

**GUILFORD REGULAR TOWN BOARD MEETING  
WEDNESDAY, APRIL 13, 2022 at 7:00 PM  
TOWN HALL, GUILFORD CENTER  
STATE OF NEW YORK**

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

Officials present: Deputy Town Clerk Gail Hoffman  
Highway Superintendent Robert Fleming

**I CALL TO ORDER**

Supervisor Seneck called the regular meeting to order at 7:00 p.m.

**II PLEDGE OF ALLEGIANCE**

Councilmember Matthew 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 March 10, 2022 meeting was moved by Councilmember Tom Ives, seconded by Councilmember Terry Ives. Ayes: Councilmembers Terry Ives, Tom Ives, Matt Retz and Gilda Ward. Noes: None. Motion carries.

RESOLUTION - Motion to approve the minutes from the March 10, 2022 meeting as presented was moved by Councilmember Terry Ives. Seconded by Councilmember Ward. Discussion: Councilmember Ward noted that on page 3 under Mt. Upton Park where it says Matt Ward in two places, it should be Matt Retz. Amended motion to approve minutes from the March 10, 2022 as corrected. Ayes: Councilmembers Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. Noes: None. Motion carries.

**IV FROM THE FLOOR**

Paul Knowles stated they did a roadside cleanup and had a lot of participation. He suggested the Town might want to try doing a cleanup using a larger dumpster at the town garage. He stated there were no abuses by residents. Supervisor Seneck thanked Paul, Barb, and PAK for doing the cleanup. Mr. Knowles stated that there were a lot of kids that participated. Supervisor Seneck said he will contact Laing's for cost of a larger dumpster.

A resident complained about 4-wheelers racing on Joslyn Road. Supervisor Seneck stated it is a concern and that residents should contact the Sheriff's Dept.

**V REPORTS**

**A. SUPERVISOR** – Supervisor Seneck reported the following:

1. Correspondences: Claudia Tenney, Community Project Funding requests, Assoc. of Towns 284 Agreements, Chenango County Soil & Water 2022 Part C Project Applications, DOT response "Request for Speed Limit Reduction Junction Road, Chenango County Health Dept. April 4-10 is National Public Health Week.
2. Sending property insurance values to our bookkeeper as per Comptroller's Office for our 2021 AUD.

3. Contacted two vendors for updated proposals for the town hall security system.
4. Contacted the U.S. Treasury Dept. regarding issues with ARPA filing.
5. Received an update from Lamont Engineering on the Guilford Water Project.
6. Communication with Bonadio regarding the April 2020 ARPA filing.
7. Continue working on the Guilford Lake Dam grant project.
8. Received a report on the Bid Results of the Chenango County Tax Sale.
9. Chenango County has proclaimed the Month of April "Fair Housing Month".
10. Justice Jeremy Persons: Aug. 4<sup>th</sup> 2021, Supervisor Seneck met with representatives of the 6<sup>th</sup> Judicial and Justices Osborne and Persons to discuss how to deal with COVID backlog and set up a plan for the Justices to meet. Justice Persons did not follow through. In September, the town was notified not to pay Justice Persons due to his failure to file monthly reports. When the reports were filed, the town was directed to pay Justice Persons. The town was then notified that Justice Persons was under investigation by the Office on Judicial Conduct and was not allowed to hold court but could work in his chamber. Supervisor Seneck has no knowledge of Justice Persons working after September 19<sup>th</sup> of 2021. Subsequently, he failed to meet with the Comptroller's Office for an audit of his books. Supervisor Seneck has been informed that Justice Persons has failed to respond to the inquiries from the 6<sup>th</sup> Judicial and the Committee on Judicial Conduct. Justice Persons has failed to respond to phone messages from the Town Supervisor, failed to appear for the Town's Board yearly audit of his books, and failed to respond to a written correspondence from the Town Supervisor. The Town Board has been informed that as an elected official the Town of Guilford must continue to pay Justice Persons. He continues to be under investigation.

**B. TOWN CLERK** – Deputy Town Clerk Gail Hoffman reported the following:

1. Taxes – original warrant was \$3,224,924.70. Through the end of March, \$2,607,010.59 has been collected in taxes and \$3,809.97 in penalties. Notices were sent out on Monday for delinquent taxes. The comparison report shows we are \$48,457.27 ahead of last year in tax money and \$515.91 ahead in penalties. Bad news is the tax checking account doesn't balance at this point. Will be researching. Councilmember Ward thanked Gail for stepping back into the clerk role and helping the town out.

