

Perrysburg Town Board

Minutes of the Regular Monthly Meeting of the Town Board, Town of Perrysburg, Cattaraugus County, NY, February 10, 2020 at the Town Hall

PRESENT: Jennifer Dabolt, Town Supervisor • Richard Gabel, Councilman • Dennis Parker, Councilman • Andy Lord, Councilman • Michael Becker, Councilman

ALSO PRESENT: Tamara A Utley, Town Clerk
Dan Stang, Highway Supt.
Sam Lauer, Gowanda Sewer Dept.
Lisa Towne, Planning/Zoning Secretary
Gary Nash
Mary Stuhr
David Swift
Lisa Towne
Connie Johnson
Tim Mesch

Supervisor called the meeting to order at 7:00 p.m. with the Pledge of Allegiance

PUBLIC COMMENTS/QUESTIONS: None

MINUTES OF THE JANUARY MEETING: Motion by Councilman Gabel, second by Councilman Becker to approve minutes of the January 13th Town Board meeting
ALL AYE MOTION CARRIED

RESOLUTION #1 OF 2020 - NYSLRS STANDARD WORK DAY AND REPORTING RESOLUTION

Motion by Councilman Becker, second by Supervisor Dabolt to adopt the New York State and Local Retirement System Standard Work Day and Reporting Resolution for Elected and Appointed Officials
ALL AYE MOTION CARRIED

RESOLUTION #2 of 2020 - TOWN BOARD ANNUAL FIRE COMPANY AUDITS,

WHEREAS, Town Law Section 123 requires that each town officer and employee who disbursed any moneys in the previous fiscal year shall account with the town board for such moneys.

WHEREAS, the Perrysburg Town Board performed the annual audit of the 2019 books of both the Perrysburg Vol. Fire Company and the Versailles Vol. Fire on January 13, 2020.

The Board found the Perrysburg Fire Department books to be in good order, very organized and Board was pleased

The Board found that the Versailles Fire Department books very organized and in good order

RESOLUTION # 3 OF 2020 - TOWN BOARD ANNUAL AUDIT OF THE TAX COLLECTOR, TOWN CLERK, TOWN JUSTICE

WHEREAS, Town Law Section 123 requires that each Town Officer and employee who received or disbursed any moneys in the previous fiscal year shall account with the Town Board for such moneys.

WHEREAS, the Perrysburg Town Board performed an annual audit of the 2019 books of the Perrysburg Town Tax Collector/Town Clerk/Water Billing Clerk and the Town Justice on January 13, 2020

The Town Board found the record keeping of the Tax Collector was excellent and all in order

The Board found that all records for the Town Clerk/Water Billing Clerk are in excellent order

The Board found the Town Justice books are in excellent order

RESOLUTION #4 OF 2020 - BE IT HEREBY RESOLVED BY THE PERRYSBURG TOWN BOARD TO MAKE THE FOLLOWING APPOINTMENTS:

OFFICIAL BANKS: Community Bank of Gowanda and Evans National Bank of Forestville

OFFICIAL NEWSPAPER: The Dunkirk Observer

MILEAGE RATE: Forty five (.45) cents per mile

INSURANCE COMPANY: The Evans Agency (NYMIR)

PETTY CASH FOR THE OFFICE OF THE TOWN CLERK: \$100.00 to be used for change and small purchases.

RECORDS RETENTION: Adopts the NYS Records Retention and Disposition Schedule MU-1

RESOLUTION #5 OF 2020 - BE IT HEREBY RESOLVED BY THE PERRYSBURG TOWN BOARD TO MAKE THE FOLLOWING SPECIAL APPOINTMENTS

Deputy Supervisor - Andy Lord

* The Deputy Supervisor has the authority to sign checks or documents in the Supervisors absence

Highway Liaison – Mike Becker

Building & Grounds Manager - Dick Gabel

Water & Sewer Liaison - Andy Lord

Parks & Youth- Mike Becker

Versailles Fire Department Liaison - Dick Gabel

Assessor Liaison – Dennis Parker

Perrysburg Fire Liaison- Dick Gabel

Court Liaison - Jenny Dabolt

Dog Control Liaison- Andy Lord

Code Enforcement Liaison- Dennis Parker

Be it resolved that each Department will have a written report for the Town Board at each meeting. Be it further resolved that each Board Member will be expected to speak with the Department they are Liaison for before each board meeting. If an employee from said Department will not be present at the Board meeting said Board member will request and read the report from said Department.

