

**TOWN BOARD MEETING
& ORGANIZATIONAL MEETING**

January 9, 2014

The Town Board of the Town of Spafford assembled at the Spafford Town Hall, 1984 Route 174, Skaneateles, New York with Supervisor Mary Bean presiding and the following Board members present: Councilor Jeff Ireland, Councilor Chris Fesko, Councilor Lou Hanlon, and Councilor Dave Venezia.

The following Town Officers were present: Town Clerk Lisa Valletta, Highway Superintendent Carl Wiers, Accountant Thomas Chartrand, and Code Enforcement Officer Howard Tanner. Supervisor Bean called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

RULES OF PROCEDURE

The quality of decisions is directly proportional to the quality and quantity of input. The Board values and appreciates the input to decision making we receive from citizens especially those who take the time to attend Board meetings. In order to encourage attendance at Board meetings, meetings will be conducted with civility and decorum. The following rules will help facilitate these expectations:

Board members will be available for informal conversation both before and after Board meetings. Anyone may sign up to speak for 3 minutes at the end of the Board meeting. A clip board will be on the Board table and persons may request time as they arrive. The total time allowed for public formal input will be 30 minutes. Public comments must not be derogatory or be related to personnel matters or pending litigation.

Once the Board meeting begins, no verbal input from the public will be allowed. If a member of the public feels the need to interject a correction or add information (one or two sentences) they must raise their hand and wait to be called upon.

Board members will respect the input and decisions of their colleagues. If a discussion between Board members becomes heated or there appears to be animosity developing, the Supervisor may call a brief (5 minute) break in the proceedings for the purpose of caucus or cooling off.

Anyone speaking out of turn, or acting in a threatening or intimidating manner at a Board meeting will be called “out of order” by the presiding Supervisor. If the individual is again found out of order, the Supervisor will issue a second warning. The third time an individual disrupts the meeting; the Supervisor will request the individual be escorted out of the building for the remainder of the meeting.

A motion to adopt the above policy was made by Councilor Fesko, seconded by Councilor Ireland. The motion PASSED. AYES – 5, NAYS – 0.

CONSTABLE

Supervisor Bean requested the Town Board permit the hiring of a constable at a cost of \$18 per hour for security as deemed necessary at Town meetings and Town Court sessions. Councilor Venezia spoke of his agreement with having a constable available for Town Court sessions; yet concern that some may see a constable as a barrier to communication at Town meetings. Councilor Venezia would like the Town Board to identify any threat that may establish a need prior to establishing a continuing cost to the Town. Supervisor Bean agreed the Board could conduct a monthly review on the need and cost of a constable’s services. Councilor Ireland agreed with Councilor Venezia’s views.

RESOLUTION 1-2014

Constable

On a motion by Councilor Fesko, seconded by Councilor Hanlon the following resolution was PASSED

AYES – 5	Bean, Ireland, Fesko, Hanlon, Venezia
NAYS – 0	

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Resolved Supervisor Bean is authorized to enter into a contractual agreement with Mr. Thomas Adessa for services as a constable on an as needed basis for security at Town meetings and Town Court sessions at a fee of \$18.00 per hour.

RESOLUTION 2-2014

Town Official's Undertaking

On a motion by Councilor Venezia, seconded by Councilor Ireland the following resolution was
PASSED AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
 NAYS – 0

Resolved that certain elected and appointed officials will faithfully perform and discharge the duties of their offices, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law.

