

January 8, 2020

PRESENT:

**SUPERVISOR JONES
COUNCILPERSON CODY
COUNCILPERSON PUSHLAR
COUNCILPERSON STRACK
COUNCILPERSON WESTER
TOWN CLERK DOLAN**

The regular meeting of the Fenner Town Board was called to order at 8:00pm by Supervisor Jones with the Pledge of Allegiance.

Councilperson Wester motioned to accept the December Town Board meeting minutes as presented. Seconded by Councilperson Strack. With 2 modifications, a personal pronoun was changed from him to her, and layout of minutes is updated. Approved by the Board.

Councilperson Strack motioned to accept the Town Clerk's Monthly Report as presented. Seconded by Councilperson Cody. Approved by the Board.

Councilperson Wester motioned to accept the Supervisor's Monthly Report as presented. Seconded by Councilperson Pushlar. Approved by Board.

Highway Superintendent Smith presented the Highway Department's report.

Special orders:

**RESOLUTION 2020 - 1
OF THE TOWN BOARD OF THE TOWN OF FENNER
ORGANIZATIONAL APPOINTMENTS**

Official Newspaper

Cazenovia Republican &
www.townoffenner.com

Health Officer

Madison County

Zoning Board of Appeals Secretary

\$11.85 per hour

Planning Board Secretary

Judy Carmen \$925.00 per/yr.

Registrar of Vital Statistics @ \$300.00 per year

Lisa Dolan

Zoning and Codes Officer

Roger Cook

Town Attorney

James Stokes

Youth Recreation Committee Reps

Bill Wester & Mark Costello

FREE Center Board liaison

Bill Wester

Emergency Management Committee

David Jones, Dan Smith, Hannah

Strack

Building and Maintenance liaison

Bill Cody

Highway Dept. liaison

Hannah Strack & Adam Pushlar

Official Bank
 Grievance Board @ \$50.00 per member /
 per meeting

Community Bank
 Gregory Gavula, Bill Parry
 & Fred Bosworth

Town Historian @ \$100.00 per year
 Dog Control Officer @ \$1,750.00 per year
 Secretary to Supervisor & Bookkeeper @ \$14,800.00 per yr.
 Budget Officer @ \$2,500.00 per year
 Deputy Supervisor
 Election Board Inspectors

Gerald A. Davies
 Gordon Baker
 Carol Roberts
 David Jones
 Hannah Strack
 Madison County Board of
 Elections
 2nd Wed of month 8:00
 pm

Regular Monthly Town Board Meeting

Mileage rate per mile
 Salaries of Elected Officials per year

\$0.485 (pre-approved by Board)
 Supervisor \$8,700.00
 Councilmen 4 @ \$2100.00
 Highway Supt. \$54,400.00
 Town Justice \$5,875.00
 Town Clerk \$9,500.00

Assessor @ \$8,000.00 per year
 Monthly salaries to be paid
 Purchases without Town Board approval
 Zoning and Planning Clerk @ \$1300.00/Year
 Deputy Town Clerks @\$15.00 per hour

Rhonda Weigand
 Between 25th & end of month
 \$1000
 Lisa Dolan
 Jennifer Stoker & Christine
 Mandel
 Lisa Dolan
 No change from 20198
 No change from 2019

Record Access Officer
 Investment Policy 2020
 Procurement Policy 2020
 IT and Computer Use Policy
 Fee Schedule
 Municipal Building Use Policy
 Town Property Leases

Health Insurance – Highway Department ONLY-2020

| | Town portion of Single Coverage | Town portion of Family Coverage | Employee portion of Family Coverage | NO INS BONUS |
|--|--|--|---|-----------------|
| Highway Superintendent | 100% | 100% | 0% | NO |
| Full-time highway employees hired prior | 100% | 60% | 40% | YES (1/2) as |

| | | | | |
|---|------|-----|-----|-------|
| to January 1, 2015 | | | | below |
| Full-time highway employees hired after January 1, 2015 | 100% | 45% | 55% | NO |

Highway Superintendent - Town will provide coverage (both individual & family)

For all full-time highway employees hired prior to January 1, 2015:

Health insurance will be provided for individual employee

Town will pay 60% of family coverage

Any qualified employee opting out of Town Insurance will receive ½ of the saving to the Town as a stipend.

For all full-time highway employees hired after January 1, 2015:

Health insurance will be provided for individual employee

Town will pay 45% of family coverage

Pay Scale – Highway Department ONLY-2020

3 - Machine Equipment Operators (MEO) at \$21.85/hour

New employees will receive \$1 less per hour for their first year (\$20.10/hour)

1 - MEO/Mechanic at 75 cents more per hour (\$21.85/hour + \$0.75/hour)

1 - MEO/Deputy at 75 cents more per hour (\$21.80/hour+\$0.75/hour)

*It is up to the individual employee to take overtime hours as comp time, all at once, or apportioned.

