

Town of Tully
August 10, 2016

REGULAR TOWN BOARD MEETING
TOWN OF TULLY
TOWN HALL
5833 MEETING HOUSE RD TULLY NY

Members Present: Supervisor William A. Lund, Jr.
Councilor John Masters
Councilor Frank Speziale

Absent: Councilor John Snavlin
Councilor Christopher Chapman

Others present: Financial Officer Thomas Chartrand, Town Attorney Steven Primo, Highway Superintendent John Herold, *The Tully News* editor Ben Bibik, Parks & Rec Board Member Gary Heymann, Fire Commissioners Anthony Battle and Ed Wortley Jr., Betsy Shahan, Carol and Jack Gleason, John McMahon, Mike Vaccaro, Carl and Mrs. Rosato

7:30pm Supervisor Lund called meeting to order and led in Pledge of Allegiance.

MOTION TO ACCEPT THE MINUTES OF THE JULY 13TH MEETING AS WRITTEN. Motion by Councilor Masters. Second by Councilor Speziale. Motion carried 3 ayes (Lund, Masters, Speziale) 0 naves.

MOTION TO ACCEPT THE VOUCHERS. Motion by Councilor Speziale. Second by Supervisor Lund. Motion carried 3 ayes (Lund, Masters, Speziale) 0 naves.

Financial Report

Mr. Chartrand reviewed the Monthly Statement of Supervisor for July and reported on town clerk fees of about \$5,000; court fines are just about up to date for this time of year; the mortgage tax is less than usual for the first half of the year; we have received the county reimbursement for use of the old highway garage; we've also received \$1400 from the Girls of Summer Lacrosse league; ambulance recoveries are still doing very well. On the expense side, it was generally a quiet month. Tom also discussed transfers which are reflected in a transfer sheet below and include assessor's, town clerk's and joint youth project accounts.

TOWN OF TULLY

Date: August 10, 2016

To: Town Board

From: Tom Chartrand

Re: Budget Transfers

GENERAL	Townwide		
From:			
A599	Surplus	Recreation Donation	1,400.00
A1950.4	Taxes	Contractual	1,500.00
A5133.4	Garage (OLD)	Contractual	1,500.00
		Total	<u>\$4,400.00</u>
			=====
To:			
A1355.4	Assessor	Contractual	2,500.00
A1410.4	Town Clerk	Contractual	500.00
A7320.2	Joint Youth Proj.	Equipment	1,400.00
		Total	<u>\$4,400.00</u>
			=====

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RESOLUTION 61-16

MOTION TO ACCEPT THE FINANCIAL REPORT FOR JULY 2016. Motion by Councilor Masters. Second by Councilor Speziale. Motion carried 3 ayes (Lund, Masters, Speziale) 0 nays.

RESOLUTION 62-16

MOTION TO APPROVE THE TRANSFER SHEET. Motion by Councilor Speziale. Second by Councilor Masters. Motion carried 3 ayes (Lund, Masters, Speziale) 0 nays.

Tom advised that budget season is approaching, so he will be sending out budget requests to all departments. He would like them returned to him by the middle of September and suggested we have our first budget workshop on September 28th at 6pm followed by a second one on October 12th, also at 6pm.

RESOLUTION 63-16

MOTION TO HAVE THE FIRST BUDGET WORKSHOP ON SEPTEMBER 28TH FOLLOWED BY A SECOND BUDGET WORKSHOP ON OCTOBER 12TH, BOTH AT 6PM. Motion by Supervisor Lund. Second by Councilor Masters. Motion carried 3 ayes (Lund, Masters, Speziale) 0 nays.

RESOLUTION 64-16

MOTION TO DECLARE AS SCRAP THREE PRINTERS AND ONE FAX MACHINE NOT NEEDED FOR ANY TOWN PURPOSE, HOWEVER, AVAILABLE FOR USE BY THE HISTORIAN'S OFFICE. Motion by Supervisor Lund. Second by Councilor Masters. Motion carried 3 ayes (Lund, Masters, Speziale) 0 nays.

Parks and Recreation

Gary Heymann reported that the summer has been great at Green Lake. We have scheduled regular hours through next Sunday and then will be tailoring the hours since we will be losing lifeguards who may be going back to college, etc. We are also getting ready for soccer in the Fall. In addition, we are seeking letters of interest for a position on the Parks & Rec Board since Ryan's seat opened up when he became director.

Highway

John Herold reviewed highway activities as follows:

- ✚ We did some minor repairs on the roadside mower
- ✚ Working on road repairs; also helping out other towns
- ✚ Replacing cross culverts on Woodmancy Road
- ✚ Continue with ditching and mowing roadsides
- ✚ New John Deere Pay loader did show up

Supervisor Lund discussed the roofing quotes John received for the town hall as follows:

✚ Van Derhoof	145 Ainsley Drive, Syracuse NY 13210	\$42,800
✚ Woodfords	PO Box 108, 6500 Route 80, Apulia Station, NY 13020	\$55,603
✚ Martin Builders	10110 Miner Road, North Rose, NY 14516	\$14,300

It was noted that the low number from Martin Builders was based upon an approach to the existing problem, not involving the comprehensive scope of work contemplated by the other two contractors, but that all were made aware of the same specifics of the existing problems.

RESOLUTION 65-16

MOTION TO CONDITIONALLY AWARD THE REROOFING OF THE TOWN HALL PROJECT TO MARTIN BUILDERS FOR AN INTENDED ESTIMATED COST OF \$14,300 BUT NOT TO EXCEED \$20,000, AND SUBJECT TO EXPIRATION OF THE PERMISSIVE REFERENDUM PERIOD ON AUGUST 12TH AND SUBJECT TO FINALIZATION OF ANY APPROPRIATE CONTRACT BETWEEN THE TOWN AND BUILDER. Motion by Supervisor Lund. Second by Councilor Masters. Motion carried 3 ayes (Lund, Masters, Speziale) 0 nays.

