

**GUILFORD REGULAR TOWN BOARD MEETING
WEDNESDAY, NOVEMBER 08, 2023, AT 7:00 PM
TOWN HALL, GUILFORD CENTER
STATE OF NEW YORK**

Town Board present: Councilmember Thomas Ives
Councilmember Matthew Retz
Councilmember Gilda Ward
Supervisor George Seneck

Councilmember Terence Ives arrived at 7:10 pm

Officials present: Town Clerk Jodie Ives
Highway Superintendent Robert Fleming

PUBLIC HEARING 2024 PRELIMINARY BUDGET

Town Clerk Jodie Ives read the legal notice regarding the public hearing on the 2023 Preliminary Budget.

Supervisor Seneck declared the hearing open at 7:02 p.m.

Public Comment – No Comments

Supervisor Seneck declared the Public Hearing closed at 7:03 p.m.

I CALL TO ORDER

Supervisor Seneck called the regular meeting to order at 7:03 p.m.

II PLEDGE OF ALLEGIANCE

Councilmember Matt Retz led the Pledge of Allegiance to the Flag.

III APPROVAL OF MINUTES

RESOLUTION - Motion to dispense with the reading of the minutes from the October 11, 2023, meeting was moved by Councilmember Tom Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

RESOLUTION - Motion to approve the minutes from the October 11, 2023, meeting as presented was moved by Councilmember Tom Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

IV FROM THE FLOOR – Speaker 1 Borden Hose has submitted the 2022 990 annual report. The fire department faced financial fraud and this delayed the filing. The fraud support received from NBT Bank was challenging. They are looking into changing financial institutions. Speaker 1 also praises the Town and Town Board for improvements made in Mt. Upton including the demolition of derelict buildings.

V REPORTS

A. SUPERVISOR – Supervisor Seneck reported the following:

1. Town Supervisors will be meeting with the Director of the SPCA after the County Board meeting on Monday, Nov. 13th.

2. The Chenango County Clerk’s Office has implemented a “Property Check” program. Informs the property owner if someone tries to place a lien on the property.
3. Met with DEC Engineers at the Guilford Lake Dam on October 24th.
4. Discussed the Guilford Water System Project with Brendon Becker on Tuesday, November 7, 2023. Would like to proceed to bring the Youngs’ well into the system.
5. Continue to work on the town’s SAM update.
6. No response from the Delaware Valley Humane Society in Sidney.
7. The buildings in Mt. Upton are down.
8. The procedure to call an executive session is set forth in Public Officers Law 105.
 - a) A matter that will imperil public safety if it is disclosed.
 - b) A matter that may disclose the identity of a law enforcement agent or informer;
 - c) Information with respect to investigation or prosecution of a criminal offense would jeopardize effective law enforcement if disclosed;
 - d) Discussions relating to proposed, pending or current litigation;
 - e) Matters relating to collective negotiations under the Taylor Law;
 - f) Medical, financial, credit or employment history of a particular person or corporation, or relating to appointment, promotion, demotion, discipline or removal;
 - g) Preparation, grading or administration examinations;
 - h) Acquisition, lease or sale of real property or securities when publicity would substantially affect the value.

The Board does not take any action during the Executive Session. All action is taken once the Board returns to the Open Session.

B. TOWN CLERK – Town Clerk Jodie Ives reported the following:

1. The October Statistics report and Dog Control Officer reports were included in the board packet.
2. Office Closures, the town hall will be closed on Friday, November 10th in observance of Veteran’s Day as well as Friday and Saturday November 24th and 25th in observance of Thanksgiving.

C. FINANCIALS - Supervisor Seneck reported the following:

1. Playground (Mt. Upton Park) revenues and expenditures do not show in the financials.
2. Will receive \$7,839 in Mortgage Tax.
3. Revenue is \$150,000 more than budgeted. A large portion of this amount is interest.
4. Interest earnings have been added to reserves.

