

Minutes
Town of Richford Board Meeting January 12, 2016

The regular Town of Richford Board Meeting was called to order at 7:02 p.m. by Supervisor Davis. Councilman Miller, Councilman Thayer, Councilwoman Holcomb, Supervisor Davis, Highway Superintendent Hunt and 11 townspeople were present. Councilwoman Herrick was absent.

We began the meeting with the pledge of allegiance led by Councilman Miller.

Announcements and Proclamations:

When events or other information to provide to town it will be put on the website.

Moment of Silence for the passing of Archie Nixon.

Public Comment:

John Schwartz - Drug problem in Tioga County will be discussed in Newark Valley at a panel of experts. If you're interested in seeing what is going on the meeting is open to the public. Wednesday, January 20, 2016 @ 7:00 pm at the United Church of Christ.

Ed Evenson - Would like to congratulate and thank the Board for their hard work on the budget. He noted that in 2015 the town taxes went up by 13.3% and in 2016 no increase was made.

Barb Keener - Barb indicated that she has shoveled the walk by the schoolhouse but it is very slippery. The Board gave her permission to purchase cat litter or sand as directed by the State for the care of the new sidewalks.

Nicholas Canizio - Attorney for Berkshire for many years attended the meeting. He lives in NV, practiced law for 37 years and has been very successful in helping Berkshire fix many issues. The Board asked Mr. Canizio what his yearly fee was and what this would entail. He indicated that he would attend all meetings, draft letters and laws, answer questions anytime they arise, work closely with code enforcer. If he had to go to court for a case this would be an additional fee. He fee is \$6,000 per year paid in equal monthly payments.

After discussions with Mr. Canizio the Board passed the following Resolution:

Let it Be Resolved that the Town Board of Richford wishes to remove True and Walsh as the Towns Attorney and direct Town Supervisor to send a termination letter and furthermore appoint Nicholas Canizio as Legal Counsel for the Town of Richford for 2016 at a rate of \$6,000.00.

Roll Call: Councilwoman Holcomb - aye
Councilman Miller - aye

Councilman Thayer - aye

Supervisor Davis - aye

With 4 aye votes the resolution is passed.

The minutes of the December 8, 2015 Special Town Board Meeting, December 8, 2015 Town Board Meeting, December 30, 2015 and January 4, 2016 Special Town Board Meetings were presented.

The following corrections were asked to be made by the board:

- December 8, 2015 Regular Board Meeting
 - Page 2 Paragraph 1 change hi to he
- January 4, 2016 add resolution to the minutes

Councilwoman Holcomb made the motion, seconded by, Supervisor Davis, to accept the December 8, 2015 Special Town Board Meeting, December 8, 2015 Town Board Meeting, December 30, 2015 and January 4, 2016 Special Town Board Meetings minutes as amended. With 4 ayes, minutes are approved as amended.

The Town Clerk's, Town Supervisor's, Highway Superintendents, Building Code Enforcement and Court reports for December 2015 were presented.

Highway Superintendents report:

- Brush Hogging Done
- Mirabito was called to negotiate a lower fuel price for town barns

Justice Report:

Check for \$5,538 was presented to the Board

Dog Control Report:

- On North Schoolhouse Rd 2 dogs killed chickens and they were taken to Stray Haven
- Two unlicensed dogs

Code Enforcement Report:

- 1 building permit issued, 3 reviews
- 4 certificates of occupancy, 16 inspections

Town Planning Board report was presented.

John Schwartz presented the following report:

At the January 3, 2016 meeting the officers were elected as follows:

John Schwartz - Chairperson

Charles Merrill - Vice Chairperson

Vicki Nuzzo - Secretary
Email Address: planboard@richford.com
Individual board emails are being set up.

Regular meetings will be held on the first Wednesday's of each month at 7PM. Dates as follows:

Jan 6, Feb 3, March 2, April 6, May 4, June 1, July 6, Aug 3, Sep 7, Oct 5, Nov 2, Dec 7 and Jan 4, 2017. All meetings to be held at the Town Hall, 7 Bowery Lane, Richford NY. The calendar will appear on the website: <http://richfordny.com>

There will be 4 town newsletters. The mailing schedule is Jan 26 or 27, April 12, July 13, and October 13.