HIGHWAY DEPARTMENT 2020

The longevity is as follows:

- 5 years of service - \$400.00 per year
- 10 years of service - \$800.00 per year
- 15 years of service - \$1,000.00 per year

Holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Election Day, Thanksgiving, Christmas and 4 floating days - a total of 11 days.

Vacation: 2 weeks after 1 year
3 weeks after 5 years

Sick & Personal days: Employees will be granted six (6) personal days (48 hours) and six (6) sick days (48 hours) annually, remaining sick days will be carried over to the next year to be used for sick time only. Sick days and personal days will commence at the rate of 4 hours per month from 1st day of employment. January 1st all employees will be granted 6 sick days and 6 personal days. (maximum of 24 days). Upon termination, employee cannot be paid for balance.

Health Insurance: Will be provided for all full time highway employees. *All new employees will pay 55% of the Family Coverage. Health Insurance will be provided for the Highway Superintendent.

Pay Scale 3 MEO at \$21.80/hour

Motion to approve Councilperson Wester Seconded Councilperson Pushlar

David Jones - aye

Adam Pushlar – aye

Bill Cody - aye

Bill Wester - aye

Hannah Strack -aye

**RESOLUTION NO. 2020 - 2
OF THE TOWN BOARD
OF THE TOWN OF FENNER**

**A RESOLUTION APPROVING AN INTERMUNICIPAL AGREEMENT WITH THE
COUNTY OF MADISON FOR INFORMATION TECHNOLOGY SERVICES**

WHEREAS, the County of Madison has proposed an intermunicipal agreement to provide information technology services to the Town of Fenner; and

WHEREAS, the Town Board finds it in the best interest of the Town to enter into said agreement.

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Fenner that the intermunicipal agreement with the County of Madison to provide information technology services to the Town of Fenner at an hourly cost of \$45.59 per hour, plus travel expenses, and upon such other terms and conditions as are set forth in the agreement, is hereby approved, and it is further

RESOLVED that the Town Supervisor be, and hereby is authorized to execute said intermunicipal agreement with the County of Madison to provide information technology services to the Town of Fenner, and to execute all such other documents and to take all such other actions as may be necessary and/or appropriate to carry out the intent of said contract and this resolution.

Motion to approve Councilperson Cody Seconded Councilperson Strack

David Jones - aye

Adam Pushlar – aye

Bill Cody - aye

Bill Wester - aye

Hannah Strack -aye

RESOLUTION 2020-3
OF THE TOWN BOARD OF THE TOWN OF FENNER
Municipal Building Use Policy

Town of Fenner - Town Municipal Building Use Policy

The Town of Fenner Town Municipal Building (the “Municipal Building”) shall be available for use by Town of Fenner community organizations and Town of Fenner residents only. The Municipal Building is not available for the following purposes:

- Sale or promotion of business products or services
- Religious proselytization
- Political campaign activities
- Events for which an admission fee or donation is required
- Any use or manner of use prohibited by law. Prohibited uses do not limit or exclude other uses which may be prohibited by the Town of Fenner (the “Town”)
- Restriction of political campaign activities is not intended to restrict use of the facilities by elected or appointed official for Town meeting purposes or any other Town related business, including elections.

Granting permission for the use of the facilities for any purpose does not imply Town approval of the group utilizing the facility or of the ideas presented at the event.

Use of the Municipal Building shall be scheduled through the Town Clerk’s Office. Reservations will be taken no more than 90 days in advance of the reservation date and are on a first-come, first-served basis. Town and Election process utilization shall always take priority.

The Municipal Building shall be available for public use only during hours that do not conflict with Town and Election Day use. The Municipal Building shall not be available for public use at any time before 8:00AM or after 10:00PM.

Groups using the Municipal Building may not exceed the number of individuals lawfully permitted inside the building as determined and posted by the Code Enforcement Officer. Any group that includes minors shall also include adequate adult supervision at all times.

Smoking and Alcoholic beverages are not permitted in the Municipal Building or on Town property generally. All Posted rules and regulations shall be adhered to.

Profanity, objectionable language, disorderly acts or illegal activities of any kind shall be absolutely prohibited anywhere on Town property, and those violating this prohibition will be ejected from the premises.

