

## REGULAR MEETING

Minutes of the Regular Meeting of the Parish Town Board held June 16<sup>th</sup>, 2011 at the Village Gym. The meeting was called to order by Supervisor Stelmashuck at 7:00 p.m.

### **PRESENT:**

Stephen Stelmashuck, Supervisor  
Doug Jordan, Councilor  
John Dunham, Councilor  
Mary Lou Guindon, Councilor  
Mary Ann Phillips, Councilor  
Kelly Reader, Town Clerk

Supervisor Stelmashuck apologized for the cramped conditions, but due to the fact that a trial will be held on Saturday many of the chairs are in the gym.

**ALSO PRESENT:** L.J. Harvey, Fire Chief; Belden Dawley, Hwy Supt; Bob Genant, Town Attorney; Paul Baxter, Tug Hill Rep.; Denise Sigourney, Assessor; Dale Chapman, Maureen Wafer, CEO; Jack Rucynski, Mary Anne Pelkey, George Horning, Barb Horning, John Horning, Bernie Horning, Krista Alsworth, Bill Alsworth, and Alice Spencer.

### **APPROVAL OF MINUTES:**

**May Regular Meeting Minutes:** A motion was made by Councilor Guindon, seconded by Councilor Dunham to approve the May Minutes as received. Roll taken...motion carried.

### **SUPERVISOR'S REPORTS:**

**Supervisor's Financial Report:** The Supervisor's Report was reviewed by the Town Board and filed with the Clerk.

**July Calendar:** The July Calendar will be available at the June 24<sup>th</sup> Workshop.

**Revenue Reports:** The Regular Revenue and Justice Revenue Reports were reviewed by the Board and filed with the Clerk.

### **COMMITTEE REPORTS:**

**Community Affairs, Parks, Preservation and Recreation Committee:** Councilor Guindon submitted a report addressing the following issues:

High Speed Updates, Historic District, Town Logo, Livable Community Presentation, Park Summary, Community Walk-parks/churches loop, and Recreation-Americorps for fall.

**Emergency Services and Public Safety Committee:** Councilor Dunham stated that he has been trying to get in contact with the McFee Ambulance Director to check on the new Ambulance Contract that will be renewed in July. The contract should be prorated and then the official Ambulance Contract should run from January 1<sup>st</sup> to December 31<sup>st</sup> to accommodate the Town's fiscal year. He has had prior discussion with the Ambulance Director and he had indicated that it should not be a problem to implement the change. Councilor Dunham stated that the Fire Chief will need to sign the contract as well. Councilor Dunham stated that he will continue trying to get in contact with the McFee Ambulance Director as our current contract expires on June 30, 2011.

**Financial Affairs Committee:** Councilor Phillips reported that she and Deputy Swartz are continuing to reconcile the Town's checking accounts.

**General Gov't Committee:** The State Auditor may continue another week if needed. The auditor will let us know.

**Infrastructure Policy and Public Facilities Committee:** Councilor Jordan stated that he had no report this month.

**Task Force:** May Minutes were submitted by Fred Swartz.

**Water Committee:** Trustee Allardice (Report) presented at last Joint Board Meeting.

**REPORTS:**

**Legislator's Report:** Supervisor Stelmashuck stated that Legislator Leemann sent a Legislator's Report in May but he did not receive it until after the meeting. Legislator's Leemann's Report was addressing the possibility of obtaining gas from the Oswego County Highway Department. Legislator Leemann stated that there would be a small administration charge for using the fuel depot. Also, Legislator Leemann stated that the project would be quite costly and he would like the Town to consider a donation of around \$10,000 to help with the project.

Councilor Jordan stated that he would look into the possibility.

Legislator Leemann attended an Efficiency Committee Meeting. APW is also open to a possibility to provide a joint fuel depot to be shared between the Town and the school district.

**Highway Sup't Report:** Hwy Sup't Dawley stated that there was some damage caused by a stolen car at the Town Park. Some posts were broken off that needed repair and some new posts were donated by the County Highway Dept. Precision Plumbing let the Highway

Dept. borrow a back hoe which saved the Town money.

Two passes have been mowed around the Town.

