

TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES

Monday, March 10, 2014

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Monday, March 10, 2014 at 7:00 pm in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

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

Also present: Susan Dennis, Deputy Town Clerk; Tracie Barnes, Town Accountant; Jim Gascon, Town Attorney; 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.

A motion to amend the minutes was made by Councilor O'Hara and seconded by Councilor Hakes. The amendments are add Limeledge Water District Abstract and delete the DEC under the Highway Department. No report has been received from DEC as of yet.

Ayes – Scanlon, Hakes, Paul, O'Hara and Pollard. Carried

Copies of the minutes of the Town Board Meeting held on Monday, February 10, 2014, Special Meeting Minutes on February 13, 2014 and the Workshop Minutes on February 27, 2014, were given to the Board Members. Councilor Scanlon made a motion seconded by Councilor Pollard to approve the minutes as amended.

Ayes – Scanlon, Hakes, Paul, O'Hara and Pollard. Carried

Limeledge Water District Abstract No. 1 – 2014
Bat-con, Inc. (2014H001) \$5,000.00

A motion was made by Councilor O'Hara to approve the Limeledge Water District Abstract and seconded by Councilor Hakes.

Ayes – Scanlon, Hakes, Paul, O'Hara and Pollard Carried

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #3 as of March 7, 2014 Claims # 130873, 140034, 140035, 140043, 140117, 140135-140137, 140146-140149, 140161-140167, 140169-140245.

	<u>Expenses</u>
General Fund	\$56,891.55
General Fund – Part Town	1,794.75
Highway – Town Wide	19,898.65
Highway – Part Town	124.75
Sewer District	7,721.17
Trust and Agency	<u>7,057.09</u>
 Total	 \$93,487.96

Board Members were given copies of the Activity Report as of March 7, 2014 and monthly statement of bank balances as of March 7, 2014.

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$822,185.48	\$236,318.71
General Fund – Part Town	97,735.00	17,290.53
Highway – Town Wide	316,139.00	118,319.85
Highway – Part Town	292,058.00	6,945.75
Fire District	597,763.95	201,112.00
Hydrant Fund	1,945.00	0.00
Ambulance Fund	277,271.00	78,279.75
Sewer District	126,800.00	9,665.58
Water District	184,825.00	68,971.28

Councilor Scanlon made a motion seconded by Councilor Hakes to approve and pay the bills, approve the monthly activity report as of March 7, 2014 and the monthly statement of bank balances as of March 10, 2014.

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

Highway – Garage Door: Two proposals were received to install a new Garage Door Opener at the Highway Garage. Don MacLachlan, Highway Superintendent, was not present at the meeting so this will be tabled.

SPD Proposals: Two SPD (Summary Plan Description) proposals were received by the Town.

HR ONE: Health Plan \$900, Dental Plan \$450 for a total of \$1350 the first year. \$450 a year after that if the plans change.

EBS-RMSCO, Inc: Health Plan \$850, Dental Plan \$750 for a total of \$1600 for the first year. \$400 a year after that if the plans change.

A motion was made by Councilor Hakes to approve the HR ONE – Group Health Insurance Summary Plan Description Agreement at a cost of \$1350 for the first year and \$450 a year (if the plans change) after that. This was seconded by Councilor O’Hara.

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

Credit Card Policy: A motion was made by Councilor Scanlon to approve the Credit Card Policy. The motion was seconded by Councilor Hakes.

