

REGULAR MEETING  
1/20/2022

Minutes of the Regular Town Board Meeting held January 20<sup>th</sup>, 2022 at 2938 E. Main Street in the Village Gym, Parish, NY. Supervisor Bernys called the meeting to order at 6:00 pm.

**Present:**

G.R. Horning, Councilor  
Doug Houghton, Councilor-Via Zoom  
Gary Wood, Councilor  
Robin Eaton-Novak, Councilor  
Jim Bernys, Supervisor  
Kelly Reader, Town Clerk

**Also Present:** Trudy Engst, Bookkeeper; Bob Genant, Town Attorney; Jeff Dickinson, Jack Rucynski, John Dunham, Kevin Dwyer, Tax Collector; L.J. Harvey, Fire Chief; George Horning, Hwy Sup't; Paul Baxter, Tug Hill Rep.; Mary Ann Phillips, Paul Gage and Karen Gage.

**MEETING OPEN TO THE PUBLIC:**

Mary Ann Phillips spoke in regards to a retiree receiving health insurance and she had consulted with an attorney. Mary Ann informed the Board that providing health insurance to the retiree and paying a portion of the premium was illegal as the attorney deemed the retiree ineligible. Mary Ann Phillips asked Supervisor Bernys if he had an opportunity to read the letter that she had left. Supervisor Bernys responded that he had glanced at it as he just received it that day.

Mary Ann Phillips commented on a Councilor voting on an appointment that he not should have because it was a conflict of interest.

**MEETING CLOSED TO THE PUBLIC.**

**SUPERVISOR'S COMMENTS:**

Supervisor Bernys thanked Trudy Engst for coming on board as bookkeeper and payroll clerk. He thanked her for devoting her time to help him in this new experience and noted that the town needs more people like her. They have been working hard learning their new roles. Trudy has signed up for Municipal Accounting Classes through the Comptroller's Office. She has been training with Williamson Law to gain knowledge of the accounting program and has been in contact with them as needed.

Supervisor Bernys has been busy as well and has taken a 2 day new elected Town Official's School in early January. Supervisor Bernys has also met with Laird Petrie for 3 hrs to discuss many issues and will continue to have discussions with him. Supervisor Bernys attended a brief ARPA Funding Seminar through the Association of Towns. Supervisor Bernys thanked Kelly Reader for her continued hard work and help through the transition.

Supervisor Bernys commented that on a sad note he would like to inform everyone that the Town's Dog Control Officer's son, Steve Cronk Jr. passed away due to a fatal snowmobile accident on January 17<sup>th</sup>, in Orwell. Supervisor Bernys wanted to extend the Town Board's condolences to Steve Cronk Sr. and their entire family.

**COUNCILOR'S COMMENTS:**

Councilor Eaton-Novak thanked Supervisor Bernys for welcoming the new Board Members and she is looking forward to moving in a positive direction.

Councilor Wood is looking forward to working with the new Board Members, Robin and Doug.

Councilor Horning thanked everyone for being here and commented that the Board Members are the stewards of the tax payers' money.

**APPROVAL OF MINUTES:**

December 16<sup>th</sup>, Regular Board Minutes: A motion was made by Councilor Wood, seconded by Councilor Eaton-Novak to approve the December 16<sup>th</sup>, 2022 Regular Board Minutes as received. Roll taken...All in favor-(4) Councilor Houghton-abstained. motion carried.

Organizational Meeting Minutes: January 6<sup>th</sup>, 2022-Approval tabled until the February Meeting.

**REPORTS:**

**Highway Report:** Hwy Sup't Horning

**Assessor's Report:** Tabled.

**CEO/ZEO Report:** Supervisor Bernys gave the report for December, 2021 along with the 2021 Year End Report.

**Town Justice Report:** Justice Dayger.

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

**DCO Report:** Excused.

**Tug Hill Circuit Rider's Report:** Paul Baxter, Tug Hill Rep. reported that the Tug Hill Commission has produced a new version of its regional map and fact sheet. Paul has a copy for the town, customized for the Town of Parish. The flyer has been distributed for the 2022 Tug Hill Conference scheduled for Tuesday, April 19<sup>th</sup>, 2022 at the Turning Stone Casino. Paul has extra copies for anyone interested.