The planning board is looking at a computer projection system using the NTNN Epson projector, projection screen and personal computer. This system was used last summer to show movies to the children during the summer program and public meetings held by the board. In the future a complete list of equipment will be presented to the board for purchase.

Councilwoman Holcomb suggested the purchased of a flat screen TV in lieu of a projector system.

A draft of the Town of Richford NY park ordinance prepared by Councilwoman Herrick was reviewed by the board and suggestions provided to the Friends of Rawley Park committee.

The work on the Freedom of Information Act (FOIL) has begun. A draft of a letter to the town residents regarding taking care of the new sidewalks will be sent out soon.

Supervisor Report - Supervisor Davis is working on getting the accounts established.

OLD BUSINESS:

Post Office - Nothing new

New Business:

Resolution NO. 1-2-2016

WHEREAS: The Town Board must meet annually for the purpose of setting the rules of operation and other such actions, appointments and designations as required by Town Law; and

WHEREAS: This meeting has been duly advertised and called for this purpose; and

WHEREAS: The Town Board has discussed and wishes to take the following actions;
therefore be it

RESOLVED: All newly elected town officers must affirm their oaths of office and that the Town of Richford is authorized to provide undertakings for town officers, clerks and employees through a blanket undertaking insurance policy. (NYS Public Officers Law 10 & 11); and be it further

RESOLVED: All members of the Town Board and all elected officials and all appointed board members currently serving their respective terms of office remain electors of the Town of Richford throughout their term; and be it further

RESOLVED: The regular Richford Town Board Meetings for 2016 will be held on the 2nd Tuesday of each month at 7:00pm at the Town Hall, 7 Bowery Lane (dates: 1/12, 2/9, 3/8, 4/12, 5/10, 6/14, 7/12, 8/9, 9/13, 10/11, 11/9 and 12/13). **Note:** The November 2016 regular Town Board meeting will be held on the 2nd Wednesday of November at 7:00pm at the Town Hall, 7 Bowery Lane; and be it further

RESOLVED: The location of all Town Board Meetings for the Town of Richford for 2016, unless otherwise advertised, shall remain at 7 Bowery Lane, Richford, NY 13835 as they were in 2015; and be it further

RESOLVED: That all Town of Richford official business mailing be directed to the Town of Richford, P.O. Box 144 Richford, NY 13835;

WHEREAS: The Town Board has the right to promulgate rules of procedure for the orderly conduct of its meetings and for the proper management of the business and affairs of the town (Town Law § 63).

WHEREAS: The Town Board of Richford NY. hereby establishes these rules of order to provide general rules of procedure and decorum for all Board members and the public at all town meetings.

RESOLVED: Rules of order and procedure for Board meetings for the Town of Richford.

1. The Supervisor shall preside at all meetings of the Board and shall preserve order and decorum in debate.

2. The Supervisor, immediately following the opening of every regular meeting of the Board, shall proceed to the regular order of Town business as follows: reception of petitions and other communications addressed to the Town Board, reports of

committees, reports of officers and departments and introduction of resolutions and motions.

3. Public Hearings: It shall be the duty of the Supervisor to preside at all general or special business hearings to instruct all persons addressing the Board to state their names and addresses and to request those in favor of the proposal before the Board to speak first and those in opposition to speak last. At such hearings the Board may by special rules prescribe the time to be allotted to each speaker and the number of times each speaker may speak.

4. At the public hearing as provided for in paragraph "3" above, the Supervisor may grant any member of the general public in attendance at such meeting a reasonable opportunity to be heard on any question or subject in which the Town or its government is concerned.

5. Every resolution or motion must be seconded before being put to a vote by the Supervisor, and all resolutions or motions shall be recorded in their entirety in the official minutes of the Town Board.

6. All resolutions requiring a "roll call vote" shall be called and recorded by the Town Clerk.

7. The Supervisor may offer or second a resolution or a motion and need not relinquish the chair for such purpose.

8. No motion or resolution may be brought to a vote except by the majority consent of the Board Members present, unless printed or typewritten copies thereof are presented to each member of the Board 48 hours prior to the opening of the meeting at which such motion or resolution is offered.