2. Statistics – the recap of town clerk activity was discontinued by the previous clerk. Gail has updated the report. It shows dog license renewals are down from a year ago by 35.8%. Delinquent reminders for a couple of months were sent out last week along with the current month renewal notices. There are already replies to the delinquent notices.

3. Annual Financial Disclosure – these forms should have been sent out to all employees in January but were not. Gail sent them out in March with a due date of April 30.

4. Supplies were very low and at this point have gotten restocked with handicap permits, paper, vital record documents, etc.

5. Website – Gail has been working on updating the website as she has time. There were 33 items outdated.

6. Gail has been keeping a list of items that she has found problems with as she is going through everything in the office. A sample list includes disability insurance policy being cancelled for non-payment, orders on hold for non-payment, credit card bills not paid, log of check numbers when the supervisor's signature stamp is used had been discontinued by the previous clerk (the state comptroller had told us this process must be done), water rents weren't deposited until mid-February, PESH/OSHA reports weren't completed and must be done by 1/31 of every year, didn't follow through on a subdivision to notify the owner that the subdivision was approved. There are many other things found at this point, but this is a sample. Supervisor Seneck stated this has shown how critical the clerk position is to the town. Councilmembers discussed this looks like negligence. Supervisor Seneck thanked Gail for stepping back into the clerk role.

**C. FINANCIALS** – Supervisor Seneck reported the following:

1. Attorney for High Bridge will request reimbursement under the RUA. No deposits have been made into the account at this point.

2. Expect to hear on CHIPS, PAVE NY and EWR funds next week.
3. Snow Personnel payroll is up 4.7 % from last year but comparable to 2020. We were fully staffed this year for the first time in a while.
4. Lighting Districts continue to see LED lighting cost savings.
5. Councilmember Ward found an error on page 2 of \$27.52. Supervisor Seneck will contact the bookkeeper to get that corrected.

RESOLUTION - Motion to accept the financials with correction moved by Councilmember Tom Ives, second by Councilmember Ward. AYES: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. NOES: None. Motion carries.

**Budget Amendments for March**

**Town General**

From Unassigned Fund Balance	-\$6,000	
To (New Line) Court Clerk		+\$6,000
From Unassigned Fund Balance	-\$3,500	
To A1110.1 Justice Personnel		+\$3,500

**Budget Amendments for April**

**Town General**

From Unassigned Fund Balance	-\$20,000	
To A1410.11 Deputy Town Clerk		+\$20,000
From Unassigned Fund Balance	-\$15,000	
To A1440.42 Attorney High Bridge		+\$15,000
From Unassigned Fund Balance	-\$14,000	
To A9060.8 Medical Insurance		+\$14,000
From A1990.4 Contingent	-\$100	
To A1920.4 Municipal Assoc. Dues		+100

RESOLUTION - Motion to accept the proposed budget amendments moved by Councilmember Terry Ives. Second by Councilmember Retz. DISCUSSION – we have a healthy unassigned fund balance at this time so it will take care of a lot of these unexpected expenses. AYES: Councilmember Terry Ives, Tom Ives, Matt Retz, and Gilda Ward. NOES: None. Motion carries.

**D. HIGHWAY** - Highway Superintendent Bob Fleming reported the following:

1. Discussed problems with the heating system in the garage.
2. We will begin paving Junction Road and Cooper Schoolhouse Road.
3. 3,000 tons of stone and sand have been purchased at last year’s prices.
4. Received information that we are guaranteed to get the same CHIPS funds as last year. Was told we would be receiving a letter regarding funds for winter recovery.
5. Been repairing roads from the winter wear and tear. Working on ditches.

**E. COMMITTEE REPORTS**

1. **HIGHWAY COMMITTEE** – did not meet
2. **BUILDING COMMITTEE** – Councilmember Ward reported the following:
  - a. Working to get prices on a heating system for town hall. Has left messages for Jeff McCormick but hasn’t heard anything back.