ORGANIZATIONAL ITEMS

The Town Board reviewed the following Organizational Items for 2014:

- Audit financial records of the Town Clerk, Town Justice, and Tax Collector for previous year.
- Continue to follow current policies: Procurement; Investment; Equal Opportunity Employment; Sexual Harassment; and Internet Usage.
- Location, day, and time of Town Board meetings (Spafford Town Hall, 2nd Thursday of each month @ 7 p.m. unless otherwise noted and published)
- Designate Official Town Newspaper Skaneateles Press with the use of The Post Standard when deemed necessary.
- Appoint Town Accountant: Chartrand Accounting Services
- Appoint Deputy Town Supervisor with authority to sign checks and made deposits as needed when Town Supervisor is unavailable: Councilor Christine Fesko
- Allow the Town Supervisor 60 days from January 1 of this year to file annual report with the office of the State Comptroller and with the Town Clerk. The report will be prepared by the accountant.
- NBT Bank of Cortland as Official Town Repository and as initial repository of collected moneys by the Town Clerk. Key Bank as the initial repository of collected moneys by the Tax Collector and Town Justice.
- Authorize Supervisor to invest idle funds into interest bearing accounts at NBT Bank of Cortland
- Salaries for:

Supervisor:	\$ 10,000
Councilmen:	\$ 5,800 (4 @ \$1,450.00 each)
Justice:	\$ 6,000
Justice Clerk:	\$ 3,000
Town Clerk:	\$16,700
Deputy Town Clerk:	\$ 3,260
Tax Collector:	\$ 5,000
Assessor:	\$26,270
Highway Superintendent:	\$50,960
Code Enforcement Officer:	\$20,000
Codes Enforcement Clerk:	\$ 6,340
Zoning Board Clerk:	\$ 12.45/hr
Transfer Station Attendant:	\$ 12.40/hr
Custodian:	\$ 2,100
Dog Control Officer:	\$ 1,400

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- Pay scale for Highway employees \$18.40/hour for full-time employees
- Highway employees to contribute 3% of health insurance premium.
- Allow Town Supervisor to purchase postage as needed for Town correspondence, payment of invoices, and postage for the Town Tax Collector
- Town Supervisor to pay Town telephone and electric bills as received, and in advance of claim.
- Town Supervisor to pay Health insurance bills as received, and in advance of claim.
- Annual appointments:
 - Codes Clerk *Kimberly Read*
 - Dog Control Officer *William Burns*
 - Chair of Zoning Board of Appeals *Kathryn Bragg- Adams*
 - Zoning Board of Appeals secretary *Kimberly Read*
 - Chair of Sub Division/Planning Board *Chad Marsh*
 - Planning Board secretary *Kimberly Read*
 - Court Clerk *Christina Castle*
 - Caretakers for Borodino Cemetery and Spafford Cemetery and set pay rate *pay not to exceed \$300/year*
Borodino – Margaret Ireland Spafford – Merrill Clark Cold Brook – This position is to be advertised
 - T/Hall custodian *Kimberly Read*
- Appoint Zoning Board of Appeals member *Kathy Bragg-Adams – new term thru January 15, 2019*
- Appoint Sub Division/Planning Board member *Les Morton – new term thru January 15, 2019*
- Designate polling places District #1(Spafford Town Hall) & District #2 (Spafford Town Hall)
- Purchase of heating oil, crushed stone, salt, gasoline, diesel fuel, tires and asphalt emulsion under county cooperative bid. Also use of NYS contracts where appropriate.
- Allow Highway Superintendent to purchase small tools up to a cost of \$500.00.
- Mileage rate for Town Employees, (\$0.56), pay lunch cost for employees while attending meetings
- Pay Town Supervisor cell phone stipend (\$40) for use of personal cell phone for Town business
- Town Board authorization prior to attendance for reimbursement for additional classes, meetings, seminars, etc. outside a specified radius.
- Pay members of Planning Board and Zoning Board of Appeals \$25.00 per person, per meeting attended.
- Pay Board of Assessment Review members \$40.00 per person per day attended.
- Retirement System standard as a 6 hour workday
- Set returned check fee at \$20.00 per check.

RESOLUTION 3-2014

2014 Organizational Items

On a motion by Councilor Ireland, seconded by Councilor Fesko the following resolution was
PASSED AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
 NAYS – 0

Resolved to adopt the foregoing Organizational Items for the Town of Spafford for the year 2014.