Some Run-A-Crush Stone has been hauled in to begin the Road Project on Crim Road.

Hwy Sup't Dawley stated that he was in contact with the County Engineer to get suggestions on how to repair Crim Road.

Councilor Dunham asked if all Town equipment is stored on Town Property. Hwy Sup't Dawley stated that not all equipment is stored on Town Property due to the lack of space. Pressure Washer-Hwy Sup't Dawley will obtain quotes for rental of a pressure washer to wash the out side of the Highway Garage to get it ready for paint and repair.

**Town's Clerk's Report:** Clerk Reader submitted a Town Clerk's Report and Dog Control Report for May, 2011.

**CEO Report:** CEO Wafer submitted a written CEO Report for May. Also, CEO Wafer stated that complaints are rising. CEO Wafer stated that she placed a news brief in the paper regarding swimming pool requirements mandated by NYS Building Codes. The information provided in the news brief prompted residents to call her office with questions regarding installation of pools.

Town and Village Complaint Forms will be available in the lobby for the public. Also, it was suggested to ask Paul Baxter to post the complaint forms on the Town and Village Website.

**Planning Board Chair Report:** The Board received copies of the Planning Board Report and Minutes. Also, a Public Hearing needs to be scheduled to amend the Town of Parish Zoning Law.

**Public Hearing:** A motion was made by Supervisor Stelmashuck, seconded by Councilor Jordan to schedule a Public Hearing on July 21<sup>st</sup>, 2011 prior to the Regular Meeting at 2938 E. Main Street, Parish, NY in the Village Gym to begin at 6:30 p.m. The purpose of the Public Hearing is to consider amending the Town of Parish Zoning Law. Roll taken... motion carried.

**Assessor's Report:** Assessor Sigourney suggested that the Town have the Hwy Garage surveyed as her records indicated that part of the County Highway Garage is on Town of Parish Property.

Assessor Sigourney also stated that there were 98 grievances filed and the grievance process has been completed for the Town of Parish.

Assessor Sigourney presented a sample of a Local Law for the Board to consider increasing the amount for the Veteran's Exemption. This increase would provide the same percentage of exemption as the county.

It was the consensus of the Board to direct Attorney Genant to look over the sample Local Law and to start the process to change the Town's present Veteran's Exemption Law to reflect the County's Veteran's Exemption Law.

**DCO Report:** DCO LaFlair was absent therefore no report was received.

Supervisor Stelmashuck read an Inspection Report from NYS Ag & Markets indicating that DCO LaFlair's Kennels received a satisfactory rating and all aspects were positive.

**Dog Enumeration:** Councilor Dunham suggested that a 2012 Dog Enumeration be budgeted for when they begin the budget process.

**Fire Chief's Report:** Fire Chief Harvey gave the Fire Report for May 2011.

**Tug Hill Circuit Rider's Report:** Paul Baxter stated that there may be some funding available for the park to offset the cost of an archeological study that is estimated to cost between \$3,500 and \$5,000.00. This study would have to be conducted if a grant was received to expand the nature trails at the park.

Status of Tug Hill Commission: Paul Baxter stated that they are trying to replace some positions that are vacant as it is difficult to work without support staff.

#### **CORRESPONDENCE, COMMUNICATIONS & PETITIONS**

A request came from the 50+ Club to use the corner Park Lot on a Tuesday in July for a Club Picnic.

A motion was made by Supervisor Stelmashuck, seconded by Councilor Jordan to allow the 50+ Club use of the corner Park Lot for a picnic on a Tuesday this summer. Roll taken...motion carried.

Councilor Dunham shared an e-mail from the Governor's Office that 9,800 government workers will be laid off.

An article from the Post Standard was read by Supervisor Stelmashuck advertising a Public Meeting on the Future of the Parish Elementary School on Wednesday, June 29<sup>th</sup>, 2011 at 7:00 p.m. The purpose of the meeting is to provide an overview of the results of the building assessment and preliminary findings of the market study conducted by Fairweather Consulting, This informational meeting will provide an opportunity for the public to ask questions about the preliminary findings and express thoughts and concerns about the future of Parish Elementary.

