

Minutes
Richford Town Board Meeting May 13, 2014

The Town of Richford Board Meeting was called to order at 7:37 p.m. by Supervisor Wilcox. Board members present Councilwoman Herrick, Councilwoman Holcomb, Councilman Ricky Brown, and Councilman Ken Miller. Seven townspeople were also in attendance.

The minutes of the April 8, 2014 Town Board meetings were presented for review. Minutes of the April 8, 2014 town board meeting to be amended as follows: second page, second paragraph, second line should read 'of them.' Councilman Miller, seconded by Councilman Brown, made the motion to accept the April 8, 2014 board minutes as amended. All approved. Minutes accepted as amended.

The Supervisor and Town Clerk reports for April 2014 were presented. Clarification on supervisor's report; graded school contractual was a tree removal.

Highway Superintendent report for April 2014 given by Supervisor Wilcox in Superintendent Holt's absence. The tire day garnered more tires than we have room for so Mike is currently trying to find a way to get rid of them. They have trucked 300 loads of gravel and 150 ton of coal patch for blacktop. Have swept all roads and is hauling sand on rain days.

No Dog Control Officer report.

Town of Richford Justice Court for Report for April 2014 amount of enclosed check \$3,256.

Code Enforcement Officer report for April 2014; one building permit inquiry, one certificate of occupancy issued, 8 violation notices, construction costs of \$4,000, fees collected \$50. Total of 8 inspections and 6 hours of classes.

Charlie Davis gave a Planning Board report for April 2014. Comprehensive plan survey is at the printers and will be sent out on May 21. Survey will be sent to all residents and landowners in the Town of Richford totaling about 700 copies. Board is hoping for a 20% return.

Charlie did research on the formation of the planning board and found no record of a legal formation of the board. Supervisor Wilcox stated that no law was ever passed when the Town of Richford Planning Board was formed. Supervisor Wilcox called the Association of Towns and learned that the law for planning boards was passed around the 1990's and boards formed before then were grandfathered in. The Town of Richford Planning Board was formed in 1980 so is grandfathered in.

Charlie posted the tentative tax role on the town's website as required. Charlie notes that any board meetings, regular or special should be posted on the website as well.

General Abstract including vouchers A83 through A107 amounting to \$13,617.65 and Highway Abstract including vouchers DA68 through DA90 amounting to \$47,592.84 were presented for review. Councilwoman Herrick questions the nearly \$27,000 in gravel. Supervisor Wilcox stated that the Consolidated Local Street and Highway Improvement Program (CHIPS) will reimburse the town. Superintendent Holt originally put in for \$100,000 in capital projects but did verify that the town would get the additional monies from CHIPS. Supervisor Wilcox asked Superintendent Holt to apply for the CHIPS monies earlier in the year instead of waiting for year end. Superintendent Holt said he would apply for the monies in June. CHIPS monies will only reimburse capital projects. Councilman Miller wonders why we have not applied for more than \$100,000 in CHIPS funds in the past. Supervisor Wilcox stated that you have to spend the money first and then be reimbursed, so you have to have the money to spend. Councilman Miller, seconded by Councilman Brown, made the motion to approve the abstracts as submitted. All approved. Vouchers on abstracts number 5 will be paid.

Old Business

Councilwoman Holcomb addressed the old issue of Internet service in the area and the need for higher speeds. She checked with AT&T and they said their speeds should increase by the May. She emailed Frontier who replied that on August 30 they will have fiber fed to their Barden Road site so speeds will increase to 25mg (up from 3.) Their Michigan Hill site will go to 25 mg on October 30. Downtown Richford, they have no plans to increase. Roberta did not contact Verizon.

Councilman Miller spoke with Don Barber from the Town of Caroline regarding Computel Consultants and their charge of 40% of what they save you. Mr. Barber felt that was reasonable since no one on their board had the time to go through all the records Computel went through. Councilman Miller recommends we ask Computel to provide their service to the Town of Richford. Councilman Miller, seconded by Councilwoman Herrick, made the motion for the board to authorize Supervisor Wilcox to enter into an agreement with Computel Consultants for the purpose of reviewing the towns' utility bills and to further authorize the Supervisor to sign any necessary paperwork. All approved. The motion passed.