RESOLUTION # 6 OF 2020 - BE IT HEREBY RESOLVED BY THE PERRYSBURG TOWN BOARD:

All regular monthly Town Board Meetings will be held on the second (2nd) Monday of each month at 7:00pm at the Perrysburg Town Hall, 10460 Peck Hill Road, Perrysburg NY, 14129 unless the second Monday falls on a State or Federal holiday. If the second Monday is a holiday, the meeting will be held on the 3rd Monday.

RESOLUTION # 7 OF 2020 - BE IT HEREBY RESOLVED BY THE PERRYSBURG TOWN BOARD:

to allow the Town Supervisor to invest money not currently in use in savings accounts and certificates of deposit, without Board approval, in order to take advantage of interest gains to the Town budget and she shall be allowed to transfer funds from the accounts as needed within each fund.

BE IT FURTHER RESOLVED to set the value of fixed assets to be inventoried yearly at more than \$1,000.00. All other items are considered supplies or materials.

BE IT FURTHER RESOLVED to adopt the Investment Plan, the Procurement Plan currently in place after review by the Board members, the Workplace Prevention of Violence, Sexual Harassment Policy, Employment and Harassment Policy, and to update the Hazardous Materials Manual and Disaster Plans.

RESOLUTION # 8 OF 2020 - BE IT FURTHER RESOLVED BY THE PERRYSBURG TOWN BOARD TO MAKE THE FOLLOWING APPOINTMENTS AND SALARIES:

and to establish for the purpose of calculation NYS Retirement Benefits- an eight (8) hour day for full time employees and a six (6) hour day for elected or appointed officials

The 2020 Pay Rates are as follows:

Attorney for the Town	\$2,971.00
Board of Assessment Review Members (x3)	\$100.00
Code Enforcement Officer	\$5,863.00
Court Clerk	12.25/hr
Court Officer	12.25/hr
Deputy Town Clerk/Registrar/Tax Collector	12.00/hr
Dog Control Officer	\$4,417.00
Highway Supt.	\$52,057.00
Historian	\$816.00
Justice	\$13,500.00
Planning Board Secretary	\$350.00
Supervisor	\$7,000.00
Town Clerk/Tax Collector	\$25,350.00
Town Council (x4)	\$2,550.00
Town Hall Custodian	\$4,161.00
Traffic Court Prosecutor	\$3,000.00

Each water and Sewer District will pay an additional amount of \$750.00 per year to Town Clerk for billing and clerical work.

The Deputy Highway Superintendent, Robert Frank, will be paid an additional .50 cents per hour.

RESOLUTION #9 OF 2020 – BE IT RESOLVED BY THE PERRYSBURG TOWN BOARD TO NAME BAHGAT, LAURITO & BAHGAT AS THE CPA FIRM FOR BOOKKEEPER TO THE SUPERVISOR, FOR THE ANNUAL FINANCIAL REPORT DOCUMENTS, PAYROLL & RETIREMENT REPORTING PURPOSES.

RESOLUTION # 10 OF 2020 - BE IT RESOLVED BY THE PERRYSBURG TOWN BOARD TO PROVIDE THE FOLLOWING BENEFITS TO FULL-TIME HIGHWAY EMPLOYEES (ALL OTHER EMPLOYEES ARE TO BE CONSIDERED PART TIME)

1. Medical insurance allowance to be as follows:

Single: \$ 579.65

Double: \$1159.30

Employee & Children: \$985.41

Family: \$1652.01

* With a cap to be in place for 2020 of \$1640.55 for the Family plan.

* The Town will pay a maximum of \$1,000.00 per employee for non-cosmetic co-pays, non-cosmetic dental/vision. New hires will pay 5% of the cost of health insurance

2. A uniform allowance/work boots for Highway Employees - \$150.00

3. One eight (8) hour sick day accumulating one day per month/ 60 days maximum

4. Vacation: Two (2) weeks after one year service

Three (3) weeks after five years of service

Four (4) weeks after ten years of service

5. Four (4) personal leave days per year

6. Three bereavement days for immediate family - parent, child, spouse, in-laws, (others at the discretion of the Town Board).

7. Ten paid holidays: New Years Day, Good Friday, Memorial Day, July 4th, Labor Day, Columbus Day, Thanksgiving Day, Christmas Day, and two (2) floating holidays.

8. Double time will be paid to full time highway employees for a call out after regular hours on Christmas Eve, Christmas Day, New Years Eve and New Years Day.

