

**TOWN OF BALDWIN
TOWN BOARD MEETING
APRIL 10, 2019**

THIS REGULAR MEETING of the Town of Baldwin was called to order at approximately 6:00 p.m. by Supervisor Purvis. Those present were Councilman Sherwood, Councilman Steiner, Councilwoman Purvis and Councilman Collins.

Also present was Faith Marmor, Paul Tillotson, Robin Rosekrans, Ed Vargo and Brad Zehr.

A Moment of Silence was held for Keith Rosekrans.

PUBLIC COMMENTS

Ed Vargo asked what the policy was for sluice pipes and things like this. Paul Tillotson addressed this question. He also asked about a cabin which he owns and whether he needed a permit. Mr. Vargo was referred to Marty Jerzak concerning the cabin issue.

COUNTY LEGISLATURE

There was no County Legislature report.

MINUTES

A Motion was made to accept the March 13, 2019 Town Board Meeting Minutes by Councilman Sherwood, seconded by Councilman Collins, All Ayes.

TOWN OF BALDWIN
INCOME AND EXPENDITURES
MARCH 2019

INCOME:

GENERAL FUND	\$315,155.53
HIGHWAY FUND	\$ <u>2.87</u>
TOTAL	\$315,158.40

EXPENDITURES:

GENERAL FUND	\$ 10,189.37
HIGHWAY FUND	\$ 13,954.27
TRUST AND AGENCY	\$ <u>949.05</u>
TOTAL	\$ 25,092.69

TOWN CLERK'S MONTHLY REPORT

TOWN OF BALDWIN, NEW YORK

MARCH, 2019

TO THE SUPERVISOR:

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Pursuant to Section 27, Subd 1 of the Town Law, I hereby make the following statement of all fees and moneys received by me in connection with my office during the month stated above, excepting only such fees and moneys the application and payment of which are otherwise provided for by Law:

A1255	<u>1</u>	MARRIAGE LICENSES	NO. 00161 TO 00161	<u>17.50</u>	
			TOTAL TOWN CLERK FEES		17.50
A2544	<u>18</u>	DOG LICENSES		<u>143.00</u>	
			TOTAL A2544		143.00

\$160.50

HIGHWAY REPORT

Paul Tillotson reported that the Highway Department has been doing a lot of equipment maintenance, changing filters, getting ready for summer work. They had to put the new muffler system on the 2006 Volvo and they have started to paint the box of the 1995 truck.

Paul Tillotson called Paul Steiner, Adam Sherwood and Nancy Purvis on the washer because when it was getting fixed for the pump the heating core went. He contacted these Board Members to see if the Board wanted to go ahead and buy a new one or fix the old one. He went ahead and fixed the old one. The bill came in and the total was \$1,800.00 to get the machine fixed. They are still having some issues (burner would come on and all of the sudden kick off and then it pulsates) with it and there is a possibility that the washer will have to go back to get fixed. This is getting into the brain of the machine, the electrical end of it. He has not yet sent it out because they have been using it where they have been cutting the burner off and then turning it back on, it will work for a good 30 to 45 minutes and then start pulsating again. They have done just about everything they can do to it, changed the filters, looked at the screens, but there is a possibility it is going to have to go back to see what the problem is.

The Highway Department had their MSHA Safety School class on March 21st. This was an all day deal and is once a year.

The roller was taken to Bradco as the drum seal went last year. Paul Tillotson told Bradco to fix it and then they will purchase it. This was fixed. While Paul Tillotson was at Bradco there was a fuel line leak, which is the Town's cost, as well as two batteries. The roller is now back and is ready to use as soon as the weather breaks.

The Highway Department has been hauling in their Item 4. They still have approximately 300 tons left to get that in.