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Ambulance

Captain Bryan Ramsay was not present this evening. Supervisor Lund reviewed the report as follows:

Total EMS calls for July were 54.

On Tuesday, August 2, 2016, Bryan attended the Onondaga County EMS Directors Meeting at which time he was asked to give a report on what Tully's plans are for coverage of the Otisco Fire District. As Bryan had explained to the other directors, at this time we will continue coverage until December 31, 2016 and the Tully Town Board and the Otisco Town Board will be working on a possible resolution during the next few months.

Bryan has been in constant review of the budget for this year. The ambulance crew has used more overtime hours than expected for the year. Because of this, Bryan has held off purchasing some items that they can do without at this time.

On page 10 of Tom's monthly report, the line items 4540.2 Equipment and 4544.4 Repair equipment are the areas for which he will be holding off some purchases. Bryan's thinking is to make the monies available for any additional overtime for the year as the staffing of the ambulance is the most important issue.

If we stay within the budgeted figure for overtime, then the monies will be spent for the supply items at the end of the budget year. This will not jeopardize the quality of our service in any way.

Fire

Sonny Battle reported that the truck is on the way to being delivered.

Supervisor Lund asked if we still have a public hearing next month, SEPT 12TH, on the floodplain local law, and if so, at what time. Mr. Primo responded in the affirmative and that it would be at 7:15pm.

Public Hearings Scheduled for Next Month

After a brief discussion, Supervisor Lund made a motion to have a public hearing next month to adopt a proposed local law amending NYS Building and Construction Code sections and adopting the International Uniform Code. Councilor Speziale seconded the motion. Mr. Primo advised that it would be proposed Local Law No. 2 of 2016 and that the public hearing would be scheduled for 7:00pm. The motion carried 3 ayes (Lund, Masters, Speziale) 0 nayses. **(RESOLUTION 66-16)**

Mr. Primo also advised that we need to have a public hearing at 7:15 to consider the adoption of Local Law No. 3 of 2016 repealing Chapter 162 of the Town of Tully Code entitled, "Flood Damage Prevention" and replacing same with a new Chapter 162 entitled, "Flood Damage Prevention."

Floor

Carl Rosato, a local resident, addressed the board regarding a piece of property on Green Lake that he and his wife would like to purchase. After a brief discussion, the three board members present agreed that it was not a good idea and it would be in the town's best interest to own the land along Green Lake.

Legal

Town Attorney Steve Primo reported to the board that we have had the first application on a large scale solar project, "and so far, so good." The process has run relatively smoothly. There was a question regarding notice to adjacent landowners to which Mr. Primo responded that landowners within 1500 feet of such a project must be served by mail. In addition to that, the property is posted with a sign indicating the date of the public hearing.

Resident John McMahon had a question about Local Law No. 1 which was recently adopted by the board. A lengthy discussion followed.

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(Legal cont'd)

Mr. Primo advised the board that he needed something on the record regarding the Aldi Certiorari settlement. It was discussed during executive session in the past, but we need something on the record of the board ratifying settlement of the Aldi Certiorari case upon the terms and conditions stated in the stipulation of settlement.

MOTION TO RATIFY AND CONFIRM THE STIPULATION OF SETTLEMENT IN THE MATTER OF ALDI INC VS TOWN OF TULLY. Motion by Supervisor Lund. Second by Councilor Masters. Councilor Speziale abstained from voting at which time Mr. Primo suggested that the board go into an advice-of-counsel session to discuss the above. He advised that he really needs the board to approve this and understands the board members may have reservations about doing that.

Prior to an executive session regarding the above, and after a brief discussion, there came the following:

RESOLUTION 67-16

MOTION TO AUTHORIZE UP TO \$200,000 FOR A BOND RESOLUTION - A PUBLIC HEARING TO BE HELD ON SEPTEMBER 14TH AT 7:25PM (IF REQUIRED) - AND TO RETAIN BOND COUNSEL FOR PREPARATION OF BOND DOCUMENTATION AND STATUTORY INSTALLMENT NOTE. Motion by Supervisor Lund. Second by Councilor Speziale. Motion carried 3 ayes (Lund, Masters, Speziale) 0 nays.

Fire Commissioner Ed Wortley asked that the commissioners be informed about the Aldi settlement so that they could budget and plan for this as well. Commissioner Sonny Battle also asked that the board be up front about the Aldi settlement and how much the taxpayers will be paying. Discussion followed.

Break

MOTION TO MOVE INTO EXEC SESSION TO DISCUSS PENDING LITIGATION. Motion by Councilor Masters. Second by Councilor Speziale. Motion carried 3 ayes (Lund, Masters, Speziale) 0 nays.

EXECUTIVE SESSION

MOTION TO MOVE OUT OF EXEC SESSION AT 8:30. Motion by Supervisor Lund. Second by Councilor Masters. Motion carried 3 ayes (Lund, Masters, Speziale) 0 nays.

RESOLUTION 68-16

MOTION TO RATIFY AND CONFIRM THE STIPULATION OF SETTLEMENT IN THE MATTER OF ALDI INC VS TOWN OF TULLY. Motion by Supervisor Lund. Second by Councilor Masters. Motion carried 3 ayes (Lund, Masters, Speziale) 0 nays.

MOTION TO ADJOURN THE MEETING AT 8:45PM. Motion by Councilor Masters. Second by Councilor Speziale. Motion carried 3 ayes (Lund, Masters, Speziale) 0 nays.

Respectfully submitted,

Susan Vaccaro,
Town Clerk