9. Retirement benefits are state mandated for full time employees.

10. A limit of 240 hours comp time may be carried over from year to year.

11. A return to work slip from a doctor is required to return to work after an absence of 3 or more days.

12. Vacation and time off requests should be in writing and are granted on a first come first serve basis and employees should keep copies of all requests.

SALARIES FOR FULL TIME HIGHWAY EMPLOYEES SHALL BE:

* Current full and part time Highway employees will receive a rate increase of .50 per hour

* Starting wage of \$14.00 per hour with CDL (All full time highway employees must have a valid CDL).

* All wage increases are given for meritorious service with an evaluation process performed by the Highway Superintendent.

* A twenty year longevity payment of \$500.00 annually to employees working 20 years or more on the first regular payday following their anniversary date.

* New employee probationary period is six (6) months - upon completion of a positive evaluation by the Highway Superintendent, the employee will receive a .50 cent increase.

PART TIME EMPLOYEES -

\$11.80 per hour with CDL, Mechanic experience, other specialized skills

\$ 11.80 per hour for general laborer

*Full time employees will be paid a minimum of 3 hours pay when they are called in during off hours.

* The foregoing raises are for full or part time employees in continuous employment for the Town of Perrysburg.

RESOLUTION #11 OF 2020 - TOWN CLERK BENEFITS

BE IT HEREBY RESOLVED by the Perrysburg Town Board to provide the following benefits to the Town Clerk; the Town Clerk will be considered a full time employee and have office hours open to the public for 35 hours per week and will be the primary office employee staffing the office during those hours. The office of the Town Clerk will not have a designated closing time for lunch but will close as necessary to conduct Town business including banking, post office and necessary meeting attendance on behalf of the Town. The Town Clerk will contribute five percent (5%) towards the cost of said insurance. The Town will pay a maximum of \$1,000 for non-cosmetic co-pays including non-cosmetic dental/vision when receipts are submitted

**RESOLUTION #12 OF 2020 – PERRYSBURG LIASION TO GOWANDA
AMBULANCE BOARD**

Be it hereby resolved that Georgia Robbins be re-appointed the Town of Perrysburg Liaison to the Gowanda Ambulance

Be it further resolved that a letter from the Town of Perrysburg will be sent to the Gowanda Ambulance Service stating re-appointment

Motion by Councilman Gabel, second by Councilman Lord to adopt Resolutions #2 thru #12
ALL AYE MOTION CARRIED

RESOLUTION #13 – AGREEMENT TO SPEND HIGHWAY FUNDS

Motion by Councilman Becker, second by Councilman Gabel to sign the 2020 Agreement to Spend Highway Funds. The fully executed Agreement will be retained by the Cattaraugus County Department of Public Works and one copy will be returned to the Town Clerk for filing
ALL AYE MOTION CARRIED

RESOLUTION #14 – MUNICIPAL SNOW AND ICE AGREEMENT EXTENSION

Whereas, the Town of Perrysburg, pursuant to section 12 of Highway Law, relating to control of snow and ice on State Highways in Towns and Villages has been requested to enter into a lump sum municipal snow and ice agreement with the State of New York for such purposes and

WHEREAS, State of New York and the Town of Perrysburg have entered into such agreement for a one year extension that expired June 30, 2019, hereby extended for a period of five years commencing July 1, 2019 and now to expire June 30, 2024

THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Perrysburg is hereby authorized and directed on behalf of the Perrysburg Town Board to execute this contract extension.

Motion by Councilman Parker, second by Councilman Gabel to adopt the Municipal Snow and Ice Agreement

**PARKER – AYE GABEL – AYE DABOLT – AYE BECKER – AYE
LORD – NAY**

MOTION CARRIED

RESOLUTION #15 – SPECIAL USE AGRICULTURAL USE WATER RATE

BE IT HEREBY RESOLVED, by the Perrysburg Town Board to establish a Special Use Agricultural water use rate of \$2.90/1,000 gallons for the first 100,000 gallons, then \$2.30/1,000 gallons thereafter, within Town of Perrysburg Water Districts effective April 1, 2020

Motion by Councilman Gabel, second by Councilman Parker to adopt Resolution #15

**GABEL – AYE PARKER - AYE
BECKER – NAY DABOLT – NAY LORD – NAY**

MOTION NOT CARRIED

LOCAL LAW #1 OF 2020 – CHANGE THE DAY ESTABLISHED FOR GRIEVANCE DAY

Motion by Supervisor Dabolt, second by Councilman Lord to introduce Local Law #1 of 2020 to amend Local Law #1 of 2014. A Law to change the day established for grievance day to the first Wednesday following the fourth Tuesday of May of each year.