Photos of Grover Road were shown to the Board. One of the side beams on the bridge has deteriorated. They put in some jersey barriers which they got from the County, kind of shortened the road down just a little bit. If they looked into purchasing a box to put in there, it is \$85,000.00, and a concrete slab on top is approximately \$72,000.00 because they would have to get underneath the bridge and where the rocks are they will have to be all reformed in and poured concrete, and let it sit for approximately 8 days before they can put the slab on it. This is all extra on top of the \$72,000.00. If they went with a steel pipe, a 10' diameter by 60' long, it is approximately \$69,000.00 and just \$15,000.00 of this amount is for trucking (long and wide load). Jimmy from Soil and Water is looking into this to see how much run off is coming through. It hopefully could be smaller, lessen up the price a little bit. If they have to go to a 12' diameter, it is going to be more money. To install the pipe, the price is approximately \$85,000.00 if it is a 10' pipe. If they install the box, it is approximately \$130,000.00 total project. The slab is approximately \$120,000.00. All of these are going to have to have a crane. As to this year's Chips project he was going to replace the pipe on Elston Hollow Road, Harrington, Nixon and Tuthill Ridge roads. The cost on these, with the truck payment, is \$82,000.00. The truck payment is \$41,100.00. This

year's Chips is \$90,209.50. Paving New York is \$20,591.00. Both this year's Chips and Paving New York is \$110,872.00. Last year's roll over is \$49,899.47 and the total Chips project money that they received is \$160,719.00. If they do all of these, they are lacking still approximately \$8,000.00. There was \$17,689.91 in Wintery Recovery Program which has been taken away from us this year. There is a possibility it may come back to us in June or July into something else, but this money cannot be banked on. In the budget, Barb Harding put \$150,000.00, and so this is what he has total - \$150,000.00. Last year was a very wet year, no one was ready for it. As to the pipes, they can pick and choose which ones to fix. Councilman Sherwood questioned instead of coming up with \$8,000.00 (+), is there ones they can triage? Paul Tillotson commented that they could. The Board discussed the matter at length. Paul Tillotson suggested to take Tuthill Ridge off the list this year which is \$18,000.00, do all the rest of the projects, and put Tuthill Ridge back on the list if they receive the \$17,000.00 later in the year. Until Paul Tillotson receives stuff back from Soil and Water, he cannot make a decision. Road closure estimate will be a week on the pipe for Grover Road. They could probably put jersey barriers as temps if they have to guide rail. This will have to be put off until next month when he receives more information. *This matter of Grover Road was tabled to the May 2019 Town Board Meeting.*

Paul Tillotson has been working with the Sheriff's Department as someone stole some gravel on the other side of town. They took four (4) pickup truck loads and sold it for people to do their driveways. The people were caught and talked to. It will be about a week and a half (1.5) before something then can be done. They will be coming to Court. He received an email from the County that people are stealing cold patch out of facilities, same people stole cold patch out of Candor, over \$1,000.00.

The MAG that the Highway Department put down, they cannot get this year. They will have to go with calcium which runs between \$1.20 and \$1.45 per gallon. MAG was running them about \$1.05. A little increase in price this year. Usually Paul Tillotson runs about 9,000 gallons.

Paul Tillotson requested that Dave Kunzman's pay be increased to \$.50 for five (5) times, with the last one to be a \$.25 raise/increase. He asked if the Board wanted to discuss this, however he needed an answer today for payroll. Councilman Sherwood commented that this is definitely something that is going to have to be hashed out. Paul Tillotson said that it is usually a year and a half (1.5) increase to under Scott Burlew by \$.25, so it is \$18.75 as David is currently at \$16.00. Councilman Collins asked how long David had been with the Town, to which Paul Tillotson replied four (4) months as he started in January. Councilman Steiner commented that it was already in the budget, to which Paul Tillotson agreed. Councilman Collins commented that Paul Tillotson has never come up with a Policy. The Board determined to discuss this under Executive Session.

A Motion was made in the form of a **Resolution No. 25-2019 (4R-2019)** to approve David Kunzman's pay increase from his current \$16.00 per hour to \$18.75 per hour over a year and a half (1.5) period, in five (5) quarterly increments of \$.50 and with the last or sixth (6th) quarterly payment increment being \$.25, by Councilman Sherwood, seconded by Councilman Collins, All Ayes.