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

SUBJECT: USE OF TOWN CREDIT CARDS

It shall be the policy of the Board to encourage the safety of the Town credit cards and to enforce proper and prudent rules in connection with their use per all applicable laws and regulations of the State of New York. The Town Board has adopted the following regulations

1. The Town Board permits the use of Town credit cards by certain employees/officials to pay for actual and necessary expenses incurred in the performance work-related duties for the Town. A list of those individuals who are authorized to use a Town credit card will be maintained by the Town Clerk and reported to the Board each year at its January organizational meeting. All credit cards will be in the name of the Town of Marcellus.
2. The Town shall establish a credit line not to exceed \$5,000 for each card issued and an aggregate credit limit of \$10,000 for all cards issued to the Town.
3. The following credit cards are authorized for Town business related to expenses
 - Master Card (1)
 - Staples (1)
4. The following procurement cards are authorized for Town business expenses:
 - Home Depot (4)
5. When not in use, credit cards shall be kept in a secure location in the Town Clerk's office. After use, the credit card shall be immediately returned to the secure location from which it was obtained. All receipts shall be submitted to the Town Bookkeeper.
6. The designated employee to whom a credit card is issued shall be responsible for its use and shall not allow the card to be used by anyone else or any unauthorized purchases. Any unauthorized use shall subject the cardholder to disciplinary action in accordance with the law and Town policy.
7. The board shall ensure that the relationship between the Town and the credit card company is such that the Town preserves its right to refuse to pay any claim or portion thereof that is not expressly authorized, does not constitute a proper Town charge, or violates any laws, rules, regulations, or policies otherwise applicable. In addition, the Town Board will ensure that no claim shall be paid unless an itemized voucher shall have been presented and shall have been audited and allowed.

SUBJECT: USE OF TOWN CREDIT CARDS

8. Credit Cards may only be used for legitimate Town business expenditures. The use of the credit cards is not intended to circumvent the Town policy on purchasing. The credit cards will only be for those purchases of goods and services that require a credit card and do not accept other payment methods. Any other reason for credit card use must be approved by the Town Board prior to use.
9. Users must take proper care of these credit cards and take all reasonable precautions against damage, loss, or theft. Any damage, loss or theft must be reported immediately to the Town Bookkeeper, Town Clerk, the Town Supervisor and to the appropriate financial institution. Failure to take proper care of credit cards or failure to report damage, loss or theft may subject the employee to financial liability.
10. Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature or violate the intent of this policy may result in credit card revocation and discipline of the employee. Any individual who makes an unauthorized purchase with a Town Credit card shall be required to reimburse the Town for the purchase.
11. Users must submit detailed documentation, including itemized receipts for commodities, services, travel and/or other actual and necessary expenses which have been incurred in connection with Town-related business for which the credit card has been used, Town credit cards are to be used for re-approved reimbursable travel expenses, such as hotel accommodations, car rental, transportation, and meals (exclusive of alcoholic beverages). Credit card expenditures will be charged to appropriate budget codes and original receipts must be forwarded to the Town Bookkeeper for all charges. Failure to submit original receipts for charges made will result in the officer/employee being held personally liable for the undocumented charges.
12. The Town Board shall establish regulations governing the issuance and use of credit cards. Each cardholder shall apprise of the procedures governing the use of the credit card and a copy of this policy and accompanying regulations shall be given to each cardholder.
13. Expenses incurred on each credit card shall be paid in such a manner as to avoid interest charges. Credit card balances shall be paid each thirty days. Unpaid balances may not be carried forward as revolving credit balances subject to interest payments. The Town Bookkeeper shall receive and review monthly reports from the card(s) provided which enumerate the purchasing activity undertaken. The Town Bookkeeper shall bring any questions regarding unauthorized card use to the prompt attention of the Town Board.

SUBJECT: USE OF TOWN CREDIT CARDS

14. Town credit cards shall be used for the purchase of items in an emergency or crises situation or as otherwise deemed appropriate by the Town Supervisor, the Town Board or their designee.
15. The Town Bookkeeper shall also periodically, but no less than twice a year, monitor the use of each credit card and report any serious problems and/or discrepancies directly to the Town Board.
16. The Town Board shall select credit cards that serve the best financial interests of the Town. For example, all other conditions being equal, the credit card that gives “cash back” or “no annual fee” to the user should be selected.

Adopted: 03/10/2014

Compensatory Time Change: A motion to amend Section 702 of the Town of Marcellus Employee Handbook was made by Councilor O’Hara and seconded by Councilor Hakes.