9. No Board member shall speak more than once on any questions until every member choosing to speak shall have spoken, nor more than twice in any case without leave of the Board.

10. When a question is under debate, no motion shall be entertained unless

- (a) for an adjournment or recess,
- (b) for the previous question to lay on the table,
- (c) to postpone to refer to a committee, or
- (d) to amend. These latter motions are neither amendable nor debatable.

11. No motion shall be made to offer any amendment to an amendment already before the Board on any proposition.

12. A majority vote of all the members of the Board shall be required to suspend these rules of order.

13. A majority of (3) Board members shall constitute a quorum.

14. If the above stated rules are, or become at any time, in conflict with the statutory law, the statutory law shall take precedence.

15. All members of the public shall conduct themselves in accordance to the Town of Richford Open Meeting, Public Conduct Resolution of May of 2014 and copies made available at all public meetings; and be it further

RESOLVED: The following appointments and designations for a 1 (one) year term be made:

Velvet Lyke	Records Management Officer Registrar of Vital Statistics Solid Waste Administrator NYS Grant Gateway Administrator
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Tina Thurston	Deputy Town Clerk
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John Keener	Deputy Highway Superintendent
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Cynthia J. Herrick	Deputy Supervisor
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William Sherwood	Town Historian
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John Schwartz	Planning Board Chair
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_____	County Planning Board Representative
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; and be it further

RESOLVED: The following appointments by contractual agreement are made:

Nicholas Canizio	Attorney for the Town
Fran Butler:	Assessor
Ronald Raab:	Dog Control Officer

; and be it further

RESOLVED: The following Board appointment be made for the term noted;

Joe Kral	Planning Board: Term to end on Dec. 31, 2018
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; and be it further

RESOLVED: That these appointments be for a term specified and serve at the pleasure of the Town Board with the exception of the Deputy Supervisor, Deputy Town Clerk and Deputy Highway Superintendent who serve at the pleasure of the Supervisor, Town Clerk and Highway Superintendent respectively; and be it further

RESOLVED: Town officers and employees, elected and appointed, shall be compensated in the manner stated below, in the amounts specified in the approved Town budget for 2016, as follows:

<u>Position</u>	<u>Annual Salary</u>	<u>Pay Frequency</u>
Supervisor	\$4,020	monthly
Town Board	\$1,080/ea.	monthly
Highway Superintendent	\$43,800	biweekly
Highway workers	Per contract	biweekly
Town Clerk	\$4,260	monthly
Registrar of Vital Statistics	\$360	monthly
Town Justice	\$5,676	monthly
Assessor	\$5,300	monthly
Dog Control	\$2,500	monthly
Chair, Board of Assessment Review	\$100	annually
Board of Assessment Review	\$50 /ea.	annually
Historian	\$250	annually
Attorney	\$500	monthly
Bookkeeper	\$10.83 per hr.	monthly
Court Clerk	\$10.83 per hr.	monthly
Town Hall Attendant	\$9.00 per hr.	monthly
Garbage Truck Attendant	\$9.00 per hr.	bi-weekly
Maintenance Person	\$9.00 per hr.	by voucher

; and be it further

RESOLVED: That the Town Highway Superintendent may purchase equipment, tools and implements for the Highway Department during the year 2016 without prior approval of the Town Board in an amount not to exceed \$5,000.00. (Highway Law section 142; subdivision 1A); and be it further

RESOLVED: That the Town Board standardize the 40 hour work week for 2016. January 1st through April 2nd: Monday - Friday 6:00am to 2:30pm, April 3rd through November 19th: Monday - Thursday 6:00am to 4:30pm, November 20th through December 31st: Monday - Friday 6:00am to 2:30pm; and be it further

RESOLVED: That the Town Board approves a fixed charge of \$0.25 per copied page, for copies produced on the Town owned copier(s) that are not official Town business; and be it further

RESOLVED: The Official Newspaper for the Town of Richford shall be the "Tioga County Courier"; and be it further

RESOLVED: That the town pays the Association of Towns, The New York State Magistrates Associations, Town Clerk Association dues for 2016; and be it further
RESOLVED: The official depository of the Town of Richford shall be the National Bank and Trust Co. of Norwich at the Newark Valley branch; and be it further

RESOLVED: The Richford Town Clerk shall impose a charge of \$20.00 for any check returned by reason of insufficient funds.

