

TOWN OF MARCELLUS
TOWN BOARD WORKSHOP MEETING MINUTES

January 23, 2014

A Workshop meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Thursday, January 23, 2014, in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Mary Jo Paul, Supervisor
Kevin O'Hara, Councilor
John Scanlon, Councilor
Peter Hakes, Councilor
Karen Pollard, Councilor

Also present: Jim Gascon, Town Attorney; Phil Coccia, Recreation Director; Don MacLachlan, Highway Superintendent; John Houser, Codes Officer; Tracie Barnes, Town Bookkeeper; approximately 20 town residents and Sandy Taylor, Town Clerk.

Supervisor Paul opened the meeting at 7 P.M. with the Pledge of Allegiance to the Flag.

OLD BUSINESS:

1. Contract Addendums Discussion: Vet Hospitals. There was discussion as to who is responsible if a dog passes away while at the Vet Hospital? Jim Gascon believes that this is covered under Common Law. The Town is going to be requesting proof of insurance.

Contract Addendum Discussion: MAVES. It was brought up about a Certificate of Need from MAVES. We will be adding an addendum on the MAVES agreement, that the Town will receive the Certificate of Need back if the agreement is ever terminated.

2. Procurement Policy/RPF For Professional Services: There was some discussion regarding the RFP for Professional Services on the Procurement Policy. This issue will be discussed at the February Meeting.
3. Update on Basement/Boiler: Don MacLachlan just handed the Board an update if what has been done in the basement regarding the water issue up to now. We need to clean out the room with all the old computers so that work can continue in the basement.

Boiler: Modern Air Mechanicals did install the new boiler. They did have to replace a couple of valves and fix a broken pipe. The added amount totaled \$519.18.

4. Sewer Easements: Supervisor Paul stated that Mayor Curtin sent one of the village workers downtown to see about obtaining easements. There was a discussion as to how much he found and how much the cost would be to hire a Title Company come in and do it. Supervisor Paul will keep the Board informed as she hears more information.

NEW BUSINESS:

1. Park and Recreation Report: Phil Coccia, Recreation Director, spoke on the Parks and Recreation participation Report from September 2012 – December 2013. Starting next Tuesday, January 28, 2014, there will be Cards and Games in the Welcome Center from 8:30 – 11:00 for the residents. Coffee and light refreshments will be provided.
2. Undertaking: Supervisor Paul checked with Reagan Insurance to be sure we have enough coverage. Only one Justice is covered. The cost would be \$20 to add the other Justice. Supervisor Paul will be checking with the NYS Comptroller's office to be sure that everyone all employees who need to be covered are and that there is enough coverage.
3. Policy Regarding broken/obsolete equipment and or furniture: Councilor Pollard stated that you have to have someone determine that the equipment is obsolete. If there is anything worth saving, you put a legal in the paper so the public can purchase it. It was also suggested that you place the items on Auctions International. All Department Heads will receive a memo asking what item they wish to keep before it is discarded.
4. Inventory by Department: Phil Coccia, Recreation Director stated that the Park has an inventory of their supplies. It was stated that the Highway Superintendent has an inventory of all the Highway Equipment. This will be confirmed with the Highway Superintendent.
5. Home Depot Credit Cards/Credit Card Policy: We currently have three credit cards from Home Depot and they are in name of people who are no longer employees. This is going on the February Workshop Meeting to see if we can get a card in the Town's name.
6. Bank Accounts: Supervisor Paul had an appointment with Solvay Bank and is meeting with Key Bank tomorrow. She feels that the Town is paying too much in fees and wants to shop around for better prices.
7. Brush Debris/Burnable Wood: Don MacLachlan has been receiving requests about residents going on Town property and retrieving old burnable wood and brush debris. The Town's concern is the risks involved with resident's getting injured. This will be checked with Don on his expertise.

8. Citizen Committee/Town Hall and Highway Garage: Supervisor Paul would like to start a committee to take a good look at the Town Hall and Highway Garage to see if they are worth putting money into or starting new. Councilor Pollard will work with the Town Clerk on locating a report that was done a few years ago to give to the new committee as a starting point. It was suggested that no more than 5 people be on the committee.
9. OML/FOIL: Supervisor Paul handed out information that she printed from the Department of State – Committee on Open Government on the Freedom of Information Law and the Open Meetings Law. These are for future reference.
10. Employee Handbook: Policy/Procedure for Comp. Time. The handbook states one thing regarding Comp Time, but looking through old minutes, the policy was never voted on. The policy was discussed at Workshop Meetings. Jim Gascon will check to see if legally employees can carry Comp Time over from one year to the next.
11. Time Cards/Summary Sheets: All time sheets should be authorized and reviewed by the Employee and Department Head before they are signed off.
12. Expense Reimbursement: There was an amendment to Section 506 of the Employee Handbook regarding reimbursements last year. A memo will be sent out to all employees regarding this.
13. HR One Salary Study: Supervisor Paul, Tracie and Kathy from HR One had a phone conference. There is a timeline set up to roll out the process for the salary study. Supervisor Paul and Tracie will set up a meeting with employees to explain what has to be done. Supervisor Paul is happy to go forward with this, unless one of the board members would like to take over.
14. Help for Supervisor: Supervisor Paul asked if each of the Board Members would be willing to help her out with different tasks. Councilor Scanlon with Town Hall Building issues, Councilor Hakes with IT issues, Councilor O'Hara with Civil Service issues and Councilor Pollard with any grants or paperwork.