#### **OLD BUSINESS:**

**Audit by the Comptroller's Office:** The State Auditors are still compiling information for a final report.

**New Visions:** New Visions Powerline Communications as of Monday-6/6/2011 are working on financing for Parish and other projects.

#### **Adopt SEQR and Updated Comprehensive Plan:**

**Adopt SEQR Resolution:** A motion was made by Supervisor Stelmashuck, seconded by Councilor Guindon to adopt a negative declaration for the Comprehensive Plan.

Roll taken...Councilor Phillips: Aye  
Councilor Guindon: Aye  
Councilor Dunham: Aye  
Councilor Jordan: Aye  
Supervisor Stelmashuck: Aye

Motion carried.

**Adopt Comprehensive Plan Resolution:** A motion was made by Supervisor Stelmashuck, seconded by Councilor Guindon to pass a resolution adopting the Updated Comprehensive Plan.

Roll taken...Councilor Phillips: Aye  
Councilor Guindon: Aye  
Councilor Dunham: Aye  
Councilor Jordan: Aye

Supervisor Stelmashuck: Aye  
Motion carried.

**OTHER:**

**Submitting Vouchers for Payments:** Discussion was held regarding appointed Boards submitting vouchers for payment for attendance at meetings. Councilor Jordan stated that this was discussed at budget time.

A motion was made by Councilor Jordan, seconded by Councilor Guindon to request that the Planning Board and the BAR submit vouchers for payments as of 7/1/2011 to receive payment. Roll taken...motion carried.

Also, the Conservation Advisory Officer was appointed as an alternate in the absence of a Planning Board Member and should submit a voucher for payment if he serves in the absence of a Planning Board Member.

Councilor Phillips requested that a letter be sent to the CEO and the Assessor requesting that they respond in writing indicating their office hours.

**Auditing of Town Official's Books:** It was the consensus of the Town Board to begin the audit process of Town Official's Books for 2010 as required by law. Supervisor Stelmashuck will send a letter to the following Town Officials as they collect money on behalf of the Town of Parish. the Town Justices, Town Clerk, Tax Collector, CEO, and Planning Board Clerk. The Board will be beginning with the Justice's books at the July workshop.

**Broadview Phone Bills:** Councilor Phillips asked if Attorney Genant could get a letter to Broadview to request that the Federal Tax be deducted from the phone bills and to get a breakdown of all charges.

**NEW BUSINESS:**

**Workshop Reminder:** June 23<sup>rd</sup>, 2011.

**Clean-up Day:** June 18<sup>th</sup>, 2011-7:30 am-11:30 am at the Highway Garage.

**No Parking Signs on Crim Road:** Hwy Sup't Dawley requested that No Parking Signs Be installed on Crim Road due to the fact that people park on the sides of the road when East Coast is busy. This creates a safety issue.

A motion was made by Supervisor Stelmashuck, seconded by Councilor Guindon to authorize Hwy Sup't Dawley to install No Parking Signs on Crim Road where he determines necessary. Roll taken...motion carried.

CEO Wafer suggested the possibility that East Coast provide more parking.

**Accept Resignation of Constable William Graham and appoint Mark Helt as a Replacement:** A motion was made by Supervisor Stelmashuck, seconded by Councilor Dunham to accept the resignation of William Graham and appoint Mark Helt as a replacement effective immediately. Roll taken...motion carried.

**EDF Grant:** Supervisor Stelmashuck stated that Bob Chambers attended a workshop on 6/13 regarding possible grant funding for the Town Park. The grant would provide a Board Walk across the narrow portion of wetlands at Merrill Park. An Archeologist Study would have to be conducted if the grant was awarded. The study would cost between \$3,500 and \$5,000 not covered by the grant. There may be other sources to obtain the funding for the study. The final deadline for the grant application is September 1<sup>st</sup>, 2011. The bulk of the information needed to submit the grant has been completed.

It was the consensus of the Board that if other funding can be obtained for the cost of the Archeologist Study then the Board would authorize application for the grant.

**Other:**

**Residency Requirements and Absentee Policy:** Councilor Phillips stated that she would like the Board to consider adopting a Residency and Absentee Policy for Board Members.