Planning for the next Salmon Rivers Councilor of Government Conference is in progress. Information will be provided in an e-mail in the near future. The Tug Hill Commission has established its meeting schedule for 2022. The Commission's first meeting in Oswego County is scheduled for Monday, March 21, 2022 at 10:00 am in Cleveland, NY.

The Governor has signed legislation extending municipality's the ability to conduct meetings via Zoom for the duration of the current health emergency. Paul has updated the current website to accommodate the more secure https:// prefix in addition to the existing http://.

There is nothing new to report regarding the taxable status of the State Wildlife Management Area lands in the town, other than to note that the Town of Albion was approached by the State Department of Environmental Conservation about the proposed acquisition of additional lands to be added to the Wildlife Management Area. The proposed acquisition led to discussion about the (lack of) payment in lieu of taxes for existing WMA lands.

**Fire Company Report:** Fire Chief Harvey gave the December, 2021 Fire Chief's Report and the 2021 Year End Fire Chief's Report. Currently, there are 24 active members, 4 probational, 2 rams, and 4 associate members.

There were 438 call for the year.

Supervisor Bernys thanked the Fire Company for their service.

**Tax Collector's Report:** Tax Collector Dwyer gave the Tax Collector's Report as of 1/20/22.

Currently there is 1430 parcels in the Town of Parish.

As of 1/20/2002, \$549,705.92 has been collected. Taxes outstanding to be collected is \$2,115,884.32.

#### **NEW BUSINESS:**

**Annual Court Audit:** The Annual Court Audit by the Town Board has been scheduled for 1/27/2022 at 6:00 pm at the Town Board's monthly workshop.

**Tug Hill Conference-**April 19, 2022. Supervisor Bernys reminded anyone interested in attending the Tug Hill Conference in April, please give your registration to the Town Clerk in order for the Town to pay with one check.

**ARPA Funds:** Supervisor Bernys attended a 1 hr. seminar on ARPA Funds, and it is his understanding that the funds can be spent on pretty much anything within reason. It has been opened up that you can spend it and don't have to write it down until you reach the 10 million dollar mark.

Paul Baxter commented that was his understanding as well.

Supervisor Bernys would like to form a APRA Fund committee:

A motion was made by Councilor Wood, seconded by Councilor Horning to form a committee for the APRA Funds and possibly appoint Councilor Eaton-Novak as chair and also appoint co-chairs. Roll taken...All in Favor...motion carried.

Councilor Wood commented that he would be willing to aide Councilor Eaton-Novak. Supervisor Bernys commented that the committee could have co-chairs and members of the community could be involved as well.

#### **Approval of Thomas Goad as a member of the Parish Volunteer Fire Company:**

A motion was made by Councilor Eaton-Novak to approve the membership of Thomas Goad to the Parish Volunteer Fire Company effective immediately.

Roll taken...motion carried.

#### **Joe Russell Separation from Barclay Damon (New firm Joseph W. Russell, P.C.):**

Supervisor Bernys's recommendation was to stay with Mr. Russell at this time so no further action needs to be taken at this time.

It was the consensus of the Board to take no action.

#### **Official Parish Community Face Book Page:**

Supervisor Bernys commented that he believes that we should get on a Facebook Page in a positive manner.

Supervisor Bernys suggested that Councilor Eaton-Novak be the administrator and possibly have a co-administrator as Jack Rucynski had shown some interest in the past.

Councilor Eaton-Novak commented that she was one of the administrator's of the Talk of the Town Facebook Page and she has since resigned from the page. Councilor Eaton-Novak does not want there to be any question or any perceived question of potential conflicts.

Councilor Eaton-Novak commented that she thinks that its important to reach as many people as possible. She thinks Zoom is a great tool, although it needs to be improved. Councilor Eaton-Novak also commented that she thinks that Facebook is another way to reach another sector of the community. Councilor Eaton-Novak explained that her proposal would be a Facebook Page that no one can comment on publically. However, they could private message the administrators and their comments and questions could be addressed.

It was the consensus of the Board to appoint Councilor Eaton-Novak as the administrator and Councilor Houghton and Jack Ruscynski could collectively agree on what can be posted.

It was suggested to get a list of details to bring to the Board. Supervisor Bernys commented that a possible name for the Facebook Page that was suggested to him was "Positively Parish."