ALL AYE MOTION CARRIED

TOWN BOARD AUDIT OF TOWN SUPERVISOR’S BOOKS

The Town Board will conduct an audit of the Town Supervisor’s books on March 9th at 6:45 p.m.

UNPAID CLAIMS FROM ABSTRACT #2 OF 2020

Following discussion:

- #14 Hodgson, Russ Invoice 1047377 \$4813.00

The Board requests clarification of charges on invoice prior to payment; request Henry Zomerfeld to explain questionable charges to the Town Board at Hodgson, Russ expense. Town Supervisor will contact Hodgson, Russ

- #17 McMahon, LaRue Invoice #9606 \$10,000.00

Motion by Councilman Becker, second Councilman Gabel to pay voucher #17

BECKER–AYE GABEL –AYE PARKER –NAY LORD – AYE DABOLT – AYE

- #18 Municipal Disaster Consultants Invoice 20-027843 \$5642.00

Motion by Councilman Parker, second by Councilman Gabel, pay invoice #18 ONLY subject to clarification/correction of charge(s)

PARKER – NAY GABEL – AYE BECKER – AYE LORD – AYE DABOLT - AYE

TERMINATION OF CONTRACT WITH LAW FIRM HODGSON, RUSS

Motion by Councilman Lord, second by Councilman Parker to terminate the contract with Hodgson Russ LLP Attorneys signed 9/23/19

**LORD – AYE PARKER – AYE DABOLT – AYE
GABEL – AYE BECKER – AYE**

TERMINATION OF ATTORNEY/CLIENT PRIVILEGE LETTER

Motion by Councilman Lord, second by Councilman Becker to terminate the Attorney/Client privilege letter signed by some members of the Town Board

**LORD – AYE BECKER – AYE DABOLT – AYE
PARKER – AYE GABEL – AYE**

PROSPECT STREET

- Highway Supt. Stang reported he met with Code Enforcement Officer Heckman; an application for Hazard Mitigation funding was completed and submitted
- Town Board all agreed the project will be taken over by Highway Superintendent Stang, he will provide a monthly report to the Town Board and will work with FEMA Consultant Ryan Frykholm to get reimbursement for work completed
- Highway Superintendent will monitor the road until spring and provide safe flow of traffic in and out
- Councilman Becker offered to take prints to engineers for a class project at no expense to the Town

ABSTRACT #3 of 2020, Vouchers #38-85 – Audit of Claims

General Fund Townwide	A	\$ 40,794.68
Highway Fund Townwide	DA	\$ 26,716.70
Gowanda Prospect St. Water	GW	\$ 88.00
Capital Projects Fund	H	\$ 2,028.26
Central Water	PW	\$ 19,820.07
Fire Protection	SF	\$ 2,500.00
Street Lighting	SL	\$ 649.74
Special Residential	SR	\$ 770.35
Special Sewer	SS	\$ 16,398.34
Versailles Water	VW	\$ 2,435.13
Total:		\$ 112,201.27

Totals from each fund were read by the Town Clerk. Motion by Councilman Parker, second by Councilman Gabel to pay all audited vouchers #38 to #85 in the amount of \$112,201.27

Following discussion, pay bills with the exception of voucher 61 until Board receives clarification of line item expenses billed to the Town

- Voucher #61 Hodgson, Russ Invoice #1051431 \$9,543.40

**PARKER - AYE GABEL- AYE DABOLT- AYE
LORD - AYE BECKER- AYE**

REPORTS:

Building & Code Enforcement Officer: On file in the Town Clerk's office

Supervisor's Financial Report prepared by Bahgat & Laurito-Bahgat: On file in the Town Clerk's office

Planning/Zoning Board: meeting next week to go over the master plan with Zoning Board

Assessor's Report: completed renewal application for Senior Citizen Exemption, Agricultural Assessment and Exemption for Nonprofit Organizations are being returned to our office. Because renewals are due March 1st, notices will be mailed mid-February to all applicants who have not yet given us a renewal. Property owners should contact our office with any questions. Assessing Office corresponded with several property owners about their assessments, tax bills and exemptions. Four (4) property transfers were added for the month of December

Water Dept. Report: Perrysburg processed 2,135,669 gallons, daily average of 68,893 per day. Leak found in early January. Order parts for PRV valve pit and fixed the valves in pit. 5 work orders and 2 UFPO. Versailles processed 186,070 gallons, daily average of 6,000 gallons. Shut off water to house on Division Street