Use of the Municipal Building shall NOT include the use of any Town equipment. Groups shall be responsible for bringing their own equipment and supplies and shall NOT use Town equipment or supplies nor ask Municipal Building staff to provide needed supplies.

The Justice's Bench is ABSOLUTELY OFF LIMITS. There shall be NO persons or activity behind the Justice Bench. Groups found to be in violation of this will NOT be allowed to use the Municipal Building.

The Municipal Building will be left in the clean orderly state it was found. If furniture is moved it must be returned its original location. In the event that the Municipal Building is not left in the orderly state it was found, a cleaning fee may be assessed by the Town and future use of the Municipal Building by the group in question may be restricted. Lights are to be turned off and the building is to be locked and secure at the conclusion of the event.

Organizations using the Municipal Building, on behalf of his, hers or its heirs, successors, assigns and representatives, to the extent permissible by law, hereby releases and agrees to hold harmless, defend and indemnify the Town, its officers, officials, representatives, agents and/or employees with respect to any and/or all injury, disability, death or loss, damage to person or property, attorneys' fees and/or any loss or claim whatsoever that results from any failure to adhere to the terms and provisions of this Use Policy and from any occurrence upon Town premises in any way related to the use of the Municipal Building by any organization.

Organizations using the Municipal Building shall procure and keep in effect comprehensive general liability insurance, including contractual liability coverage, issued by a company licensed by the State of New York with minimum limits of \$1,000,000 per occurrence for bodily injury, death and property damage.

Any questions regarding interpretation of this policy shall be referred to the Town Board at their next regularly scheduled meeting. In the event that the reservation date requested will be prior to the next regularly scheduled meeting, then the Town Supervisor, his or her designee, or the Town Clerk, in their sole discretion, shall have the authority to respond to questions, and make determinations regarding interpretation of the policy.

Motion to approve Councilperson Strack Seconded Councilperson Cody

David Jones - aye

Adam Pushlar – aye

Bill Cody - aye

Bill Wester - aye

Hannah Strack -aye

RESOLUTION 2020- 4
OF THE TOWN BOARD OF THE TOWN OF FENNER
Renewal and Review of Town owned Real Property Leases

FREE Center – lease in place expires 2021

12.5 Acres off Buyea Rd Tax map parcel 78.-1-28.1 - 5 year lease executed to Henry W. Stoker of 4955 Nelson Rd. Lease expired end of 2021. \$500 per year due November of each year

3161 Fenner East Rd. – FCC Radio Tower – lease from Dec 2020-Dec 2021 \$300 per year

Motion to approve Councilperson Strack Seconded Councilperson Cody

David Jones - aye

Adam Pushlar – aye

Bill Cody - aye

Bill Wester - aye

Hannah Strack -aye

RESOLUTION 2020 - 5
OF THE TOWN BOARD OF THE TOWN OF FENNER
Required Audit and Review of Fenner Town Court Records

WHEREAS. the audit and review of Fenner Town Court Records is required by section 2019-a of the Uniform Justice Court Act and Justice Watts has prepared the information for review and audit,

NOW THEREFORE, the Town Board has reviewed and audited Town of Fenner Court records from 01/01/2020 – 12/31/2021.

Motion to approve Councilperson Wester Seconded Councilperson Pushlar

David Jones - aye

Adam Pushlar – aye

Bill Cody - aye

Bill Wester - aye

Hannah Strack -aye

RESOLUTION NO. 2020- 6
 OF THE TOWN BOARD
 of the Town of Fenner

TOWN OF FENNER
2019 DECEMBER Budget Modifications

GENERAL

| <u>Current Appropriation Shortfall</u> | | <u>Transfer (from) to Increase</u> | <u>Appropriation (cover shortfall)</u> |
|--|------------|--|--|
| A1010.4 Town Board Cntr Exp | (\$83.12) | A1330.4 Tax Collector Cntr Exp | \$525.16 |
| A1110.4 Justices Cntr Exp | (\$485.68) | A1420.4 Attorney Cntr Exp | \$3,315.00 |
| A1220.4 Supervisor Cntr Exp | (\$9.15) | A1920.2 Municipal Assoc Dues | \$600.00 |
| A5010.4 Hwy Suoerintendent Cntr Exp | (\$74.50) | A1989.0 Other Gen Support | \$200.00 |
| A8010.4 Zoning Cntr Exp | (\$5.43) | A1990.4 Contingent | \$3,537.75 |
| A9010.8 GEN State Retirement | ##### | A1430.12 PT Bookkeeper Per Srv | \$683.99 |
| A9060.8 GEN Health Ins | (\$304.67) | A5132.4 Garage Cntr Exp | \$400.00 |
| | ##### | A5132.42 Repairs & Maintenance | \$362.37 |
| | | A9040.8 Worker's Comp | \$543.00 |
| | | A8020.4 Planning Cntr Exp | \$0.00 |
| | | A9030.8 Empl Ben Soc Sec & Medicare | \$1,564.28 |
| | | A9040.8 Worker's Comp | \$543.00 |
| | | A8020.4 Planning Cntr Exp | \$300.00 |
| | | | <u>\$12,574.55</u> |
| | | | |
| A1410.4 Town Clerk Cntr Exp | (\$438.42) | A1410.12 Dpty Town Clerk | \$438.42 |