Attorney Genant explained that the Town cannot adopt a law or policy for elected officials. There are no provisions in Town Law that allows removal of elected officials for absences. The only way an elected official can be removed from office is if an Article 78 is filed against them and it is a lengthy process. If the Board passes a policy, there would be no teeth to enforce it. There are differences between Town Laws and City Charters.

Supervisor Stelmashuck explained that the Board of Elections has election laws that govern residency requirements for running for offices.

**MEETING OPEN TO THE PUBLIC:**

Mary Anne Pelkey asked if the Town would have to pay \$5,000.00 for the study prior to receiving the grant. Supervisor Stelmashuck stated that the study would only be needed if the Town received the grant. Once the study was completed it would be good for other grant applications. The State DOT had to complete an archeologist Study for the St. Rt. 69 Road Project.

Jack Rucynski stated that he checked with the Association of Towns and they would not speak to him because he was not a Town Official. However, Mr. Rucynski did check on the State's Website and there is no provision for the Town Board to adopt an Absentee or Residency Policy for Town Officials.

Mr. Rucynski stated that Veteran Exemption cannot exceed the County's Veteran's Exemption allowance.

Also, Mr. Rucynski stated that the Town should heed caution when installing No Parking Signs.

Dale Chapman asked when the residents were going to receive their determinations on their grievances.

Supervisor Stelmashuck responded that he had spoken to Liz Panek, BAR Chair and she had indicated that they were either mailed yesterday or today.

Rich Horning asked why there was incorrect information on the impact notices regarding Grievance Day times.

Assessor Sigourney stated that the County Real Property Office made an error when they printed the notices.

Alice Spencer asked about the Small Claims Process and how much time she had to file. Assessor Sigourney stated that they have 30 days from July 1<sup>st</sup>, 2011. Assessor Sigourney stated that she could get a form for her.

Fire Chief Harvey stated that on June 4<sup>th</sup>, 2011, the Fire Company held a Water Supply Training. 87,000 gallons of water was pumped. That was 911 gallons per minute. On June 19, 2011 beginning at 8 am the Fire Company will hold a Pancake Breakfast for Father's Day.

**APPROVAL OF BILL'S**

**General Fund:** A motion was made by Supervisor Stelmashuck, seconded by Councilor Dunham to approve the claims to the General Fund, those being claims #217 to #266 for a total warrant of \$6,550.52. Roll taken...

A motion was made by Supervisor Stelmashuck, seconded by Councilor Dunham to amend the motion to approve the claims to the General Fund, those being claims #217-#266 amending claim #262 for the amount of \$210.50 and excluding claims #248 & #249 for the amount of \$750.00 each for a total warrant of \$6,549.82. Councilor Phillips

questioned claims #218-#224 regarding the federal tax being charged on Broadview Phone Bills. The Clerk stated that she did deduct the tax. Roll taken...Councilor Phillips-opposed. Motion carried.

**Highway Fund:** A motion was made by Supervisor Stelmashuck, seconded by Councilor Dunham to approve the claims to the Highway Fund, those being claims #118 to #134 for a total warrant of \$4,953.93. Roll taken...motion carried

**EXECUTIVE SESSION:** A motion was made by Supervisor Stelmashuck, seconded by Councilor Dunham to enter into Executive Session to discuss personnel and possible litigation at 8:53 p.m. Roll taken...motion carried. The Town Attorney was invited to attend...

A motion was made by Supervisor Stelmashuck, seconded by Councilor Phillips to adjourn from Executive Session to the Regular Meeting at 9:14 p.m. Roll taken...motion carried.

A motion was made by Supervisor Stelmashuck, seconded by Councilor Phillips, to authorize Attorney Genant to engage Special Counsel to handle a Division of Human Rights issue. Roll taken...motion carried.

Discussion was held on purchasing a time stamp clock to clock in mail as received.

A motion was made by Supervisor Stelmashuck, seconded by Councilor Jordan to adjourn at 9:18 p.m. Roll taken...motion carried.

Respectfully submitted,

Kelly Reader  
Parish Town Clerk