- b. Complaints on Facebook about the basketball court at the school.
  - c. Carpets were cleaned and floors were waxed.
  - d. Sign on mechanical room has been put up.
  - e. Supervisor Seneck has sheetrock for the hole to be patched over insulation in the mechanical room.
  - f. Carbon monoxide alarms will be purchased this week by Supervisor Seneck.
  - g. Need to meet with Bob regarding a cold storage building.
  - h. Water building inspections will be done once weather improves.
  - i. Fire extinguisher inspection is now held in July due to delay caused by COVID.
  - j. Plaques for the memorial trees have arrived. Need to order a couple more trees and then can hold a service.
3. **PLANNING COMMITTEE** – Supervisor Seneck stated that the Town Board was provided with the Fleming subdivision request on Tax Map 209-1-8.1 at the January board meeting and approved it. However, paperwork was not completed by the Town Clerk so the subdivision never went to the County. The subdivision request now needs to be reapproved as it is past the 60-day limit. **RESOLUTION** - Motion to approve the Robert and Maureen Fleming subdivision request for tax map #209.-1-8.1 moved by Councilmember Terry Ives. Second by Councilmember Ward. **AYES:** Councilmember Terry Ives, Tom Ives, Retz, and Ward. **NOES:** None. Motion carries.
4. **PARK UPDATES** – Councilmembers Retz and Ward have a list of improvements that they would like to see at the Mt. Upton Park. Councilmember Retz thought it would be a good scout project. Will be discussing with the Park Committee on Monday evening. Councilmember Retz reported that he received a call from the Youth Baseball League saying they have more kids wanting to play than can play on one field. They requested getting the baseball field at the park back to where it can be used. The park calendar is currently being updated by Gail. Councilmembers Retz and Ward will be meeting with the Park Committee on Monday.
5. **TENNIS COURT** – Supervisor Seneck stated there is a request to put a basketball court in by the tennis court at the Guilford school. Tim Ryan from B-G school has asked if the Town can help with this project.

## **VI OLD BUSINESS**

- A. **GUILFORD WELL UPDATES** - Supervisor Seneck reported there have been test wells done. June of 2022 was the previous deadline for completing this project or losing the funding. It has been extended at this time so hopefully will be completed by the new deadline.

## **VII NEW BUSINESS**

- A. **SAND, STONE, GRAVEL BID RESOLUTION** – **RESOLUTION** – Motion to accept the bids for sand and gravel based on whatever quadrant the work is being completed in moved by Councilmember Tom Ives, second by Councilmember Terry Ives. **AYES:** Councilmember Terry Ives, Tom Ives, Retz, and Ward. **NOES:** None. Motion carries. **RESOLUTION** – motion to accept the low bid for 1<sup>ST</sup> and 1B from Carver and 1A from Hanson moved by Councilmember Tom Ives. Second by Councilmember Terry Ives. **AYES:** Councilmember Terry Ives, Tom Ives, Retz, and Ward. **NOES:** None. Motion carries.
- B. **WILKINSON JUNKYARD RESOLUTION** – motion to approve Wilkinson Junkyard Permit for 2022 moved by Councilmember Terry Ives. Second by Councilmember Retz. **AYES:** Councilmember Terry Ives, Tom Ives, Retz, and Ward. **NOES:** None. Motion carries.
- C. **TOWN CLERK APPOINTMENT** – Supervisor Seneck stated this will be discussed in Executive session and expects action will be taken after that.
- D. **HUSTED WATER CONTRACT** – Supervisor Seneck reported nothing has changed with the contract. **RESOLUTION** - Motion to authorize Supervisor Seneck to sign the contract moved by Councilmember Ward. Second by Councilmember Tom Ives. **AYES:** Councilmember Terry Ives, Tom Ives, Retz, and Ward. **NOES:** None. Motion carries.