### **Assessor's Motion-Authority To Grant Exemptions on the 2022 Town Assessment Roll:**

A motion was made by Councilor Eaton-Novak, seconded by Councilor Horning to adopt a Resolution directing the Assessor to grant exemptions on the 2021 assessment roll (i.e., senior citizens and individuals with disabilities with limited income), thereby dispensing with the need for such persons to file renewal applications to request such exemptions, and further dispensing with the requirement that assessors mail renewal applications to such persons. Whereas, Executive Order 11.1 further allows the governing body of said assessing unit, in any such Resolution, at its option, to include procedures by which its Town Assessor may require a renewal application be required to be filed if the Assessor has reason to believe that an owner who qualified for the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to another owner or dies.

Roll taken...

Councilor Horning: Aye

Councilor Wood: Aye

Supervisor Bernys: Aye

Councilor Houghton: Aye

Councilor Eaton-Novak: Aye

motion carried.

**Planning Board Past Payment:** Supervisor Bernys explained that this subject has been going on for some time. Planning Board Member, Kevin Dwyer getting paid for attending meetings for the Planning Board in 2021.

Supervisor Bernys wants to implement biannual payments, one in June-\$500 and the second one in December-\$500.00. Supervisor Bernys feels with this process the Board can keep a handle on who attends and who doesn't. Supervisor Bernys attended all Planning Board Meetings as the Code Enforcement Officer and who personally knows that Kevin attended the meetings. He may have missed one meeting.

Councilor Eaton-Novak feels that they should sign the attendance sheet.

The past Board stated that the \$1,000.00 is for attending training as well and are salaried positions.

Supervisor Bernys doesn't feel that if you miss one meeting due to illness, that you should be penalized. 4 hrs of training a year is required and the members do not receive additional payment for attending.

A motion was made by Supervisor Bernys, seconded by Councilor Wood to pay Mr. Kevin Dwyer back pay for what is owed to him for attending Planning Board Meetings:

Roll taken...

Councilor Horning: Abstained

Councilor Wood: Aye

Supervisor Bernys: Aye

Councilor Houghton: Aye

Councilor Eaton-Novak: Aye

motion carried.

### **Constable Training:**

Supervisor Bernys explained that there is a shortage of Constables in Parish. We are down to 2 Constables for a lot of courts and they are spread pretty thin.

Constable Mike Wood explained that he is looking for the Board to approve \$1,500 to train an individual to serve as a Constable and that individual would be assigned just to Parish Court.

Mr. Wood also commented that he thinks that the training could be completed within the Town's Budget for Constables for the 2022 Budget Year.

A motion was made by Councilor Wood, seconded by Councilor Horning to allow \$1,500.00 to be allocated for Constable Training to provide coverage for the Parish Town Court. The Constable would receive an hourly rate of \$22.00 per hr. Roll taken...All in Favor...motion carried.

**Constable Agreement:** A motion was made by Councilor Eaton-Novak, seconded by Councilor Wood to agree to the NYS Constable Association Employment Agreement.  
Roll taken...All in Favor...motion carried.

**Councilor Jordan's Vehicle:** Supervisor Bernys explained that Doug Jordan, past Board Member turned a bill in for damage done to his truck during his attendance at the December Board Meeting. Councilor Wood commented that the truck was keyed all the way down from one end to the other. The damage was done while he was working for the town in the position of serving as a Town Board Member.

Councilor Wood commented that we don't have a bunch of vigilantes running around the town keying cars or he would think it was just bad luck. Councilor Wood has no names and no proof, but he has a good idea who is responsible. Councilor Wood believes if there is political differences which there were due to the election, people should not have to worry about there personal property being damaged while they are performing their job duties.

Councilor Wood commented that he feels that the Town Board should consider paying for Mr. Jordan's deductible because he believes that this occurred while he was doing his job and should not come out of his pocket.

Councilor Wood stated that if whoever was responsible for the damage came forward then fine, but he doubted that was going to happen so he would like to make a motion to pay his deductible.

Councilor Wood commented that it was vandalism and it should not be tolerated. Councilor Wood informed the Board that law enforcement was contacted and they commented that who ever was responsible was childish.

Councilor Wood expressed that the Town of Parish should stand up and support their employees no matter who they are if they are victims of vandalism while performing their job duties.

Councilor Eaton-Novak commented that the Board does not have proof and she does not feel the Town should be held responsible for the damage.

Councilor Houghton commented that he doesn't have enough information on the issue to make a decision one way or another.