RESOLUTION - Motion to accept the October 2023 financials as presented moved by Councilmember Tom Ives. Seconded by Councilmember Terry Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

Proposed Budget Amendments for November 2023

Town General

Increase A1410.11 Deputy Town Clerk	+\$4,000	
From Unassigned Fund Balance		-\$4,000
Increase A1440.42 Engineer Lake Dam	+\$24,000	
From Unassigned Fund Balance		-\$24,000
Increase A9060.8 Medical Insurance	+\$4,757.43	
From Unassigned Fund Balance		-\$4,757.43

Mount Upton Water

Increase SW1-8330.4 Purification Contractual	+\$2,000	
From SW1-8340.4 Distribution Contractual		-\$2,000

RESOLUTION - Motion to accept the proposed budget amendments moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

D. HIGHWAY – Highway Superintendent Robert Fleming reported the following:

1. Winter sand has been hauled.
2. Highway trucks are ready for winter.
3. Express thanks to Empire Construction for the sidewalk repair on County Rd 37.
4. Repaired a washout on Quarry Road. This was caused by a beaver dam giving out.
5. Cut shoulders on Crandall Rd.
6. Assisted the Town of Oxford with a crossover pipe.
7. Installed new pipes on Haypath Lane near the golf course and removed old pipes.
8. Purchased 900 tons of millings from Broome Bituminous.
9. The CHIPS report has been submitted.

E. COMMITTEE REPORTS

1. **HIGHWAY COMMITTEE** – Councilmember Retz reported the following:

- a. Met on 11/1/23.
- b. Discussed staffing concerns for the winter season.
- c. Looking to undercoat a few of the smaller trucks.

2. **BUILDING COMMITTEE** - Councilmember Ward reported the following:

- a. Empire Construction is not billing the Town for the sidewalk repair on County Rd 37.
- b. Mt. Upton Park is closed for the season. Kids are soliciting at the park and vandalism continues.

3. **PLANNING COMMITTEE** – No Business

VI OLD BUSINESS

A. CSPCA CONTRACT – RESOLUTION - Motion to bring the CSPCA contract off the table moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

Our Town has concerns regarding contract requirements that the SPCA is ordering. They would like to license dogs on our behalf. Our software program is prenumbered and will not allow us to provide tags to the SPCA. In addition, we are not clear how this would affect our monthly reporting requirements to Ag and Markets. Also, the SPCA wants a second contact person for dog control. This could be the Supervisor or Town Clerk. Our DCO serves many other municipalities and may not always be available. Additionally, the SPCA plans to increase redemption fees. No Action was taken at this meeting. Supervisor Seneck will contact board members after the Supervisor meeting with the SPCA on Monday, November 13th.

VII NEW BUSINESS

A. TIME STUDY – NYS RETIREMENT SYSTEM

BE IT RESOLVED, that the Town of Guilford hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Name	Title	Term Begins/Ends	Standard Work Day	Record of Activities Result	Pay Frequency
Elected Officials					
Appointed Officials					
Tom Parkhurst	Septic Inspector	1/1/23-12/31/23	6	N/A-Tier 1 not required	M

RESOLUTION - Motion to accept and submit the current Standard Work Day and Reporting Resolution for Elected and Appointed Officials to the New York State and Local Retirement System as stated above moved by Councilmember Tom Ives. Seconded by Councilmember Gilda Ward. Ayes: Councilmembers Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

B. SEASONAL HIGHWAY EMPLOYEE APPOINTMENT – RESOLUTION – Motion to appoint Delmar Franklin as a Winter Seasonal Highway Worker, effective December 1, 2023, at a rate of \$28 per hour with overtime allowed moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, Gilda Ward. Noes: None. Motion carries.

C. SEASONAL HIGHWAY LEGAL NOTICES – RESOLUTION – Motion to publish legal notices regarding seasonal roads, mailboxes, and winter parking moved by Councilmember Gilda Ward. Seconded by Councilmember Tom Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, Gilda Ward. Noes: None. Motion carries.