Councilman Miller also spoke with Don Barber about a consortium formed in Tompkins and surrounding counties. A number of town employees signed up for the Affordable Care Act because they get a better rate than the consortium would get. If the Highway Department employees join the Affordable Care Act the town cannot pay for their insurance; they can only reimburse them the cost of the insurance according to their contract. This increase in pay/benefit may put them in a bracket too high to qualify for the Affordable Care Act. Don is the president of the consortium and it's on the Tompkins County website so we can go there and look at the rates. The Town of Richford can join the consortium but we'd have to let them know by the end of June, early July. If we joined, adding more people, it would likely change the rate. We would know in September what it would cost for health insurance and that would afford us better budget planning. John Keener from the Highway Department said Affordable Care was discussed by Town of Richford Highway Department employees and that some employees make too much now to qualify. He does not know where all the discussion lead. Councilman Miller would like the board to stay on top of this so a three year contract can be agreed on this year between the Town and the Highway Department employees.

Councilwoman Holcomb brings up the open meeting public conduct rules. Roberta passes out the most current version. Supervisor Wilcox feels the first sentence (the public shall be permitted to attend and observe any and all regular and special meetings) is redundant, New York State already has a law regarding this. Change to the Town of Richford complies with the open meetings law of NYS and therefore the public shall be permitted... And add a sentence such as "the privilege of the floor is a privilege, not a right and shall not be abused. Public commentary will be allowed to discretion." Councilwoman Herrick would like to change the wording in one sentence "who is speaking" as it looks like it's referring to the board as written; change to "nor shall they disrespect or interrupt anyone who has been recognized by the board and who is speaking." Roberta will make the suggested edits. Councilwoman Holcomb, seconded by Councilwoman Herrick, made a following resolution: Be it resolved that the Town of Richford, New York, Opening Meeting Public Conduct Rules as amended be adopted. Board roll call on motion was executed with four ayes and one nay. Resolution was adopted four to one.

Councilwoman Holcomb addressed the garbage truck attendant. This issue tabled until the June meeting.

Councilwoman Holcomb brings up the concern that three budget lines are already overspent. She would like the board to move monies now to cover these lines and identify areas that can be cut so we are aware of the bottom line. Roberta will continue to bring this concern to the table.

Councilman Miller questions where the town stands with the burnt out house. Per Supervisor Wilcox's conversation with the town's attorney, the board must hold a third town meeting to review the report from the contractor who assessed the building. Supervisor Wilcox is working with the attorney on timing of next step as he is waiting on the contractor for his report. John Keener asks the board to consider selling the property to the fire department if the town gains legal possession and let the fire department take it down. It would give the town income from the sale and save them the cost of taking the building down. Supervisor Wilcox has also heard that the ice cream store was interested in purchasing for use as a parking lot. He minds all that a court order is required for the town to take possession of the building and have the ability to sell it. The question arose of who would take possession if it was seized for back taxes, the county or the town. That will have to be looked into. Thoughts were expressed that if the town did take possession the board should auction it off and take the highest bid. Supervisor Wilcox reminded all that we have a long way to go before anything can be decided.

Supervisor Wilcox reported that he has been in contact with Kevin Mooney of Congressman Reid's office regarding the Richford Post Office. There is a plan being considered to rent the property across from the old post office and set up a postal "shed" which will house PO Boxes and allow 24 hours access to those boxes. Mr. Mooney said the Postal Service will issue a press release to local papers.

New Business

Supervisor Wilcox informed the board that Heafele TV will be increasing their rate to \$57 a month.

It was announced that Grievance Day will be May 27 from 4:00-8:00 p.m. in the Richford Town Hall. The public is welcome to speak to the assessor and the grievance board about their assessments.

The board received a letter from Charles T. Merrill of 16 East Hill Road, Richford requesting that he be appointed to the planning board. There is one vacancy and another board member is leaving. Councilman Miller, seconded by Councilman Brown, made the motion to appoint Charles Merrill to fill a vacancy on the planning board. All approved. Motion passed. Charles Merrill of 16 East Hill Road Richford will be appointed to the Town of Richford Planning Board effectively immediately.