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

Carried

The resolution is as follows:

**Resolution of the Town Board of the Town of Marcellus Amending
Section 702 of the Town of Marcellus Employee Handbook**

The following resolution was offered by Councilor O’Hara, who moved its adoption, seconded by Councilor Hakes, to wit:

WHEREAS, the Town Board of the Town of Marcellus desires to amend the “Compensatory Time” provisions of Section 702 (“Overtime”) of the Town of Marcellus Employee Handbook; and

WHEREAS, the Town Board desires to amend Section 702 to permit eligible Town employees to carry over compensatory time leave credits earned in the current calendar year into the first six (6) months of the following calendar year; and

WHEREAS, the Town Board further desires to amend Section 702 to provide that any compensatory time leave credits carried over into the first six (6) months of the calendar year after which they were earned shall be paid at the employee’s previous year’s rate of pay.

NOW, THEREFORE, be it

RESOLVED, that the “Compensatory Time” provisions of Section 702 of the Town of Marcellus Employee Handbook are hereby amended to read as follows:

“Compensatory Time – With pre-authorization from the Department Head, a non-exempt employee will have the option of receiving “compensatory time” in lieu of paid overtime. When a non-exempt employee chooses to receive compensatory time, the employee will be credited with the equivalent of one and one-half hours for all authorized time worked over forty hours in a given workweek.

An employee may accumulate up to 60 hours in compensatory time credits. In the event an employee accrues more than 60 hours in compensatory time credits, the employee must either use the excess compensatory time leave credits within the pay-period in which it is earned or take paid overtime. An employee is permitted to carry over compensatory time leave credits earned in the current calendar year into the first six (6) months of the following calendar year. If the carried over compensatory time leave credits are not used within the first six (6) months of the calendar year after which they were earned, the employee shall receive a cash payment at the end of the six (6) months at the previous year’s rate of pay.”

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call,

the vote was as follows:

Mary Jo Paul	Town Supervisor	Voted	Yes
Peter Hakes	Councilor	Voted	Yes
John Scanlon	Councilor	Voted	Yes
Karen Pollard	Councilor	Voted	Yes
Kevin O’Hara	Councilor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

Dated: March 10, 2014

Boiler/Maintenance Proposals: Councilor Scanlon made a motion to table this and solicit more bids since the Town received only one proposal. The bid was received from Modern Air Mechanical, LLC at the cost of \$160.00 per month for the monthly inspection and an Annual Tear Down and cleaning at a cost of \$640.00. This was seconded by Councilor O’Hara.

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

Vote on IT Proposal: Peter Knowles , from Advanced Network Designs, Inc., has sent a proposal to upgrade the IT infrastructure at the Town Hall. Councilor Hakes made a motion to accept the Proposal from Advanced Network Designs, Inc. for a total of \$17,516. This motion was seconded by Councilor O’Hara.

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

Recreation Agreements: Councilor Scanlon made a motion to approve the following Recreation agreements:

Concerts in the Park:

Rhythm Method	July 10, 2014	\$500.00
Joe Whiting	July 24, 2014	\$750.00
The Other Guise	June 19, 2014	\$350.00

One Day Trips:

Raquette Lake & Blue Mtn. Lake	Oct. 1, 2014	\$1,175.00 to Nova Tours
Albany	Sept. 3, 2014	\$1,325.00 to Nova Tours
Utica, Little Falls	June 18, 2014	\$1,015.00 to Nova Tours
Lunch /Sherlock-Yorkshire Hall	May 21, 2014	\$1,095.00 to Nova Tours

Overnight Trip:

Lancaster & Hershey PA September 23 – 24, 2014

35 People Double: \$320 Triple: \$303 Quad: \$295 Single: \$380

42 People Double: \$299 Triple: \$285 Quad: \$275 Single: \$360

This motion was seconded by Councilor Pollard.

