

Town of Niles  
Regular Meeting  
Town Board  
April 14, 2011  
Niles Town Hall

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

Others: Fred Eberhardt III, Donna Taylor, Mary Menapace, Bill Sheppard, Bob Martin, Pat Farkas, Ron Kemp, Richard Winters, Ron Rybak, Sue Rybak, Karen Porter, Dennis Bell Jr., David A. Shaw (Five Star Equipment), Fred Covert, Doug Winters, Bob Carver, Dan Murphy, Roger Slater, Paulette Matijas, Tammy Hobart, Elana Hobart, George R. Cayey, Bill Stinson, Dick DeWitt, Lorna DeWitt, Carl Sticklely, Margaret Sutton, Jody Lawrence, Pat Steger, Jerry VeVone, Brody Smith, Robin Sheehan

Meeting called to order at 7:00 p.m. by Supervisor Slagle with the Pledge of Allegiance to the Flag.

**Review and Approval of March 10, 2011, minutes:**

A Motion was made by Councilwoman Winters to approve March 10, 2011, minutes as written; seconded by Councilwoman Eberhardt. Minutes unanimously approved.

**Finance:**

A Motion was made by Councilman Juli to appoint Charles Mellor as the Confidential Secretary and Bookkeeper to the Supervisor; seconded by Councilman Edmonds. Motion unanimously passed.

Cuddy & Ward was in last week to complete the audit. No significant problems were noted. The AUD was filed in the middle of March. Rich Ward will present the audit results at the next board meeting. New hardware is in and installed, hooked up to the internet, etc. Williamson Law Books will be here Monday to install new software to upgrade our system. Board members were given reports on the Town's finances for January and February. We expect similar reports monthly.

Charlie Mellor has asked permission to attend the 11<sup>th</sup> Annual Town Finance School at Woodcliff Hotel in Rochester on May 4-6. Registration fee is \$200.00. A Motion was made by Supervisor Slagle to send Charlie Mellor to 11<sup>th</sup> Annual Town Finance School on May 4 - 6; seconded by Councilman Juli. Motion unanimously passed.

We are now using the new payroll system, which seems to be working okay. No problems have been noted. Payroll is currently reported on Tuesday. Pat has been estimating hours worked for highway employees for Tuesday. Charlie recommends that we cut off Monday night at midnight

so we have a clean report. This will make it cleaner for Pat, and we won't have to guess at hours worked for Tuesday or worry about making up the overtime hours in case of snow etc.

**Open floor to the public:**

Bill Stinson addressed the Board with concerns regarding Hydro Fracking. Mr. Stinson introduced Michael Gorr and Mary Menapace, each of whom spoke regarding this issue. Mary Menapace is from the Town of Skaneateles and has done extensive research regarding this issue.

Mr. Sheppard spoke about photos on the real property website not matching the actual property. Supervisor Slagle indicated that there has been a problem with the computer software at the County on this issue. Anyone with a question should visit our Assessor to make sure their data is correct.

**Communications:**

Clean-Up Day this month is at West Niles on Saturday, April 16, from 8:00 a.m. until 1:00 p.m. No tires and no brush. Air conditioners and refrigerators are free, but must have the Freon in them.

We are obtaining insurance quotes in preparation for union negotiations. The current union contract expires at the end of the year.

Jennifer Marshall and Rachel Wilson from the Civil Service Office were here last week. We corrected a number of items. All seasonal, temporary, part-time or provisional workers should fill out a Retirement Declination Form if they are not interested in being a part of the New York State Retirement System. We have to have this on file. Civil Service will put on their website that we are seeking candidates for our Town Clerk position.

Please use our website. It gives a lot of useful information, such as the Rabies Clinic will be on May 7, from 1-3 p.m. at the New Hope Fire Department. Dates for future chicken barbeques by the New Hope Fire Department will be listed on the website, as well as dates and information for Senior Citizen trips.

Preliminary information is out on the census. It is not too detailed, but the total population in the Town of Niles is now 1,194 people. This is down approximately 1%. Of those 1,194 people, 947 are 18 years and older, leaving roughly 250 kids under 18 years old. A total of 98.7% were one race, 97.4% of those are white. There are 875 housing units in the town and 54.4% are occupied. Keep in mind that there are quite a few seasonal residents in the Town.

The Town offices will be closed Easter weekend.

**Assessor's Report:**

Informal meetings are continuing through May on Tuesdays and Thursdays from 9:00 a.m. - 1:30 p.m. Any changes to assessments after May 1 will be done as a stipulation. There have been over 25 days of meetings. Dan Stanford will be out of the office until May 3. Anyone wishing to schedule an informal meeting with the assessor should call Charlie Mellor at the Town Hall and make an appointment for May 3 or after.

**Code Enforcement:**

Jerry VeVone attended a conference this past week at the Holiday Inn for in-service training. He indicated that the State has actually changed some things and made them more stringent since the new version of the Code has come out. Department of Labor, DEC, and Workmen's Compensation are all looking at local agencies to take over their workloads. Over the next year there may be changes in that. Over the last month there was one application regarding a set-back variance, which was turned over to the Board of Appeals and approved.

Under 2010 Building Code, any new housing which has a driveway over 300 feet must have a driveway which will hold a 75,000 pound vehicle, be 20 feet wide and 13 1/2 feet tall, thus allowing fire trucks to get to the house in the event of a fire. This will come into play if we have any subdivisions located at the end of fire lanes etc. Anything in existence at this point that is a pre-approved lot will not be affected. The State has also filed a new placard system for houses which will identify the hazard rating on the house.