Supervisor Wilcox read a letter to the board from the Northern Tioga Neighborhood Network board thanking the Town of Richford Board for allowing them to use the community room for the senior exercise program.

Privilege of the Floor

John Keener questions the sale of scrap, per Supervisor Wilcox, it is noted on the bottom of page four of the supervisors report.

Mr. Keener is a highway department employee and would like to express concern about the ventilation in the town highway building. Banning smoking in the building and trucks does not address the issue. The ceiling is black due to poor ventilation in the building that does not address the fumes from the trucks, welders, grinders, etc. Councilwoman Herrick questions what OSHA has said. Supervisor Wilcox would need more specifics on what type of system and costs.

John Keener brings up a concern as fire chief on our EMS coverage. He feels we have poor EMS coverage--for their coverage of Newark Valley and Richford; of 102 calls, 48 were answered. John is concerned that they have poor response and will be shut down. He feels we should look elsewhere for

coverage. Supervisor Wilcox will ask Berkshire EMS to attend a Town of Richford board meeting to address the response/non-response calls. Supervisor Wilcox will ask for a report of calls and on-route time on calls before they attend. Mr. Keener feels that if we have to pay for mutual aid we should look for better service, like Broome Volunteer which is stationed in Lisle. Mr. Keener is a member of Berkshire EMS, but he does not feel we are getting the coverage we need.

As an aside, Mr. Keener mentioned that the fire department would pay for anyone who wanted to take EMT classes (120 hours of class and 12 hours hospital time.)

Townsperson Pat Jordan questions the CHIPS monies. Is the highway superintendent the only one who has responsibility for determining capital projects and getting CHIPS monies after the fact? And he still has CHIPS monies from 2013 coming in? Mr. Jordan disagrees with the highway superintendent being the only one with say over capital projects and CHIPS monies. How do you determine a budget if you don't know what capital projects he's looking at and if he can get the CHIPS money? The board authorizes him to spend monies and hopes he can get it back through the state CHIPS monies? There should be a capital project plan. For four years he (Mr. Jordan) has asked the board to come up with a plan and work it in the budget. For four years the same dirt roads have had no drainage as no ditches are being cleaned out. They continue to get worse and nothing is being done. A quick patch here and there that doesn't last. The \$800,000 highway budget is thrown away year after year. Nothing is kept up, let alone improved. Councilwoman Holcomb confirms the issues with the ditches and asks Supervisor Wilcox if the town has a CHIPS plan. She feels Mike should submit an extended plan for all roads and the board should approve the plan. Councilman Miller comments that the board needs more control over the highway department projects. One big problem is we have dirt, not gravel roads. Long term project should be to remedy that. Councilwoman Holcomb comments that since the town funds the highway department, the board should require a plan.

Councilman Miller notes the Barden Road Bridge project is still only partially complete; it needs more block. A townsperson mentions that they drive Barden Road and the deterioration seems worse every year. Mr. Jordan comments that the highway department only band aids something and moves on; they do not identify a problem area and fix it right. A townsperson quires whether there is a ceiling on CHIPS money. He also feels a highway plan is needed to get things done right and to completion.

Councilwoman Holcomb comments that the board should look at the overall scope of all the roads and work with Superintend Holt to come up with a plan. Townsperson feels the board should take time to drive the roads, make a list of issues, and ask the townspeople where they see the greatest need.

Councilman Miller ask Supervisor Wilcox what control the board has over what highway projects are done and the prioritization of the projects. Asks if the budget is the only thing the board has control of. Councilwoman Holcomb feels the board should ask for a five-year plan and make the yearly budget contingent on that plan and the completion of the agreed on projects in a timely manner.

Councilman Miller feels the board should discuss this issue with Superintend Holt.

Councilman Brown, seconded by Councilman Miller, made a motion to adjourn the meeting at 9:35 pm. All approved.

Tina Thurston, Deputy Town Clerk