Dunham, seconded by Councilor Wood to increase the insurance coverage amount for the Supervisor, Deputy Supervisor, Tax Collector, Deputy Tax Collector, Justice, and the Court Clerk. Roll taken...Councilor Dunham, Councilor Horning, Councilor Wood, Councilor Jordan, and Supervisor Phillips. Aye-(5) Nay-(0) motion carried.

Oath Cards: Councilor Wood stated that he had done a lot of research on a Planning Board and the Planning Board Chairman's position. Councilor Wood has checked with the Attorney from the Association of Towns, the Town Attorney, and the Attorney General's Office. They all got back to him with same conclusion. Councilor Wood stated that he doesn't think that some of people on the Board actually realize what the law states. The law states in regards to Planning Board Members, the designation of a member of a Town Planning Board serving as a Chairman may be withdrawn at anytime by the Town Board. The information was received by the Attorney General's Office and Councilor Wood provided a copy for all the Board Members including the Town Attorney.

The affected Planning Board Member can continue to to serve on the Planning Board unless removed by cause.

The Chairman of the Planning Board can be removed at anytime by Board Resolution and the Board can appoint another Chairman.

In the past the Planning Board has selected their own Chairman, but that is not the law. According to section 271, Planning Board Members are appointed by the Town Board. This is per the Attorney General's Office.

Councilor Wood wanted to make a Resolution to remove Paul Gage as Planning Board Chairman. Discussion was held regarding the reasons. Councilor Wood responded that the reasons have already been discussed and the Board is aware of the reasons.

A motion was made by Councilor Wood, seconded by Councilor Jordan to remove Paul Gage as Planning Board Chair effective immediately. Roll taken...Councilor Dunham, Councilor Wood, Councilor Jordan-Aye (3) Councilor Horning and Supervisor Phillips-Nay (2). motion carried.

A motion was made by Councilor Wood, seconded by Councilor Jordan to appoint William Scriber as Planning Board Chair effective immediately. Roll taken... Councilor Dunham, Councilor Wood, and Councilor Jordan-Aye (3) Councilor Horning and Supervisor Phillips-Nay (2) motion carried.

The Board directed the Clerk to notify the Village Clerk and the Mayor to contact Mr. Gage to sign his keys back in to the Village.

VILLAGE LEASE 2021: Discussion was held regarding signing the lease with the Village for Town Office space. Supervisor Phillips informed the Board that she has just received a copy of the lease and she has not had time to review it. Councilor Jordan stated that they had discussed it at the Joint Meeting and nothing had changed. The Village did put mailboxes in the hallway for more convenient access and lowered the ceiling in the Supervisor's Office as agreed. Supervisor Phillips wanted some additional changes such as access to other offices.

A motion was made by Councilor Jordan, Councilor Dunham to sign the 2021 lease with the Village for office space. Roll taken...Councilor Dunham, Wood, and, Councilor Jordan.-Aye (3) Councilor Horning, and Supervisor Phillips-Nay (2). motion carried.

CORRESPONDENCE:

Public Notice-State Superfund Program

American Rescue, Plan, NYS & Local Aid Explainer- There may be funds available-\$270,000 for the Town of Parish. Discussion was held regarding the possibly of using the money to cover the costs associated with Water District 1. There was a list of criteria that the money could be used for.

Additional information is needed to define exactly what the funds could be used for. Some of the items that were mentioned were to make necessary investments in water, sewer and Broadband Infrastructure. Also, costs associated with responding to COVID-19 public health emergencies or its negative economic impacts.

INFORMATIONAL ITEMS:

Tug Hill Times-2/26 & 3/12/2021

In Session-AOT Legislative

NYS Tug Hill Commission "Headwaters" Newsletter

Minutes of 2/18/2021 Meeting

Planning Board Minutes-2/22/2021

EXECUTIVE SESSION:

A motion was made by Councilor Jordan, seconded by Councilor Dunham to take a 5 minute break at 8:01 pm and then enter into Executive Session to discuss personnel appointments. Roll taken... All in favor. Motion carried

A motion was made by Councilor Jordan, seconded by Councilor Dunham to adjourn from Executive Session at 8:26 pm. Roll taken...All in favor...motion carried.

Sole Appointed Assessor: A motion was made by Councilor Dunham, seconded by Councilor Wood to appoint Denise Trudell as Sole Appointed Assessor for the Town of Parish effective immediately. Roll taken...Councilor Dunham, Councilor Horning, Councilor Wood, Councilor Jordan, and Supervisor Phillips-Aye-(5) Nay-(0). motion carried.

Councilor Jordan asked where we stand with the Town's Audit.

Supervisor Phillips responded that they had sent her an e-mail with some questions and wanted some information. She had to look at the contract and then she will sign it. Supervisor Phillips was under the impression that she was not going be the first department to be audited because she was not ready and needed more time to prepare.

Councilor Dunham stated that they had contacted the Justice Department and will begin there. That should get it started. It will give the other departments time to get their book together for the audit.

A motion was made by Councilor Jordan, seconded by Councilor Dunham to adjourn at 8:30 p.m.
Roll taken...All in favor, motion carried.

Respectfully submitted,

Kelly Reader
Parish Town Clerk