UPDATES:

**SUPERVISOR'S UPDATES
JANUARY 23, 2014**

HIGHWAY DEPT: Since the conclusion of the last meeting, media coverage by YNN & SYR.COM has occurred. As you are all aware, sometimes through editing, sometimes through choice of words & sometimes because of things not said there can be misunderstanding.

I would like to clarify. No charges have been brought & there is no indication charges are being brought at this time. Everyone is presumed innocent. And even if charges are brought, that does not necessarily mean one is guilty. Only at trial is guilt or innocence determined.

Since Jan. 13th the Town Attorney has been in communication with the ADA and the attorney for the Highway Superintendent, but the Board has not yet been briefed. That will take place during executive session this evening.

The Board has received a response from the Highway Superintendent regarding the time records audit. And again, that will be reviewed in Executive Session. It will also be made available under FOIL.

Although I have nothing tangible to report, know that this Board has been actively pursuing a solution— making every attempt to listen, discuss & negotiate with ALL parties involved. The Board’s intent is to continue to remain neutral.

**ATTENDED NEWLY ELECTED OFFICIALS TRAINING IN ROCH:
WOW**

RECENT LEGISLATIVE BREAKFAST: Kevin

**ONONDAGA COUNTY FIRE & EMERGENCY SERVICES
EDUCATION & LEGISLATIVE BREAKFAST: John
VACANCIES ON ASSESSMENT REVIEW BRD.(2) & PLANNING
BOARD(1):**

Deadline for apps is Jan. 24. We have received 2 apps. for the Assessment Review Board & 3 for the Planning Board. The apps. will be reviewed & possibly interviewed by members of each Board & their recommendations forwarded to the Town Board for appointment.

ITEMS FROM THE BOARD: Nothing from the Board Members

ITEMS FROM THE PUBLIC:

Phil Coccia, Recreation Director, mentioned that we have drawings from years past regarding a new Town Hall or an addition to the existing Town Hall.

A resident mentioned that there is standing room only and that we need to provide more chairs or move meetings a larger meeting space.

It was stated that talking about Comp Time at Executive Session is not appropriate. Councilor Hakes told the residents that at the Executive Sessions they discussed certain employees comp time.

Credit Card Policy – it was brought to the Board’s attention that the School just adopted a Credit Card policy.

A resident brought up the fact that HR reports regarding the Highway Department were denied. Supervisor Paul explained that the original HR report was never made available. The second report (time card Audit) will be available once the attorney redacts it. Jim Gascon, Town Attorney, reiterated that the original HR report was FOILED and a letter denying that FOIL was sent. Only the Town Board members have seen the original report. The Time Card Audit will be available, once all the employee names, Social Security numbers and identification numbers have been redacted to protect the employees.

Supervisor Paul adjourned the meeting at 9:01.

Supervisor Paul then called to order the Special Meeting at 9:01.

The purpose of the Special Meeting is to go into Executive Session.

Supervisor Paul stated that the reasons for going into Executive Session

Councilor Pollard made a motion to go into Executive Session to:

1. To discuss the potential settlement and/or resolution of the proposed highway employment dispute litigation.
2. To discuss the employment history and time records of those involved in said proposed litigation.
3. To discuss and review the Time Card Report and proposed redactions (removals) in order to comply with Foil requirements and to protect the privacy of employees.

Councilor Scanlon seconded the motion.

Ayes – Scanlon, Hakes, Paul, O’Hara and Pollard.

Carried

A resident then asked if there is going to be a lawsuit either from the Town or is someone suing the Town. James Gascon stated that you can go into Executive Session if there is a potential or proposed litigation even though there is no actual lawsuit.

A resident then stated that about 9 or 10 months ago, it was brought in front of the Board that there is possible criminal activity going on. Since then three (3) employees have turned in complaints. He wants to know what is going on. Jim Gascon, Town Attorney, stated that bids are being solicited for the investigators.

Supervisor Paul called to go into Executive Session. Meeting was adjourned at 9:05 PM.

Ayes – Scanlon, Hakes, Paul, O’Hara and Pollard.

Carried

Respectfully Submitted,

Sandy Taylor
Town Clerk

A motion was made by Supervisor Paul to adjourn the Executive Session. It was seconded by Councilor Scanlon. All voted aye. The Executive Session was adjourned with not action taken at 11:45PM. The Special Meeting was reconvened at 11:46PM. A motion was made by Supervisor Paul to adjourn the Special Meeting and seconded by Councilor Hakes. All voted aye. The Special meeting was adjourned at 11:46