RESOLVED that the Town Board approves the payment in advance of Audits of Claims for Public Utility Services, Postage Stamps and Health Insurance. (Town Law section 118; subsection 2); and be it further

RESOLVED, that a fee for the use of the community hall or pavilion at Rawley Park for 2016 is set at \$75.00 (non-refundable), which is to be paid in advance to keep the date for the facility open; and be it further

RESOLVED: The Town Supervisor is authorized to purchase insurance commensurate with the Town's needs for 2016. Such costs are not to exceed appropriated amounts designated in the Adopted Budget for 2016 without Town Board approval; and be it further

RESOLVED: The Supervisor is authorized to file the NYS Comptrollers Annual Update Document with the Town Clerk in lieu of an Annual Report; and be it further

RESOLVED: The Supervisor is authorized to file Monthly Supervisor Reports to the Town Board using document approved by the board; and be it further

RESOLVED: That on or before the 20th of January 2016 the Town Board shall examine the 2015 criminal and civil dockets of the Town Justice and shall cause to be entered in the minutes of its proceedings that such dockets have been duly examined and that the fines and fees therein shown to have been collected have been turned over to the proper officials as required by law; and be it further

RESOLVED: The Town Board reaffirms its support for all existing Town Laws, Ordinances, Policies and Codes

Adoption moved by Board Member Councilwoman Holcomb to accept the 1-2-2016 Resolution as edited.

Seconded by Board Member Supervisor Davis

Roll Call:

Ayes: Board Member(s) Councilman Miller, Councilman Thayer, Councilwoman Holcomb and Supervisor Davis

Nos: Board Member(s) - none

Absent: Board Member(s) Councilwoman Herrick

Dated: 1/12/2016

Planning Board:

Supervisor Davis, seconded by Councilwoman Holcomb, made the motion to appoint John Schwartz as the Planning Board Chairman for a one year term to expire December 31, 2016. 3 ayes the motion is passed.

Planning Board - the board received a letter from Joe Kral requesting to be placed on the Planning Board committee.

Councilwoman Holcomb, seconded by Councilman Thayer, made the motion to appoint Joe Kral to the planning board beginning immediately and expiring December 31, 2018. with 4 ayes the motion is passed.

Code Enforcement:

Attorney Canizio would like to look at the agreement with Caroline for the Code Enforcement Officer.

Association of Towns Training Session in NYC - Board is not sending anyone because of the expense.

Internal Audit Forms -

Supervisor Davis is still working on the accounts to get all of them to balance.

Phone/Internet Services:

Supervisor Davis is looking into less expensive alternatives for the town.

Purchase of Used Oil:

If we allow town residents to be paid for their oil a petty cash fund must be established.

Stray Haven Contract:

Councilman Miller would like permission to discuss the contract with Attorney Canizio. This was approved.

EMS Services:

At this time there is no contract for EMS services and there might not be for a few months. Northern Tioga EMS must first disperse and then get rid of all equipment before anything can move forward. In addition, the transfer of the Certification of Need has to be concluded.

Distribution of Meeting Materials:

A mailbox will be set up at the town hall so all essential employees and elected officials have a slot for mail.

Councilman Miller will pick up a keypad lock for the main door to the town hall.

PRIVILEGE OF THE FLOOR:

Town Park Meeting – Next Meeting January 13 at 7pm.

Abstract of Vouchers:

Councilwoman Holcomb, seconded by Councilwoman Herrick, made a motion to pay the vouchers on Abstract #12 and that the vouchers on the Abstract are the same ones signed by the Board. With 4 ayes, vouchers will be paid.

Councilwoman Holcomb, seconded by Supervisor Davis, made a motion to adjourn.
Motion approved.

The meeting was adjourned at 9:43 p.m.

Velvet Lyke
Town Clerk