

**REGULAR MEETING**  
**12/16/2021**

Minutes of the Parish Town Board Meeting held December 16, 2021 at 2938 E. Main Street, Parish, NY in the Village Gym, and via Zoom. The meeting was called to order by Supervisor Phillips at 6:30 pm.

**PRESENT:**

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

**ALSO PRESENT:** Jim Bernys, CEO; Dale Chapman, L.J. Harvey, Fire Chief; Paul Baxter, Tug Hill Rep.; Steve Cronk, DCO; Mrs. Cronk, Barb Horning, Jack Rucynski, Bob Genant, Town Attorney; John Horning, George Horning, Paul Gage, and Karen Gage.

**MEETING OPEN TO THE PUBLIC:**

No comments.

**MEETING CLOSED TO THE PUBLIC.**

Supervisor Phillips stated that Councilor Horning wanted to say a few words. Councilor Horning spoke in regards to the Board Members holding a meeting on November 11, 2021 (Veteran's Day). Councilor Horning received a complaint from a veteran that came to his house last Wednesday and expressed that he didn't think the Board should have held a meeting on Veterans Day and asked why it was held. Councilor Horning stated that he responded that he didn't agree to hold the meeting nor did Supervisor Phillips. The other 3 Board Members decided to have the meeting and Councilor Horning expressed that he thought it was disrespectful to the veterans. The individual asked Councilor Horning why he thought they wanted to have the meeting anyway? Councilor Horning responded that because the 3 Board Members were unhappy with the outcome of the election and they wanted to lower the Highway Sup't salary because of lack of experience and certifications. Councilor Horning expressed that if they lowered one newly elected position's salary, then every newly elected position's salary had to be lowered. Councilor Horning stated that he spent Veterans Day honoring the veterans throughout Parish at various cemeteries.

Councilor Wood stated that he appreciated Councilor Horning's concern and has the utmost respect for the veterans, however so does everyone else that serves on the Board.

Councilor Wood responded that he took offense to Councilor Horning's accusations regarding holding a meeting (Budget Workshop) on Veteran's Day and the meeting had nothing to do with disrespecting the veterans. Councilor Wood stated that he gives a large sum of money out of each paycheck to the Wounded Warriors Project. Councilor Wood stated that there are a lot of veterans in his family and he respects everyone that serves our country. The meeting had absolutely nothing to do with disrespecting veterans and he takes offense to Councilor Horning trying to turn their efforts around and make it about disrespect. Councilor Wood thought they could work on the Budget a little more before the Board Meeting.

Another point Councilor Wood wanted to make was that during the two years he has served with Councilor Horning on the Board, that was the most he heard him speak. Councilor Wood commented that the only reason we heard Councilor Horning speak is that the position that they were discussing was his son's. Councilor Wood commented that by rights and by law, Councilor Horning should not say a word about his son's position or pay because it is a conflict of interest. Councilor Wood has been told by Supervisor Phillips many times that he could not comment on his wife's position on the BAR as it is a conflict of interest. However, Supervisor Phillips knows it is a conflict of interest for Councilor Horning to speak on his son's position, yet Supervisor Phillips still allows it and allowed it at the last meeting. Councilor Wood stated that at the last meeting Councilor Horning commented that Board Members were stupid and was swearing calling Board Member's names. Supervisor Phillips did nothing to stop it. Councilor Wood commented that those actions were disrespectful.

As far as the Veteran's, Councilor Wood stated that every single veteran that has served, been wounded or died for our country has the utmost respect from Councilor Wood, Councilor Jordan, and Councilor Dunham. Councilor Wood commented " so please do not tell the Board Members that they were disrespectful to the veterans."

Councilor Wood stated as far as the Board Meeting on November 11, 2021 everyone was all for it, then Supervisor Phillips changed her mind. Councilor Wood stated that they worked on the budget to try and save thousands of dollars for the taxpayers of the Town. The budget that they voted on 11/11/2021

saved the taxpayers a lot of money. The budget the Supervisor Phillips and Councilor Horning had at the next meeting had mistakes in it. The mistakes were going to cost the taxpayers at least \$200.00 more per \$100,000 assessment. The error had to be corrected even after it was sent over to the county. If any one wanted to know the facts, then Councilor Wood suggested to contact Paul Baxter regarding the issue. Councilor Wood made reference that big mistakes regarding the budget were made in Mary Ann's Office (Supervisor Phillips). However, there were no mistakes that were made by the Board Members when they worked on the budget on 11/11/21. Councilor Wood misspoke and stated that the Town Clerk caught the error. Councilor Wood was corrected as it was the Highway Superintendent, Craig Petit that caught the error after it was filed with the county.