Attorney Genant commented that under these circumstances, the Board cannot reimburse Mr. Jordan because there is no evidence presented to reimburse Mr. Jordan. No evidence regarding, who did it or how it was done.

It is an implied situation or a circumstantial situation.

Councilor Eaton-Novak commented that if this becomes an issue maybe money can be put toward cameras that are pointed out front where people are parked.

#### **NEW BUSINESS OFF THE FLOOR:**

**Shared Service Agreement with State DOT:** This agreement would allow the State DOT to aid the Town of Parish in an event of an emergency that was not declared by the governor without going through all the red type. This would allow immediate assistance.

A motion was made by Councilor Wood, seconded by Councilor Horning for approval for the Highway Superintendent to sign a Shared Service Agreement with the State DOT.

Roll taken...All in Favor...motion carried.

#### **OLD BUSINESS:**

**Wage Schedule:** Supervisor Bernys explained that the Wage Schedule for 2022 was overlooked and was not provided for approval at the Organizational Meeting. The Wage Schedule tells what everyone's salaries are.

A motion was made by Councilor Wood, seconded by Councilor Eaton-Novak to accept the 2022 Wage Schedule as presented. Roll taken...All in Favor...motion carried.

**Bar Past Payment:** Supervisor Bernys explained that a member of the BAR, Lynette Wood was mistakenly not paid her full salary as BAR Chair for 2 years. She was shorted \$25.00 for two years in a row. Lynette Wood has requested the shortage which is \$50.00 be paid to her. Discussion was held on why she was shorted. Supervisor Bernys commented that it could have been a mistake. He can not speak on that, but he has seen evidence that she was shorted.

A motion was made by Councilor Eaton-Novak, seconded by Councilor Houghton to pay BAR Member, Lynette Wood \$50.00 for past shortage of salary for serving as BAR Chair.. Roll taken...

Councilor Horning-Aye

Councilor Wood-Abstain

Supervisor Bernys: Aye

Councilor Houghton-Aye

Councilor Eaton-Novak

motion carried.

**OLD BUSINESS OF THE FLOOR:**

None.

**CORRESPONDENCE:** Resignation received from Robert Dalton as Chief Constable.

**INFORMATIONAL ITEMS:** None.

**APPROVAL OF BILLS:**

**Supervisor's Report:** The Supervisor's Report for December, 2021 was presented to the Board for review and filed with the clerk.

**Transfers:**

Transfers to bring accounts current-Year End-2021

From: A1220.4 Supervisor CE: \$140.00

To: A1220.13 Supervisor's Confidential Secretary-\$140.00

From: A1990.4 CE-.06 cents.

To: A5010.11-Highway Supervisor-.06 cents.

From: A1410.12 Deputy Town Clerk-.03 cents.

To: A1460.1 Record-.03 cents.

A motion was made by Councilor Horning, seconded by Councilor Eaton-Novak to approve all transfers as presented. Roll taken...All in Favor...motion carried.

**General A Fund:** A motion was made by Councilor Horning, seconded by Councilor Eaton-Novak to approve claims to the General A Fund, those being claims #001-021 and #023-024 for a total warrant of \$16,210.90. Roll taken...All in Favor...motion carried.

**General B Fund:** A motion was made by Councilor Horning, seconded by Councilor Eaton-Novak to approve to the General B Fund, for claim #022 for a total warrant of \$628.69. Roll taken...All in Favor...motion carried.

**Highway DA Fund:** A motion was made by Councilor Wood, seconded by Councilor Eaton-Novak to approve the claims to the Highway DA Fund, those being claims #001-#011 for a total warrant of \$20,092.25. Roll taken...motion carried.

**Highway DB Fund:** A motion was made by Councilor Eaton-Novak seconded by Councilor Wood to approve the claim to the Highway DB Fund, for claim #012 for a total of \$50.00. Roll taken...All in Favor...motion carried.

**Motion Rescinded:** A motion was made by Councilor Robin Eaton-Novak, seconded by Councilor Houghton to rescind the motion to approve the claims to the General Fund A Account and approve claims #001-021 and exclude claims #023 and #024 for a total warrant of \$13,465.02. Roll taken...All in Favor...motion carried.

A motion was made by Councilor Wood, seconded by Councilor Eaton-Novak to adjourn at 7:50 pm. Roll taken...All in Favor...motion carried.

Respectfully submitted,

Kelly Reader  
Parish Town Clerk