Per New York State Code, every bedroom must have a smoke detector and every house must have a CO2 detector within 15 feet of a bedroom on every level of the house.

**Highway Report:**

Supervisor Slagle complimented the Highway Department on doing a great job with maintenance procedures and getting everything up to date in preparation for the upcoming season. Pat Steger indicated the Highway Department has completed the workplace violence training along with other training in Moravia along other highway personnel in the southern end of the County. Pat has a contract regarding alcohol and drug testing for Brody Smith to review.

Prices on trucks and loaders were presented for the Board's review. Representatives from International, Tracey Road Equipment, Five-Star Equipment, John Deere and Caterpillar were in attendance to answer questions from the Board. The Board will further review the information presented.

Highway school is June 6 – 8 at Ithaca College. This is a free training.

The possibility of taking the roller which was parked earlier during the past year to an auction was discussed. Councilwoman Winters made a motion to send the roller to Palmyra Auction. There was no second. Pat will explore getting a trade-in value on the roller as well as checking into Auctions International. There was a discussion on how many hours the roller is actually used and the possibility of renting a roller or borrowing one from a neighboring Town.

The question was asked whether the position previously held by Albert Mantey would be filled. There was a discussion of part-time vs. full-time help for this position. Four of the five Board members would like to try a part-time employee for a 30-60 day trial period. One Board member thought that a full-time person was needed for the position. At the end of the trial period, a determination will be made as to whether the part-time employee is working or if a full-time employee is required.

**Clerk:**

Clerk's fees and revenues collected were discussed.

**Attorney:**

Brody Smith reviewed the Drug & Alcohol Testing Agreement presented by the Highway Superintendent. He recommended that it be signed with two revisions, i.e. two clauses which should be deleted. A Motion was made by Councilman Edmonds that the Supervisor sign the Hogan Drug & Alcohol Testing Agreement as modified; seconded by Councilwoman Eberhardt. Motion unanimously passed by all those (4) who voted.

Attorney Smith gave the Board a copy of a draft of a new local law for review regarding non-conforming lots. Mr. Smith addressed the problem identified by the Planning Board and the Town Assessor regarding the current code requirement that no permit shall be issued for erection of a new building unless the lot on which it is to be erected contains a minimum of two acres. Supervisor Slagle would like to have a Public Hearing regarding this law at the next Board Meeting.

Bob Martin will take a draft of the proposed local law to the Planning Board for discussion and bring it back to the Town Board at the next meeting.

Mr. Smith also gave the Board a draft of a road use law with several options for review. Vehicle & Traffic Law 1660 was discussed and how the Town might regulate the usage of Town roads with regard to truck traffic.

**Supervisor's Report:**

Figures as of March 31, 2011, were reviewed.

A Motion was made by Councilwoman Eberhardt to approve the Supervisor's Report dated March 31, 2011; seconded by Councilman Edmonds. Motion unanimously passed by all those (4) who voted.

**Niles Election Districts:**

The Election Board has removed one polling place. Now everyone has to come to New Hope. However, there are still two different districts. There would be a cost saving by consolidating, particularly as everyone has to come to New Hope anyway.

A Motion was made by Councilwoman Eberhardt that the Town request consolidation of the Niles election districts; seconded by Councilwoman Winters. Motion unanimously passed by all those (4) who voted.

**I-9 Homeland Security Requirement:**

Mr. Slagle again reminded all employees to stop by the Clerk's Office to complete the I-9 form and provide appropriate documentation.

**Vehicle Maintenance Facility Moisture:**

VIP has advised that their recommendation is that the fans need to run more often, providing more air movement. They will come in and replace some of the insulation as well.

**Basement Project:**

No further action since last month.

**Abstracts:**

Abstracts were reviewed.

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| General Fund #76-#98 | \$ 8,961.21  |
| Highway Fund #36-#49 | \$ 14,690.51 |
| Garbage Fund #3      | \$ 11,026.52 |

A Motion was made by Councilwoman Eberhardt to pay the abstracts as modified by adding the voucher to pay \$200.00 for training in Rochester for Charlie Mellor as well as a voucher for \$145.00 to pay for Hogan Drug & Alcohol Testing. Motion seconded by Councilwoman Winters. Motion unanimously passed by all those (4) who voted.

**Clerk's Position:**

The Board is still looking to find someone interested in the Clerk's position. Notification of the Clerk's position has been posted on the website and will be posted on the Civil Service website.

**Other Business:**

Councilwoman Winters will contact a company regarding getting the building sprayed for flies.

In May, there will be a display of World War II material in the History Room.

Cornerstone had an interest in bringing high-speed internet to the Town. They were here and discovered that they are not able to do that. They did indicate that they thought they could save the Town some money on the phone bill. No action will be taken at this time. Supervisor Slagle will review State bid information.

In May, the School will be here to make their presentation on how much they want to increase the budget. Cuddy and Ward will also be here with the results of our audit.

A Motion to adjourn was made by Councilwoman Winters; seconded by Councilwoman Eberhardt. Motion unanimously passed by all those (4) who voted.

Meeting adjourned 9:15 p.m.

Respectfully submitted,

Robin Sheehan