MINUTES

The following adjustment was requested by Councilor Fesko: to change “*Councilor Fesko is unwilling to act with the absence of Councilor Hanlon.*” to “*Councilor Fesko is unwilling to act without first going into Executive Session.*”

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A motion to accept the amended minutes of the December 12, 2013 Town Board meeting was made by Councilor Fesko, seconded by Councilor Hanlon. The motion PASSED. AYES – 5, NAYS – 0.

RESOLUTION 4-2014

Audit of Claims

On a motion by Councilor Ireland, seconded by Councilor Venezia the following resolution was PASSED
AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
NAYS – 0

Resolved approve payment of the bills General Fund and Highway Fund bills on Abstract #1, (audited abstract totals to be included in February 2014 minutes).

ABSTRACT #12 – DECEMBER 12, 2013

Audited bills for Abstract #12 were as follows:

General Fund	vouchers 360 – 408	\$ 24,763.00
Highway Fund	vouchers 166 – 175	\$ 13,192.86

HIGHWAY SUPERINTENDENT’S REPORT

- The equipment is holding up well.
- Highway Superintendent Wiers struck a deer with the pickup truck. This is the second hit this season. The damage is on the passenger-side of the vehicle. The insurance claims adjuster will be coming to assess the damage.
- There was a water run-off issue along Collard Road – heavy snow was cleared from the ditch and the water resumed its normal flow. There was no damage from the temporary run-off.

Supervisor Bean reported on a discussion with Mr. Wiers regarding the 1972 OshKosh machine. This machine was originally to be retired, however it will be retained until one of the big snow plows is replaced. The loader was also discussed for replacement. New tires for the loader will cost \$10,000. Mr. Wiers is investigating the specifics of a State contract buy-back program to see if it would be less expensive.

A motion to accept the Highway Report was made by Councilor Fesko, seconded by Councilor Venezia. The motion PASSED. AYES – 5, NAYS – 0.

CODE ENFORCEMENT OFFICER’S REPORT

Code Enforcement Officer’s Report for December 2013 was read.

- The following documents were issued:
 - Three Building Permits
 - Two Certificates of Occupancy
 - Three Certificates of Compliance
 - Two Orders to Remedy
- The Zoning Board of Appeals received three filings.
- The Planning Board has one Sub Division under review.
- The 2013 report to the Secretary of State has been filed.
- The 2013 US Census Bureau Report has been filed.
- 2013 Activity Summary:
 - 4 new homes built
 - 66 building permits written

- 11 complaints filed
- 11 Orders to Remedy issued

Highway Garage Fire Inspection

Mr. Tanner submitted a new fire inspection report and included the report from 2009. He noted many of the violations and recommendations are the same. The outside steel I-beams at the doors are severely rotted at the base and there are multiple cracks in the concrete block.

Mr. Tanner's recommendations are as follows:

1. The Town should have a structural engineer do an analysis as to the buildings structural integrity.
2. Some type of ventilation system should be incorporated into the buildings.
3. The window along the stairs to the mezzanine needs rails for fall protection.
4. The electrical conduit and wall plugs should be raised (or lowered) as they are continually exposed to damage by snow plow blades.
5. Remove combustible items stored in furnace room.
6. Storage of flammable liquids should be in explosion-proof lockers or stored outside.
7. The trucks take up the entire space from wall to overhead doors. Some means of egress should be designed.

There was a brief discussion of the recommendations. Mr. Tanner also noted the heating system is operating at about 50% efficiency.

66 Spafford Landing Road

Mr. Tanner provided a timeline of actions taken by the Town of Spafford regarding 66 Spafford Landing Road. The recorded complaints began in 2005. The last action by the Town was a letter from the Town Attorney requiring the minimum work recommended by the Town to be done within 45 days. At the present time, no effort has been made by the property owner to secure the structure or to repair damages. It remains an immediate danger; it is uninhabitable and unsafe. Mr. Tanner's recommendation is the Town should pursue demolition of the building. He advises the Town confirm proper filing of the applicable local law with the secretary of state; ensure the local law allows for levying cost of demolition onto the tax bill; and request an asbestos study due to the proximity of Skaneateles Lake. The asbestos study is required for removal of a building older than 1974; although a municipality employing eminent domain may have the fire department apply water to the building during demolition, Mr. Tanner would not advise that course because the property is so near to the lake.