Paul Tillotson asked that this approval and resolution of raising David Kunzman's pay be in writing and signed by the Supervisor.

PUBLIC WELFARE AND SAFETY COMMITTEE REPORT

Councilman Steiner stated that the smoke detector program is still ongoing. The Burn Ban is in effect until May 14,2019.

COMMUNITY APPRECIATION AND DEVELOPMENT REPORT

Councilman Sherwood stated that he has "feelers" out regarding the internet, trying to confirm or dispel the rumors as to the work with the lines and as to what is exactly going on. He received a phone call from a gentleman from the Empire State Development Agency (they oversee the funding for the initiative) and unofficially he was told that it is approved but he would not as of yet give Councilman Sherwood anything official to give anybody. Councilman Sherwood has calls out and is just waiting for returns.

CITIZEN APPRECIATION REPORT

No report was given.

DOG CONTROL REPORT

No report was given.

OLD BUSINESS

SECTION 174, NO. 7 OF THE FIRE DISTRICT OFFICERS LAW - Supervisor Purvis stated that the Town is working on obtaining a different lawyer, a couple have been suggested, and we should know by the next meeting as to voting for a new attorney, and go from there.

This matter was tabled to the May 2019 Town Board Meeting.

SOLAR ORDINANCE AMENDMENT - A Motion was made in the form of a **Resolution No. 26-2019 (4R2-2019)** to approve the Planning Board's Amended Zoning Ordinance, Article 11.21 Solar Energy Systems and Solar Access, by Councilman Collins, seconded by Councilman Sherwood, All Ayes. Faith Marmor will schedule a Public Hearing for May 8, 2019 at 6:00 p.m., before the start of the Town Board monthly meeting.

This matter will be scheduled for a Public Hearing on May 8, 2019 and on the May 8, 2019 Town Board Meeting Agenda for final adoption.

INDEPENDENT AUDIT - Supervisor Purvis did not work on this issue as he wanted to talk to an attorney and receive suggestions, thoughts, etc. This matter will need to wait until the Town obtains a new attorney.

This matter was tabled to the May 2019 Town Board Meeting.

BAR MEMBER POSITION - Supervisor Purvis stated that they do not know of anyone that wants this position. They would need to do a training. There is still some time for someone to take this position.

This matter was tabled to the May 2019 Town Board Meeting.

TOWN WEBSITE - Brad Zehr spoke with the Board. He does a lot of websites for companies and organizations, and towns. Websites can be massive or they can be small. Mr. Zehr stated that the Town's website may want to be to get general information out, post notices, post Town Board contact information and different committees information, filling positions within the Town, Assessment Roll posting, etc. He does not think the Town needs a massive website. Mr. Zehr sets the website up and then he is available to work with the company or town, usually there is a key person to whom he would work with to make it easier, however it may be more than one key person. This person/persons would be able to add information to the website or it could be sent to himself or his son and they could add the information to the website. He does not see the Town adding something to the website every day. They do hosting and purchase of domain names. He is thinking the cost for this Town would be \$250.00 per year and this covers everything. If there is some massive addition to the website, then the Town would probably be comfortable in paying some extra money. He looks for long term clients. He does websites for the Town of Erin, Town of Elmira, Town of Southport, Village of Waverly, and Town of Chemung. He brought a few of the town's websites up on his laptop for the Town Board to look at. The logo will typically take everyone to the homepage. There is an administrative area with a password which the key person/persons would have this password to add to the website.

A Motion was made in the form of a **Resolution No. 27-2019 (4R3-2019)** to allow Brad Zehr to create a website for the Town of Baldwin, by Councilman Sherwood, seconded by Councilman Collins, All Ayes.