- E. **ZERO-TURN MOWER and JOHN DEERE TRACTOR** – RESOLUTION - Motion to approve purchase of Zero-turn mower and John Deere Tractor not to exceed \$25,426.71 as per state bid moved by Councilmember Terry Ives. Second by Councilmember Retz. AYES: Councilmember Terry Ives, Retz, and Ward. ABSTAIN: Councilmember Tom Ives. NOES: None. Motion carries.
- F. **MILEAGE REIMBURSEMENT** – Supervisor Seneck stated we need to correct our mileage reimbursement rate to IRS rate. RESOLUTION - Motion to approve \$.585 (the current IRS rate) as our reimbursement rate moved by Councilmember Retz. Second by Councilmember Ward. AYES: Councilmember Terry Ives, Tom Ives, Retz, and Ward. NOES: None. Motion carries.
- G. **SCHEDULE FOR DEPARTMENT PRESENTATIONS** – Supervisor Seneck stated we used to have various departments come present to the Board. There have been a lot of staff changes. The Board agreed they would like to begin this again.
- H. **SURPLUS EQUIPMENT** – RESOLUTION – motion to declare the 997 zero turn mower and X300 tractor surplus and put out to bid moved by Councilmember Terry Ives. Second by Councilmember Retz. AYES: Councilmember Terry Ives, Tom Ives, Retz, and Ward. NOES: None. Motion carries. Councilmember Ward asked if we had any scrap metal and if that should be sold. Mr. Fleming replied that we do and that he knows the price of scrap is going up.
- I. **HIGHWAY GARAGE BOILER** – Councilmember Ward stated the 13-year old heat exchanger in the highway department has a hole in it. John Tracey has fixed it temporarily. John Tracey will get some prices. He had said it looks like to replace it would be approximately \$11,000. It was decided to get 3 written proposals of repair or replace.
- J. **COMPUTER PURCHASE** – Supervisor Seneck stated we need to get specs for a laptop for the highway superintendent. Jason Fleming will spec it.
- K. **HIGHWAY SUPERINTENDENT** – Supervisor Seneck stated that Bob Fleming’s term as highway superintendent expired the end of December 2021. RESOLUTION – motion to reappoint Robert Fleming for 5 years as highway superintendent moved by Councilmember Terry Ives. Second by Councilmember Tom Ives. AYES: Councilmember Terry Ives, Tom Ives, Retz, and Ward. NOES: None. Motion carries.
- L. **DERELICT PROPERTIES** – Discussion held regarding Mt. Upton School’s growing hole that used to be a septic system and various derelict buildings in the town. We may need to pass a local law about these types of properties. Supervisor Seneck will contact our attorney to see what we can do.

## VIII FROM THE FLOOR

Speaker #1 asked about electronic speed signs. Mr. Fleming has ordered two of them for the Hamlet of Guilford at a price of \$6,000.

Speaker #2 stated he has made video files of the roads that will be used for the wind project and has given it to Lamont Engineering. He also stated that the project is now projected to begin in mid-May. He asked the Board to be very careful in hiring the next town clerk after the experience we just went through.

## IX EXECUTIVE SESSION

RESOLUTION - motion to go into Executive Session at 8:20 p.m. to discuss personnel leave time, an employee contractual matter, and credentials of Town Clerk candidates moved by Councilmember Terry Ives. Seconded by Councilmember Ward. Ayes: Councilmembers Terry Ives, Tom Ives, Retz, and Ward. Noes: None. Motion carries.

RESOLUTION – motion to exit Executive Session at 8:51 p.m. made by Councilmember Terry Ives. Seconded by Councilmember Tom Ives. Ayes: Councilmembers Terry Ives, Tom Ives, Retz, and Ward. Noes: None. Motion carries.

**X AUDIT & PAYMENT OF BILLS**

At an earlier time, the General Fund vouchers number 63 to 89 in the amount of \$15,622.75, Highway vouchers number 60 to 75 in the amount of \$59,092.21, Lighting District voucher number 7 in the amount of \$528.55, Mt. Upton Water District vouchers number 20 to 24 in the amount of \$529.27 and Guilford Water District vouchers number 16 to 20 in the amount of \$1,136.22 were audited. Motion to approve payment of the bills moved by Councilmember Tom Ives, seconded by Councilmember Ward. AYES: Councilmembers Terry Ives, Tom Ives, Retz, and Ward. Noes: None. Motion carries.

**XI OTHER**

RESOLUTION - motion to appoint Jodie Ives as Town Clerk effective May 2, 2022 at current rate of pay \$44,000 moved by Councilmember Ward. Seconded by Councilmember Retz. Ayes: Councilmembers Terry Ives, Tom Ives, Retz, and Ward. Noes: None. Motion carries. Supervisor Seneck thanked everyone who applied and stated that all candidates were good and maybe one of them will want to be Deputy Town Clerk.

**XII ADJOURNMENT**

Being no further business, Councilmember Terry Ives moved to adjourn at 8:54 p.m. Seconded by Councilmember Retz. Ayes: Councilmembers Terry Ives, Tom Ives, Retz, and Ward. Noes: None. Motion carries.

Respectfully Submitted,

Gail M Hoffman, Deputy Town Clerk