

Town of Niles
Regular Meeting
April 8, 2010
Niles Town Hall

Present: Rickey Slagle, Supervisor
Alberta Winters, Councilwoman
Bernard Juli, Councilman
Clarence Edmonds, Councilman
Barbara Eberhardt, Councilman

Others: Dick Dewitt, Lorna Dewitt, Bob Martin, Fred Eberhardt, Fred Covert, Kathleen Barran (Citizen reporter), Patty Orr, Donna Taylor, Roger Slater, Jason Cuddeback, Bill Sheppard, Brody Smith, attorney.

The meeting was opened at 7:00 by Supervisor Slagle with the Pledge of Allegiance to the Flag. A moment of silence was observed for past Supervisor Al Dougherty who passed away March 17, 2010.

March 11, 2010 Meeting Minutes:

Minutes were reviewed and approved with the correction under Abstracts to read as follows: "A motion was made by Councilman Juli and seconded by Councilwoman **Winters**." A motion was made by Councilman Juli and seconded by Councilwoman Winters. All voted aye. Motion passed

Meeting was opened to the floor:

George Komer congratulated the Board on opening the History Room and presented a framed picture of Samson Eddy to be displayed in the room and expressed a wish that others donate to the room for all to enjoy.

Dick Dewitt questioned the burn law and if it would affect the town's clean-up days with regards to leaves and brush. Supervisor Slagle noted that leaves have not been accepted in the past and that Lakeview Nursery will accept them for composting. The town may want to look into a chipper for the brush. Councilman Juli questioned if we would be criticized for having a brush pile until there was enough material to chip? Jerry VeVone stated that Owasco has a chipper 2 times a year and the pile of brush can be very large.

Communications:

Mary Watkins has sent in a thank you note for the gift and recognition for the History Room.

Supervisor Slagle noted that the web site has been updated with a Town Talk section where anyone can add events that are happening in the area. Contact Councilwoman Winters or Councilwoman Eberhardt to have events included.

2010 Census was discussed regarding Niles having 83% return rate vs. 64% nationwide and the double mailing to many households and that a number of people did not receive any. There was a phone number in the paper to call if you were missed. Supervisor Slagle was asked for the use of the Town Hall in April week 4 and May weeks 1-3 for the training of Census people.

Broadband Update:

DSL will be available in a 3 mile radius of the work center which is south of the old town barn. There is a sign up sheet at the clerk's window for those interested in the 3 meg. service.

Supervisor Slagle stated that he worked on the 20 million dollar Clarity Connect grant with Scipio and Genoa supervisors to bring high speed broadband to southern Cayuga County. Senator Schumer, Councilman Arcuri and Assemblyman Kolb continue to be helpful with the application process. There were letters of support from local businesses that were added to the request. We will not get answers until mid August and if approved may be 6-9 months before it is up and running.

Town Clerk situation:

Mrs. Nolte was not present due to continued illness and the deputy clerk can not hold the position full time. There is a need to have the Town Clerk appoint a second Deputy Clerk and it must have a budget amendment. Motion was made by Councilman Juli and seconded by Councilman Edmunds to increase the budget A1355.11 from \$3000 to \$6000.

Resolution #2010-25: Whereas, the Town of Niles wishes to create a position titled Deputy Town Clerk; and Whereas, to complete the approval of the position by the NYS Civil Service Commission to place the position in the Exempt jurisdictional classification under Section 41 of the NYS Civil Service Law, it is necessary for the Town Board to create and authorize the Deputy Town Clerk to act generally for and in place of the principal; therefore be it

Resolved, that the position of Deputy Town Clerk be hereby created effective April 8, 2010; and be it further **Resolved**, that the Deputy Town Clerk be authorized to act generally for and in place of the Town Clerk.

Roll call vote as follows: Edmunds, aye; Eberhardt, aye; Slagle, aye; Juli, aye; Winters, aye. Resolution is passed.

Supervisor Slagle will file the new position duties statement with civil service and ask Deputy DeWitt to advertise for the position for Deputy Clerk.

Civil Service Clean-up:

A motion was made by Councilman Juli and seconded by Councilwoman Winters to create the position of Data Collector, Assessor's Office. All voted aye. Motion passed.

A motion was made by Councilwoman Eberhardt and seconded by Councilman Juli to create the position of Bookkeeper to Supervisor Sub and for Supervisor Slagle to send a copy of the meeting minutes to the Civil Service office. All voted aye. Motion passed

A motion was made by Supervisor Slagle and seconded by Councilman Edmunds to set the salary for the Board of Assessment Review to \$10 per hour as it was erroneously stated as \$50 per meeting in the organizational meeting. All voted aye. Motion passed.

Supervisor's Report:

A motion was made by Councilman Edmunds and seconded by Councilman Juli to approve the Supervisors March 31, 2010 Report. All councilmen voted aye with Supervisor Slagle abstaining. Motion passed.