Supervisor Phillips stated that the meeting was illegal. Councilor Wood responded that it was not an illegal meeting and only a court of law could determine that.

There was a heated debate regarding the legality of the November 11, 2021 Meeting (Budget Workshop).

**MEETING CLOSED TO THE PUBLIC.**

### **SUPERVISOR'S REPORT:**

Supervisor Phillips submitted a Supervisor's Report through November 30<sup>th</sup>, 2021 for the Board's review. The Supervisor's Report was filed with the Town Clerk.

### **APPROVAL OF BILLS:**

#### **Budget Transfers/Modifications:**

##### **December-2021**

A motion was made by Councilor Horning, seconded by Councilor Dunham to approve the Budget Transfers/Modifications as presented. Roll taken...Councilor Jordan, Councilor Dunham, Councilor Horning, Councilor Wood, and Supervisor Phillips-Aye (5) Nay (0)...motion carried-see attached.

#### **General Fund A Account:**

A motion was made by Councilor Jordan, seconded by Councilor Dunham to approve the claims to the General Fund A Account, those being claims #261-#262 for a total warrant of \$23,506.46. Roll taken...Councilor Jordan, Councilor Dunham, Councilor Horning, Councilor Wood, and Supervisor Phillips-Aye (5) Nay (0)...motion carried

#### **Highway Fund DA Account:**

A motion was made by Councilor Horning, seconded by Councilor Jordan to approve the claims to the Highway Fund Fund DA Account, those being claims #239-#253 for a total warrant of \$19,522.96. Roll taken...Councilor Jordan, Councilor Dunham, Councilor Horning, Councilor Wood, and Supervisor Phillips-Aye (5) Nay (0)...motion carried.

#### **Highway Fund DB Account:**

A motion was made by Councilor Jordan, seconded by Councilor Horning to approve the claims to the Highway Fund DB Account, those being claims #254-255 for a total warrant of \$408.26. Roll taken... Councilor Jordan, Councilor Dunham, Councilor Horning, Councilor Wood, and Supervisor Phillips-Aye (5) Nay (0)...motion carried.

### **REPORTS:**

**Hwy Sup't Report:** Councilor Dunham read Hwy Sup't Petit's Report. The Highway Crew has been out sanding, plowing, and cold patching the roads. Also, they have been making some repairs on some of the trucks. Truck Grant Update: The new plow truck has been ordered. It will take about a year to come in. It's a model Hx520 SFA International Cummins Engine. It comes with a 5 year engine/after treatment warranty. The plow is a Viking-Cives plow/body pkg.

On a personal note, Hwy Sup't Petit would like to thank the Parish residents for giving him the opportunity to serve the Town of Parish as their Highway Superintendent for the past six years. He stated that it was an honor and a privilege.

**Assessor Report:** Assessor Trudell

**Town Justice Report:** Justice Dayger

**Town Clerk's Report:** Clerk Reader

**Tug Hill Rep. Report:** Tug Hill Rep. Baxter gave the following report:

The state has a new, Federally Funded Low Income Household Water Assistance Program targeted at low income households. Payments up to \$2,500.00 for qualifying water or sewer households (or up to \$5,000 for both) are made directly to the service provider to cover arrears. More information is

included in the letter Paul is providing from the State Department of Public Service and on the state web site, <https://otda.ny.gov/LIHWAP>. The state is encouraging municipalities to assist getting the word out to the public about this program. Paul ordered new computers for the code office and the highway superintendent's office, and a UPS for the codes office. Paul is currently working on moving files and programs over to the new computers.

Paul assisted the Supervisor and Town Board in finalizing the 2022 Budget.

\*As a follow-up to last month's Town Board Meeting and materials Paul presented to the Town regarding the taxable status of State Wildlife Management Area Lands in Town. Paul understood that the supervisor followed up with inquires to our local New York State Legislation Delegation on behalf of the town's continued interest in this. This month's update is that Tug Hill's Executive Director, Katie Malinowski spoke with Assembly Leader, Will Barclay regarding the status of this issue and he is aware of it. There is no local action needed at this time. Paul Baxter thanked Craig Petit for catching the error in the budget and he gave Craig full credit.