Highway Supt. Report: A lot of plowing, had freezing rain, tree & brush removal throughout town. General repair on equipment, three (3) trucks with electrical problems

Justice Report: Revised January report: 36 V/T law cases closed February closed the following cases: 21 V/T and 2 animal control. Total reported to State Comptroller was \$3921.00

Dog Control Officer's Report: Two (2) notices sent to get three (3) dogs licensed; One (1) notice to keep dog tied up on Wardtown; three (3) lost dogs returned to their homes, stray pomeranian mix that could not be caught; issued eleven (11) tickets for expired licenses

Town Clerk Report: Collected \$2,967 for the month of January. \$1610.06 was town portion paid to the Supervisor. Follow up from January 13th Board Meeting: Supervisor requested Clerk to look for Ross Valve invoices, found \$16,157.74 was paid as follows:

- July 9, 2018, voucher #285, invoice IN01045641 was paid in the amount of \$13,752.74 for a system wide PM/Rebuild
- August 13, 2018, voucher #320, invoice IN01045703 in the amount of \$2405.65 for repair of pilot valves

Copy of the invoices were e-mailed to Gowanda Water Dept. on January 14th and information e-mailed to Town Board members 1/18/2020

Town Clerk respectfully asks for resolution to approve attendance to the 2020 New York State Town Clerk Association Conference to be held in Albany

RESOLUTION #16 OF 2020 – TOWN CLERK ATTENDANCE 2020 NYSTCA CONFERENCE

Motion by Councilman Parker, second by Supervisor Dabolt to approve the Town Clerk’s attendance to the NYS Town Clerk Association Annual Conference to be held April 26-29, 2020 in Albany at a cost not to exceed \$1,000 including conference attendance, registration and transportation

PARKER – AYE DABOLT – AYE
GABEL – AYE BECKER – AYE LORD – AYE

Tax Collector: For the month of January, collected \$1,229,402.52 in Town and County taxes and has paid the Town Supervisor the full warrant amount of \$637,332.09

Sewer Report: No problems to report

CORRESPONDENCE

- John Grennell – withdraw request to be reappointed as both the Town Attorney and Town Prosecutor
- James Musacchio – cover letter and resume for the positions of both Town Attorney and Town Prosecutor. Town Board agreed to temporarily appoint James Musacchio as Town Prosecutor

Following discussion, the Town Board will advertise for positions of Town Attorney and permanent Town Prosecutor

- E-mail from Barbara Turk requesting information on how Town can secure Spectrum television, phone and internet service on Mackinaw and West Perrysburg Roads

Following discussion, Councilman Parker will follow up with Spectrum regarding Franchise Agreement with the Town

- Justice Lori Dankert – Court has been awarded \$4,250 for the 2019-20 Justice Court Assistance Program to renovate Court entrance in the amount of \$3,500 and \$750 for painting the Courtroom Entrance stairs and metal walls, they did not approve the replacement of the Courtroom ceiling. Justice Dankert received \$783 less than requested and will have to return all of the money if Town unable to pay the \$783 for replacement of Courtroom ceiling.

Following discussion, motion by Supervisor Dabolt, second by Councilman Gabel to have the \$783 for Courtroom ceiling replacement to come out of the Town Justice contractual account

ALL AYE MOTION CARRIED

- Village of Gowanda – water staff will not attend monthly Town Board meetings unless requested. Town Supervisor will meet monthly with Gowanda Water Dept.

OLD BUSINESS

Councilman Parker contacted Jeremy Neu regarding the need for mowing/maintenance at the West Perrysburg Road Cemetery, Mr. Neu is unable to take on this project at this time. Councilman Gabel and Supervisor Dabolt will contact other contractors.

Discussion about potential contract for mowing/trimming/clean up ten times (10) per year at the West Perrysburg Road Cemetery, similar to other cemeteries in the area

J.N. Adam Committee meeting at the Town Hall March 12th at 5:30 p.m.

BOARD MEMBER COMMENTS

- Councilman Gabel reported the Perrysburg Vol. Fire Company in process of purchasing a new truck to replace the 1991 pumper with a smaller scale pumper that is more efficient
- Supervisor Dabolt commented that she is the only Board Member to review and sign vouchers every month and requests that all Board Members review and sign vouchers

8:52 p.m. Motion by Councilman Becker, second by Councilman Lord to adjourn
ALL AYE MOTION CARRIED

Respectfully Submitted,

Tamara A. Utley, Town Clerk