Clean-up Days:

Councilwoman Eberhardt submitted a sign-up sheet for the Board members to schedule their days to work. Supervisor Slagle stated that there is an excess of \$80,000 in the Garbage Account and discussed the possibility of lowering the budget by approximately \$100 per household next year and suggested a moratorium on fees for TV's and Refrigeration units for this year.

A motion was made by Supervisor Slagle and seconded by Councilman Juli for the moratorium on fees for TV's and Refrigeration units for this year. All voted aye. Motion passed.

Pat Steger stated that he has confirmed that prisoners will be available to work on clean-up day. Councilwoman Winters added that she will have prisoners working to power wash and stain the deck and clean up the shrubs near the History Room.

There was discussion about buying a chipper with the excess Garbage funds and Pat Steger will get some prices for next meeting. Attorney Smith has to examine the original resolution before a change can be made.

Supervisor Slagle audited the Town Justice books and Councilwoman Eberhardt audited the Supervisors books.

Resolution: # 2010-26

A motion was made by Councilman Juli and seconded by Councilman Edmunds to accept the following resolution: Pursuant to Town Law section 123, the criminal and civil dockets of the Town Justice for 2009 having duly examined and the fines and fees have been turned over to the proper officials, **with monthly cash summary being viewed**; and the records of the Supervisor for 2009 having been duly examined with all monies disbursed properly. Roll call: Edmunds, aye; Eberhardt, aye; Slagle, abstain; Juli, aye; Winters, abstain. Resolution is passed.

Assessor:

Mr. Stanford stated that the re-valuation was moving forward and the data was being verified on vacant lots with several being found to have sheds or other building on them and one lot on the lake with Zero dollar assessment. These are very time consuming and pointed out the need to get the second clerk on board. Supervisor Slagle set up a Town Board working meeting for 7:30 on April 15th to interview Linda Wright for the position.

Deputy Dewitt needs to notify the Citizen of the meeting and add it to the notice board on site.

Code Enforcement:

Mr. VeVone stated that 14 building permits have been issued with \$148,500 value in new construction. He is taking many calls on new property building. Charlie Mellor is helping to file and work on connecting tax #, owner's name, and time of permit completion into one file.

Junk cars will be cited starting this month after a notice has been sent to the Citizen (\$40) and the 2 Penny savers (\$70).

Clerk:

A monthly report is to be submitted per the Town Law and will be presented each month hereafter. A correction was noted that the bad check amount should be \$20 not \$2.00 as stated.

Highway:

Mr. Steger reported that they have worked on ditching and culverts. He reviewed last months Albany trip and again voiced concern if the date for the budget completion be moved to June 1. The concern is that the new date will be to close to the start of road work for towns to budget for the CHIPS funds.

Mr. Steger asked the Board to think about the need to upgrade this piece of equipment. Supervisor Slagle noted that the highway committee needs to meet and propose the equipment needed for the 2011 budget process.

Mr. Steger asked the Board to approve his going to the Highway School in Ithaca on June 1st. It will be free for him.

New employee, Roger Slater has passed his probation period and is entitled to a raise.

Resolution #2010-27

A motion was made by Supervisor Slagle and seconded by Councilman Juli that it be resolved in accordance with the union contract and the hiring agreement that Roger Slater be given \$1.00 per hour raise. All voted aye. Motion passed

Attorney:

Mr. Smith had helped with a few routine questions and he also worked on follow up to the ongoing litigation.

Presentation by Patty Orr regarding lake front excavation:

Patty presented numerous pictures of an excavation site on the lake and had contacted the DEC, Syracuse Water Shed and Jerry VeVone about which agency had authority for approving the work. Supervisor Slagle will ask the Planning Board to look into Town Law 170-1 to tighten up the requirements for site plan review if needed.

Town Hall Basement Design:

StudioFive has submitted a bid for Interior Design, site measure-up, design drawings, projected cost, finish board showing kitchen, bath and History Room selections with the total cost not to exceed \$1700.

A motion was made by Councilwoman Eberhardt and seconded by Councilman Edmunds to proceed with the design. All voted aye. Motion passed.

Abstracts:

A motion was made by Councilwoman Winters and seconded by Councilman Juli to pay the abstracts as noted with the addition of the Studio Five contract initial retainer of \$170 and the Bond, Shoeneck & King Invoice. All voted aye. Motion passed.

Town Barn water issue—VIP will recommend the size of de-humidifier needed and Hardy Construction will re-install the insulation.

Audit:

Greene & Seifter proposal for \$10,000 was reviewed by all, Councilwoman Eberhardt suggested a second company be contacted for quote and price comparison before a decision is made.

Creamery update: Councilman Edmunds is still working on a proposal and will be ready to present it next month.

Adjourn:

A motion was made at 8:45 by Councilwoman Winters and seconded by Councilman Edmunds to Adjourn. All voted aye. Motion passed.

Respectfully Submitted by Barbara A. Eberhardt.