**DCO Report:** DCO Cronk reported that he has had a dog complaint on Crim Road regarding dogs chasing deer. Mr. Cronk stated that the DEC is involved and once they're involved he cannot get involved. Mr. Cronk also believes that tickets were issued.

**Fire Chief's Report:**

Fire Chief Harvey reported that so far the fire calls for 2021 is at there overall highest at 419 calls.

**OLD BUSINESS:**

**Bond Counsel & Fiscal Advisors:** The documents need to be completed once they are received for the USDA Truck Grant.

**ARPA:** Supervisor Phillips informed the Board that she had received information from Greg Evans from the Bondario Group for aiding with the American Rescue Plan Funds that were received by the Town. The Bondario Group charges \$340.00 per hour on a monthly basis.

Supervisor Phillips also informed the Board that Dave Turner from Oswego County will aid the Town with the process for free. The new Board will need to discuss this issue and make a decision in 2022.

**Parish Fire Company Contract:** Attorney Genant has reviewed the contract and has spoken to the Fire Company's Attorney. Attorney Genant finds the contract satisfactory for adoption. Fire Chief Harvey stated that some of the language in the contract was changed per request.

A motion was made by Councilor Jordan, seconded by Councilor Wood to approve the Parish Fire Contract Agreement for 2022 as presented. Roll taken...

Councilor Jordan, Councilor Dunham, Councilor Horning, Councilor Wood, and Supervisor Phillips-(5)-Aye Nay-(0)...motion carried.

Councilor Dunham asked if they were going to discuss Health Insurance for Justice Dayger. Supervisor Phillips responded that she wasn't sure if the Board wanted to discuss the issue in Open Session or Executive Session. Supervisor Phillips responded that due to the fact that the issue was discussed in "Open Session", that the issue could be discussed in open session.

**Health Insurance for Town Justice:**

Supervisor Phillips informed the Board that she had just received a letter from the legal firm for Special Counsel that the Board approved her to hire to get a legal opinion.

Councilor Jordan and Councilor Wood disagreed that they gave the Supervisor Phillips permission to hire another firm to represent the Town. It was the consensus to the Board that the Supervisor was going to obtain a price quote. No permission was ever granted as far as the Board was concerned.

Attorney Genant stated he was present at the November Meeting and the Board did not grant permission for the Supervisor to hire another law firm only to obtain a price quote. Supervisor Phillips informed the Board that they gave her permission at another meeting that Attorney Genant was not present at.. Some of the Board Members disagreed.

A motion was made by Councilor Jordan, seconded by Councilor Wood to authorize Town Justice Dayger and his wife to receive Health Insurance through the Town since Justice Dayger has worked for the Town for over 30 years....

This would be 80% of Justice Dayger's and 50% of his wife's under the Retiree's Insurance until age 65.

**Discussion:** According to the information that Supervisor Phillips had received from the Special Counsel, Justice Dayger does not qualified a cording to the contract under Retiree's Insurance and the Resolution because he did not retire from the Town.

Attorney Genant asked if Justice Dayger or his Attorney has seen the letter from Special Counsel? Supervisor Phillips responded no as she just received it.

Councilor Wood stated that since Justice Dayger has served 30-40 years for the Town and others are eligible to receive retirement insurance then Justice Dayger should be entitled to receive it.

Roll taken...Councilor Jordan-Aye                      Councilor Dunham-Aye    Supervisor Phillips-Nay  
                    Councilor Horning-Abstain      Councilor Wood-Aye    Aye -(3) Nay (2)

...motion carried.

Councilor Wood wanted to make a motion to table the rest of the items and to adjourn, seconded by Councilor Jordan.

Discussion: Councilor Jordan stated that he thinks that the new Board should handle the issues from here on. Roll taken...

Councilor Jordan: Aye              Councilor Horning: Nay      Supervisor Phillips: Nay  
Councilor Dunham: Aye      Councilor Wood: Aye    Aye-(3) Nay (2)

...motion carried.

Meeting adjourned at 7:10 pm.

Respectfully submitted,

Kelly Reader  
Parish Town Clerk