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

Approve HR Contract for investigation: A motion was made by Councilor Hakes to approve the Retainer Agreement with HR ONE regarding investigation of employee complaints. The final fee will be based on the exact number of hours required for the investigation and proper documentation of findings at \$125 per hour. This motion was seconded by Supervisor Paul.

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

Supervisors Update:

March 10, 2014 SUPERVISOR UPDATES

HIGHWAY DEPT: At this evenings meeting the Board voted to contract with HR ONE to review 4 additional complaints. This includes 3 previous and one new complaint. There is a meeting of HR ONE, Tracie (the current HR person) and myself scheduled Wednesday to discuss further services HR ONE could provide the Town.

The installation of the bio-time clock continues and should be operational soon.

Training for all Town employees & elected officials on harassment in the work place will be scheduled in April. A preliminary meeting with the trainer will be scheduled within the next couple weeks. Some areas to be covered for clarification are: what constitutes a viable complaint what is NOT a viable harassment complaint; the proper procedure for filing and the proper completion of the necessary paper work.

DEC “SPILL”: The Town has not heard anything officially from the DEC, however we were notified by our previous town engineering firm, Barton & Loguidice, that the DEC was requesting a report prepared for the Town in 2008. We encouraged B & L to turn over the report and thanked them for their prompt action. The Town intends to cooperate 100% with the DEC and is currently proactively searching for files, meeting minutes, proposals and any paper work that may be helpful to the DEC during their ongoing investigation. Marcellus has always been a community that has embraced our beautiful, natural setting and has tried to protect our environment. To that end, this Town Board will do whatever is necessary to continue that commitment.

STATE AUDIT: As required, a response was sent on March 6th to the OSC following the exit interview with the state auditor. I am happy & relieved to say, the 2010 AUD will be completed & forwarded to OSC TOMORROW. As soon as that report is accepted, we will continue with the 2011 AUD. Next, we will concentrate on responding to the specific recommendations. The plan is to have addressed & successfully completed most, if not ALL, of the seven recommendations by the May 7th deadline for filing our Corrective Action Plan. As soon as the State Comptroller reviews, accepts & posts the report on their website, the Town will immediately do likewise.

“TOWN HALL” MEETING: Reminder – the first in a series of opportunities for town residents to have a conversation/discussion with other government officials that represent them is scheduled for SATURDAY MARCH 29th at 9 AM at the Marcellus Town Hall. All are welcome & encouraged to attend.

MARCH 27th WORKSHOP: One of the subjects to be presented at this workshop will be postponed to our April 24th Workshop due to scheduling problems. We are attempting to have a representative from both the DEC and County Soil & Water present to update residents in the Marietta area that had well water contamination last year.

Items from the Board: Councilor O’Hara thanked Tracie Barnes, Bookkeeper, for going through the budget process with him. Supervisor Paul also commended her for putting in extra hours (including over the weekend) to work on the 2010 AUD.

Councilor Pollard asked about the constable position. An ad will go out advertising for this position.

Councilor Scanlon asked the Town Clerk to remind him about looking at the Boiler warranty.

Tracie Barnes, Bookkeeper, contacted NYSERDA and heard that the Town will be receiving money back from the installation of the new boiler.

Items from the Floor

A resident questioned who decided to contact the police last year regarding the Highway Issues. Councilor O'Hara read the minutes from the March 21, 2013 Executive Session and it was noted that a majority of the Town Board decided to go forward with contacting the police.

A resident questioned why the abstract shows a "fine" payment going to the Comptroller, wondering if the Town had some fines. Tracie Barnes, Bookkeeper, stated that those payments were from the courts and they are paid from "fines" collected.

A question was asked on who was doing the Harassment Training? The Supervisor stated that HR ONE would be conducting the training.

A number of residents spoke about the issues at the Highway Department.

Councilor Scanlon made a motion seconded by Councilor O'Hara to adjourn the Marcellus Town Board meeting at 8:05 P.M.

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

Carried

Respectfully submitted,

Sandy Taylor, Town Clerk