Mr. Tanner explained he has followed the proper procedures as Code Enforcement Officer. He advised the Town Board should consult with the Town Attorney on the specific course to take, to determine when to secure the building and for allowance of the owners to remove personal property.

Councilor Venezia asked if the building is in immediate danger of collapse. Mr. Tanner said it is; the engineer's report submitted by the property owners indicated it could easily collapse if nothing was done to repair the building. There is also a sizeable hole in the roof and no foundation remains under the building.

An additional complaint on the property was brought to Mr. Tanner this morning. The neighbors at 49 Spafford Landing Road have reason to believe the septic tank for 66 Spafford Landing Road is actually on their property.

Mr. Tanner would like to meet with the Town Attorney to determine a proper course of action for demolition of the building. Councilor Ireland advised Mr. Tanner if action is needed prior to the February Town Board meeting, a Special Meeting could be held.

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A motion to accept the Code Enforcement Officer's report was made by Councilor Ireland, seconded by Councilor Venezia. The motion PASSED. AYES – 5, NAYS – 0.

TOWN CLERK'S REPORT

Town Clerk's Report and Statement of Receipts and Payments for December 2013 was read. A motion to accept the Report as presented was made by Councilor Fesko, seconded by Councilor Venezia. The motion PASSED. AYES – 5, NAYS – 0.

BICENTENNIAL THROWS

The cost of the Town of Spafford Bicentennial commemorative blankets was lowered to \$20 in August 2013. The reduced cost was set to expire after the Christmas holiday. Town Clerk Valletta asked if the Board would like to continue to offer the throws at \$20 each or reinstate the original cost of \$40 per blanket. By general consensus of the Board, the cost will remain at \$20 per throw.

NYS DEPT. OF CONSERVATION LICENSING EQUIPMENT

The NYS Dept. of Environmental Conservation (DEC) has a new software vendor and program for license sales. The equipment used with the old program (two specialized printers) is not compatible and the DEC has provided a new printer that is compatible and requests the Town recycle or dispose of the obsolete printers. Town Clerk Valletta recommends the old equipment be recycled with the electronic waste at the Transfer Station.

RESOLUTION 5-2014

Surplus Equipment

On a motion by Councilor Ireland, seconded by Councilor Fesko the following resolution was PASSED
AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
NAYS – 0

Resolved to declare the two specialized DEC printers as surplus equipment with no value and to dispose of the equipment with the electronic waste at the Transfer Station.

TOWN SUPERVISOR'S MONTHLY REPORT & STATEMENT

Town Supervisor's Monthly Statement of Receipts and Payments for December 2013 was read by Accountant Thomas Chartrand and filed. The end of the year report will be prepared for the February 2014 meeting.

A motion to accept the Town Supervisor's Monthly Statement as presented was made by Councilor Fesko, seconded by Councilor Ireland. The motion PASSED. AYES – 5, NAYS – 0.

RESOLUTION 6-2014

December 2013 Bank Reconciliations

On a motion by Councilor Fesko, seconded by Councilor Venezia the following resolution was PASSED
AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
NAYS – 0

Resolved to find a positive audit of the December 2013 bank statement as presented by Mr. Chartrand.

RESOLUTION 7-2014

Town of Spafford Bank Account Signatory

On a motion by Supervisor Bean, seconded by Councilor Ireland the following resolution was

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PASSED AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
 NAYS – 0

Resolved to authorize removal of Webb A. Stevens as a signatory on all Town of Spafford accounts.