He asked the Board to think about colors, logos, etc. Mr. Zehr will go out and see what domain names are available. Supervisor Purvis stated that Faith Marmor would be the contact individual, her name and contact information was given to Mr. Zehr. Once a domain name is established, he will pick it up and then he would like the logo to be the best quality the Town has. He then would like the Board to start thinking of what they would like on the website and send it to him. He can set up emails under the domain name. He does hesitate to say this because emails need a lot more support. The website will grow based on need and feedback.

This matter will be tabled to the May 2019 Town Board Meeting for further discussion as to the website content(s).

NEW BUSINESS

BANNERS - Councilman Collins thought that with the hopeful inception of lines coming in, all the lines will have to be moved, and that it may be a smart idea to hold off on the banners this year because they can get them up but there will be no notice when the company will come in and move lines, and if the banners are up it could run into stalling the project. It may be a good idea to hold off on the banners this year and get a fresh start next year, and see if we can get a new group of them in. The Board was in agreement with Councilman Collins's thoughts.

TOWN ATTORNEY - The Town Board is still looking into this matter.

This matter was tabled to the May 2019 Town Board Meeting.

SEXUAL HARASSMENT POLICY - Councilman Collins went to the sexual harassment "Train the Trainer" class that was in Corning, New York. He received some good information from lawyers and even though the Town took the training, they are still not compliant because they do not have a policy. The Town may adopt NYMIR's policy and it is compliant with New York State. Everyone that went to the class received the power points, the policies and wall posters (wall posters contain the whole policy). If someone from the Town of Baldwin takes the sexual harassment training outside the Town, that individual would just need to be brought up to speed on the Town's reporting procedures. There needs to be Compliance Officers. It was strongly suggested that there be two Compliance Officers but hoped for three including a female if there is a female staff member. The policy is simple, it goes into how to investigate, what to do and how to do it. One poster would be hung at the Town Hall and one would be hung in the Highway Garage. Yearly, the Town would have to conduct a sexual harassment training and Councilman Collins may train Town Officials and personnel. Compliance Officers (reporting individual) take complaints and then take the investigation or appoint someone to take the investigation. The Board determined the Compliance Officers to be Patrick Collins, Nancy Purvis and Paul Tillotson. The names of the Compliance Officers and contact information will be placed on the posters. A copy of the Town's Policy in written form will be held and available at the Town Hall by the Town Clerk. A Motion was made in the form of a **Resolution No. 28-2019 (4R4-2019)** to adopt the NYMIR Sexual Harassment Policy and to agree to the Compliance Officers being Patrick Collins, Nancy Purvis and Paul Tillotson, by Councilman Steiner, seconded by Councilman Collins, All Ayes.

PAYMENT OF BILLS - The Board discussed Terie Huseby's voucher for cell phone payment by the Town of Baldwin. Ms. Huseby did state in an email that she does have enough money in her contractual budget to cover this payment. Supervisor Purvis read Ms. Huseby's email submitted with the voucher. The Board discussed the matter as to precedence that would be set for any other official/personnel with the Town of Baldwin and whether or not the Town could say that they would not be paying for this coverage if the payment was taken out of a contractual budget. It was determined that Supervisor Purvis would talk with Terie Huseby on this matter. The Board determined to hold the voucher at this time until further discussion with the Town Attorney. *This matter was tabled to the May 2019 Town Board meeting.*

A Motion was made to pay the bills with the exception of holding Terie Huseby's voucher for cell phone payment by Councilman Sherwood, seconded by Councilman Collins, All Ayes.

EXECUTIVE SESSION

A Motion was made to go into Executive session by Councilman Collins, seconded by Councilman Sherwood, All Ayes.

A Motion was made to go out of Executive session by Supervisor Purvis, seconded by Councilman Collins, All Ayes.

ADJOURNMENT

A Motion was made to adjourn the meeting by Councilman Collins, seconded by Councilman Sherwood, All Ayes.

THE NEXT MONTHLY BOARD MEETING WILL BE HELD IMMEDIATELY FOLLOWING THE PUBLIC HEARING SCHEDULED FOR 6:00 P.M. ON MAY 8, 2019.

Respectfully Submitted,



Faith B. Marmor, Town Clerk