RESOLUTION - Motion to plow Schlafer Rd. to the farm property owned by Robert Ives to allow access to his driveway moved by Councilmember Terry Ives. Seconded by Councilmember Gilda Ward. Discussion - during a major storm this may take a few extra days to maintain. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, Gilda Ward. Noes: None. Motion carries.

D. ADOPT 2024 BUDGET – On page 9 of the budget regarding the Guilford Fire Department one minor change will be noted and corrected. RESOLUTION – Motion to adopt the 2024 Town of Guilford budget as corrected moved by Councilmember Tom Ives. Seconded by Councilmember Matt Retz.

Roll Call: Supervisor George Seneck Aye
 Councilmember Thomas Ives Aye
 Councilmember Terence Ives Aye
 Councilmember Gilda Ward No
 Councilmember Matt Retz Aye

Motion carries.

E. WORKPLACE VIOLENCE-SEXUAL HARRASSMENT TRAININGS – Discussion was held to schedule a time and date for the trainings. Supervisor Seneck notes that the County Personnel department will put on the training.

F. EMERSON TESTING CONTRACT RESOLUTION – RESOLUTION - Motion to accept the services for 2024 with Amber Emerson Testing for Drug & Alcohol Testing and Training Compliance moved by Councilmember Tom

Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, Gilda Ward. Noes: None. Motion carries.

G. PREPAYMENT OF THE NYSLRS BILL DUE DECEMBER 15, 2023 - RESOLUTION – Motion to approve the payment of the annual NYSLRS bill moved by Councilmember Gilda Ward. Seconded by Councilmember Terry Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, Gilda Ward. Noes: None. Motion carries.

H. TREE REMOVAL QUOTES Three quotes were requested. The third request did not submit a bid – **RESOLUTION** – Motion to accept the quote from Tree Pro Services, Tom Pasternak LLC at a cost of \$3,700.00 moved by Councilmember Terry Ives. Seconded by Councilmember Matt Retz. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, Gilda Ward. Noes: None. Motion carries.

I. ASBESTOS MONITORING PROPOSAL – **RESOLUTION** – Motion to authorize Supervisor Seneck to sign and accept the agreement and proposal from Atlantic Environmental Consulting LLC for controlled demolition asbestos monitoring for 1733 State Rte. 8, Mt. Upton, NY, at the cost of \$2,226 moved by Councilmember Terry Ives. Seconded by Councilmember Tom Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, Gilda Ward. Noes: None. Motion carries.

VIII FROM THE FLOOR – Speaker 1 expressed a concern regarding the prior meeting executive session error. It does not appear that the topic for the executive session was on the list stated above. Speaker 1 suggests that the list stated above be made available at the Board meetings as well as posting this list on the Town website.

IX AUDIT & PAYMENT OF BILLS

At an earlier time, General Fund vouchers number 250 – 273 in the amount of \$56,328.40, Highway Fund vouchers number 158 – 171 in the amount of \$36,478.25, Capital Fund vouchers number 11 - 12 in the amount of \$5,083.85, Lighting District vouchers number 20 - 21 in the amount of \$730.86, Mt. Upton Water District vouchers number 57 – 61 in the amount of \$745.73 and Guilford Water District vouchers number 52 – 56 in the amount of \$809.35 were audited. Motion to approve payment of the bills moved by Councilmember Tom Ives. Seconded by Councilmember Gilda Ward. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

X EXECUTIVE SESSION

RESOLUTION - Motion to go into Executive Session at 8:07 p.m. to discuss a personnel matter and a property acquisition moved by Councilmember Terry Ives. Seconded by Councilmember Tom Ives. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

Jason and Jordan Fleming were invited to attend regarding the property acquisition.

At 8:31 pm Jason and Jordan Fleming exited Executive Session.

RESOLUTION – Motion to exit Executive Session at 8:43 p.m. made by Councilmember Terry Ives. Seconded by Councilmember Gilda Ward. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

XI ADJOURNMENT

Being no further business, Councilmember Tom Ives moved to adjourn at 8:49 pm. Seconded by Councilmember Gilda Ward. Ayes: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

Respectfully Submitted,

Jodie M. Ives, Town Clerk