HIGHWAY

| <u>Current Appropriation Shortfall</u> | | <u>Transfer (from) to Increase</u> | <u>Appropriation (cover shortfall)</u> |
|--|--------------|--|--|
| DA5110.1 GEN Repair Personal Services | (\$3,541.19) | DA5110.43 GEN Repr-Road Stone & Oil | \$3,541.19 |

| | | | |
|------------------------------|--------------|---------------------------------|--------------------|
| DA5142.42 SNOW Removal Parts | (\$1,142.44) | DA5142.1 SNOW Personal Services | \$1,142.44 |
| DA5142.43 SNOW Removal Salt | (\$3,298.15) | DA5142.1 SNOW Personal Services | \$3,298.15 |
| DA5142.44 SNOW Removal Salt | <u>#####</u> | DA5142.1 SNOW Personal Services | <u>\$10,977.61</u> |
| | <u>#####</u> | | <u>\$18,959.39</u> |

AUTHORIZING THE MODIFICATION OF THE 2019 ADOPTED TOWN BUDGET

BE IT RESOLVED that the 2020 Adopted Town Budget items be corrected and modified as follows:

Motion to approve Councilperson Cody Seconded Councilperson Strack

- David Jones - aye
- Adam Pushlar – aye
- Bill Cody - aye
- Bill Wester - aye
- Hannah Strack -aye

Motion to approve James Stokes, Stokes Law Firm, as Town of Fenner Attorney

Motion to approve Councilperson Strack Seconded Councilperson Cody

- David Jones - aye
- Adam Pushlar – aye
- Bill Cody - aye
- Bill Wester - aye
- Hannah Strack -aye

Motion to approve Lisa Dolan, Town Clerk, as Record Access Officer, providing access for FOIL requests.

Motion to approve Councilperson Pushlar Seconded Councilperson Stack

- David Jones - aye
- Adam Pushlar – aye

Bill Cody - aye

Bill Wester - aye

Hannah Strack -aye

New Business

All employees, elected officials and appointed officials, need to sign off on code of ethics, and sexual harassment training in the clerk's office before 1/31/2020. Newly elected official's need to sign and have Oath of Office notarized before 1/31/2020.

Marissa Scavo, representative from Cypress Creek introduced attorney Noah Shaw. She also provided some general information regarding the solar project they are considering in Fenner. Currently, they are in the process of acquiring a local project manager, looking at a wetland delineation map, developing a visual rendering of the potential project.

The Town of Fenner implemented a moratorium on all Solar Projects in
September 2019

2019 -16

A RESOLUTION ADOPTING A LOCAL LAW

ESTABLISHING AN INTERIM MORATORIUM ON GROUND SOLAR ENERGY FACILITIES WITHIN THE TOWN
OF FENNER

Unfinished Business:

Special Election 1/13/2020 – 2:00pm – 8:00pm

**NOTICE OF SPECIAL ELECTION
OF THE PROPOSED TOWN OF FENNER AMBULANCE DISTRICT NO. 2**

Vouchers-

Councilperson Pushlar moved to approve payment of the General Fund claims numbers G 19-143 – G19-159 in the amount of 7264.75 as set forth in abstract number 12 and as audited.

Seconded by Councilperson Cody. Approved by the Board.

Councilperson Strack moved to approve payment of the Highway Fund claims numbers H 19-142 - H-19-150 in the amount of 8858.32 as set forth in abstract number 12 and as audited.

Seconded by Councilperson Wester. Approved by the Board

ADJOURNMENT

Councilperson Wester moved to adjourn meeting at 8:55 pm seconded by Councilperson Pushlar. Approved by Board

HANDOUTS AND REPORTS:

On file in the Town Clerk's Office.

Code Enforcement Officer Report – December 2019

Town Clerk Report – December 2019

Supervisors Report – December 2019

Highway Superintendent Report – December 2019

Respectfully Submitted

Lisa Dolan

Town of Fenner, Town Clerk

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