RESOLUTION 8-2014

NBT Bank Corporate Authorization

On a motion by Councilor Ireland, seconded by Councilor Venezia the following resolution was

PASSED AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
 NAYS – 0

Resolved to authorize Town Supervisor Mary Bean, Deputy Town Supervisor Chris Fesko and Town Clerk Lisa Valletta all powers and duties regarding the bank accounts of the Town of Spafford as set forth by the banking agreement with NBT Bank.

ZONING BOARD OF APPEALS (ZBA) REPORT

Supervisor Bean requested recommendations from the ZBA on the current Town of Spafford Zoning Ordinance (the Ordinance). ZBA Chair Kathy Adams reported some technical updates can be made, but the Ordinance is lacking a community statement for guidance on how or when to address any future development. Mrs. Adams recommends a three-prong approach:

1. a revision of the Ordinance including a clarification of definitions in relation to the bulk use tables.
2. undertake development of a comprehensive plan for the Town of Spafford
3. input from the community on a review of the Ordinance after the comprehensive plan is completed.

A motion to accept the ZBA report was made by Supervisor Bean, seconded by Councilor Fesko. The motion PASSED. AYES – 5, NAYS – 0.

TOWN ATTORNEY

Supervisor Bean informed the Town Board a new fee schedule was received from Hiscock & Barclay, the current Town Attorneys. Should the Town of Spafford desire to continue with Hiscock & Barclay for 2014 the fees will be \$225 per hour. Supervisor Bean commented the Board needs to consider hiring an attorney that can meet the Town's needs at a reasonable cost. She reported that other attorneys have already contacted her with an interest in becoming the Town Attorney and she has begun the interview process. Supervisor Bean asked the Town Board for authorization to advertise for applicants for the post of Town Attorney.

A motion to authorize the advertisement for applicants for the post of Town Attorney was made by Councilor Fesko, seconded by Councilor Hanlon. The motion PASSED. AYES – 5, NAYS – 0.

CODE ENFORCEMENT OFFICER

Supervisor Bean reminded the Board that Mr. Howard Tanner was appointed as Code Enforcement Officer until this date.

A motion to authorize the advertisement for applicants for the post of Code Enforcement Officer was made by Councilor Fesko, seconded by Councilor Hanlon. The motion PASSED. AYES – 5, NAYS – 0.

A motion was made by Supervisor Bean to extend Mr. Tanner's appointment as Code Enforcement Officer to February 13, 2014. The motion was seconded by Councilor Fesko. The motion PASSED. AYES – 5, NAYS – 0.

COMMITTEES

Supervisor Bean explained she is seeking volunteers for three different committees:

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- *Parks and Recreation* – members to review the needs and resources of the Town and recommend how best to allocate any available funding.
- *Highway Department Advisory* – to advise and support Highway Superintendent Carl Wiers with upcoming activity at the Highway Garage.
- *Ethics Committee* - planning to have an active Ethics Committee per the Code of Ethics distributed at this meeting.

Each of the above committees will include a Town Board member.

2014 INSURANCE COVERAGE

Supervisor Bean noted the Town of Spafford will remain under the existing policies for the calendar year 2014. The policies will go out for bid for the 2015 calendar year.

TRANSFER STATION MANAGER

The post of Transfer Station Manager (Manager) existed as a paid position in prior years and was held by the Highway Superintendent. The Town Board eliminated this position at the beginning of 2011 and the Town Supervisor at the time covered the Manager’s duties. Supervisor Bean is not willing to include the Manager’s duties with those of the Town Supervisor. The Manager’s duties will include operating the loader to move appliances and other heavy items, setting the schedule for special collection days, and general oversight.

RESOLUTION 9-2014

Transfer Station Manager

On a motion by Supervisor Bean, seconded by Councilor Fesko the following resolution was PASSED
AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
NAYS – 0

Resolved to hire Mr. Wiers, effective immediately, as the Transfer Station Manager with a salary of \$3,500 to be paid with the first Highway payroll of December.

MOWING CONTRACT SPECIFICATIONS

Supervisor Bean explained she will meet with Board members and advisors prior to the February Town Board meeting to update the specifications for the mowing contract.

TRAINING AND EDUCATION

Supervisor Bean and Councilor Venezia will be attending the training session for newly elected officers in Albany. The anticipated cost is approximately \$1,500. Councilor Venezia will be in Albany on business and will not need reimbursement for travel expenses.

Supervisor Bean is also seeking approval to reimburse four attendees to the annual Association of Towns of the State of New York (AOTSNY). The four attendees will be Supervisor Bean, Town Justice Jacques, ZBA Chair Kathy Adams, and Court Clerk Tina Castle.

RESOLUTION 10-2014

Newly Elected Officials Training Session

On a motion by Supervisor Bean, seconded by Councilor Ireland the following resolution was PASSED
AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
NAYS – 0

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Resolved to authorize reimbursement of registration, hotel, dinner meals, and transportation fees associated with attending the Newly Elected Officials training session in Albany, NY to Town Supervisor Mary Bean and Councilor Dave Venezia.

RESOLUTION 11-2014

Annual AOTSNY Conference

On a motion by Supervisor Bean, seconded by Councilor Fesko the following resolution was
PASSED AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
 NAYS – 0

Resolved to authorize reimbursement of registration, hotel, dinner meals, and transportation fees associated with attending the annual AOTSNY Conference in New York, NY to Town Supervisor Mary Bean, Town Justice Kate Jacques, ZBA Chair Kathy Adams and Court Clerk Tina Castle.

UNION CONTRACT

Supervisor Bean met with the Highway Department employees and all have agreed to negotiate a new contract directly instead of through attorneys. A final draft will be presented to the Town Attorney for review prior to adoption.

MISCELLANEOUS

- Supervisor Bean intends to purchase a bulk mail permit for the Town of Spafford to decrease the cost of postage when mailing newsletters. She does not anticipate the cost of the permit, postage and production to exceed \$500.
- Supervisor Bean is looking to arrange for cleaning and sealing of the office floor, likely to be done once a month.
- All the locks on the exterior doors to the Town Hall are being changed to accommodate the same key. The work is not yet complete. Supervisor Bean expects the cost will be less than \$500.

RESOLUTION 12-2014

Explosion-proof Locker

On a motion by Councilor Fesko, seconded by Councilor Venezia the following resolution was
PASSED AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
 NAYS – 0

Resolved Highway Superintendent Wiers is authorized to purchase an explosion-proof locker under State contract as recommended in the fire inspection report.

EXECUTIVE SESSION

A motion to enter Executive Session at 8:50 p.m. to discuss pending litigation was made by Supervisor Bean, seconded by Councilor Fesko. Town Clerk Valletta was asked to attend the Executive Session. The motion PASSED. AYES – 5, NAYS – 0. Councilor Hanlon recused himself from the Executive Session.

Attorney Thomas Blair was invited to join the Town Board in Executive Session.

A motion to exit Executive Session at 9:42 p.m. was made by Councilor Fesko, seconded by Councilor Ireland. The motion PASSED. AYES – 5, NAYS – 0.

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RESOLUTION 13-2014

Town Attorney

On a motion by Supervisor Bean, seconded by Councilor Fesko the following resolution was
PASSED AYES – 5 Bean, Ireland, Fesko, Hanlon, Venezia
 NAYS – 0

Resolved Supervisor Bean is authorized to hire an attorney to serve as Town of Spafford Attorney until February 13, 2014 to address any immediate needs of the Town of Spafford with a limit of \$1,000 for expenses.

ADJOURNMENT

A motion to adjourn the meeting at 9:45 p.m. was made by Councilor Fesko, seconded by Supervisor Bean. The motion was carried unanimously.

Respectfully submitted by,

Next meeting to be held
Thursday, February 13, 2014 @ 7 p.m.
@ Spafford Town Hall

Lisa M. Valletta
Town Clerk
Town of Spafford