

TOWN OF AMITY

Board Meeting

September 9, 2013

Present: Supervisor Charles Criss, Councilmen Mark Presutti, Don Skinner, Brian Clendenin and Zeff Zenoski

Clerk: Richard Winterhalter

Highway Superintendent: Jim Reniff.

Also Present: Refer to guest sign in

Meeting opened with the pledge of Allegiance.

Motion to wave the rereading of the July board meeting minutes as made by Supervisor Criss. Councilman Presutti made the second. Yea votes Supervisor Criss, Councilmen Presutti, Skinner, Zenoski and Clendenin. Nay votes none. Motion carried 5-0-0. Councilman Skinner requested the prepared statement made by Supervisor Criss at the July meeting. Supervisor Criss told the board the computer was down and he would give the speech to the Clerk for inclusion in the July minutes.

The minutes for the August meeting were read by the Clerk. Supervisor Criss interrupted the reading of the minutes to allow Bob Ellis to Speak. Mr. Ellis spoke about the planning board training. Councilman Skinner answered Mr. Ellis telling him that a resolution to waive the training was passed years ago and that this board was going to insist that training is given all members of the Planning Board. Reading of the minutes was resumed. Councilman Skinner asked that the minutes

be correct to include the comment that he also said that Mitch Haskell was doing a great job as well as the highway crew. The Clerk agreed to make the correction. Clerk asked for more corrects. During the reading of the minutes the Clerk noted some typos which will also be corrected. There were no other corrections. Councilman Skinner made a motion to accept the July and August minutes with the caveat that Supervisor Criss provide a copy of July Speech. Councilman Presutti made the second. Roll call vote was taken. Councilmen Skinner, Presutti, Clendenin, Zenoski all voted Yes. Supervisor Criss voted No. Motion carried 4-1-0.

Don Zajicek representing Amity Rescue was given the floor he read the current contract and gave a report on the Ambulance Squad budget. He requested an increase from the current \$8,000.00 per year to \$10,000.00 per year. Councilman Skinner replied that the board would consider that request.

Supervisor Criss asked for a motion to accept Russ Heslin as the new assessor. Some Discussion about if the 2nd applicant was interviewed. Supervisor Criss said that he was contacted by two of the board members indicating they would like Mr. Heslin. A motion to accept Russ Heslin was made by Councilman Zenoski. The motion was amended by Supervisor Criss to include at a salary of \$10.00 per parcel. The second was made by Councilman Skinner. A roll call vote was taken. Councilmen Skinner, Zenoski, Clendenin, and Presutti and Supervisor Criss all voted Yes. Motion carried 5-0-0.

Clerk Winterhalter was given the floor. I told Supervisor Criss that lots of mail came into the office that is not being filed. Supervisor Criss said he would get unfiled mail to the Clerk. I started to continue when Supervisor Criss asked me to wait because he was still on old business.

Supervisor Criss reviewed the Dog Control Officers report. Clerk Winterhalter was recognized again.

I also reported that on Tuesday after Labor Day the file cabinets were found unlocked. Deputy Clerk Christina VanCuren who had worked on the previous Thursday was contacted and asked if she may have left them unlocked. She was certain she had not. Thursday of the same week I came to the office and once again questioned Christina about the files she assured me she had done the normal end of day routine. I then asked her to look in the files (she does all the filing) to determine if anything was out of place. She told me that the budget reports were all out of sequence and that the annual report for the State Comptroller's office for 2005 was missing. I filed a police report on Friday with the Village of Belmont's police department. On Monday September 9th when I opened the office I checked the files again and found that the Annual report for 2005 had been returned. I told the board that I was going to phone Austin Security have the files secured better and have the lock on the clerk's door changed to a secure lock for which keys cannot be duplicated. Keys would be signed out by persons authorized by the board to get them. People assigned keys would have to sign them out.

Several board members made suggestions regarding what may be good to use on the file cabinets. Councilman Skinner reminded everyone that Dick was responsible for the files which are public information. I said that I was the one that should take files out of the drawer. This was agreed.

It was further agreed that the locks on the Town Highway buildings also be changed.

Someone asked what was significant about the 2005 missing file. Supervisor Criss answered that he did not know.

I indicated that there no money in my budget to pay for this.

A question was asked if a motion was needed. I indicated that a motion was not needed.

A motion was made by Criss to allow me to do this second by Presutti. All councilman and supervisor voted in favor. Motion carried 5-0-0.

A flyer announcing a fund raiser that was submitted by the Belmont Rotary was read. That notice will be posted. The fund raiser is for crippled and disadvantaged children.

Jim Reniff said that due to his health issues not much had been done. The crew has done some roadside and tree trimming. Councilman Zenoski inquired about the signs for the bottom of Ackerman Hill from the County which could be purchased from the County at a reduced fee. Superintendent Reniff will get the signs from Councilman Zenoski and have them installed.

A member of the audience came forward to say the signs were great but when will the condition of the road be addressed. Superintendent Reniff said the Town was planning on starting work on that road this week.

Harold Mitchell asked if the Board had read the Town Law regarding a Deputy Highway Superintendent. He said that the Board should appoint a Deputy Superintendent if the Superintendent misses five consecutive days of work. He concluded by asking why the board was not doing their job.

Wendy Skinner was given the floor. Wendy approached the board to register a complaint: She provided the complaint form a copy of the statement she was reading from and a newspaper article to the Clerk. She was continuously heckled during her presentation. She commented on the recent disorderly meetings, and how difficult for hearing-impaired members sitting at the table to have discussions or to keep accurate minutes. She made several recommendations which included keeping audience participation to a minimum, having more orderly meetings, keeping the meeting in one place and not going from inside to outside to inside; getting better recording equipment; getting microphones. She also read a quote made by Supervisor Criss from the Wellsville Daily Reporter July 9th issue (Included as a attachments) and asked Supervisor Criss if he hadn't

communicated with his town board members between June 2013 town board meeting, when the proposed site plan review was tabled and the beginning of the July 2013 town board meeting how did he come to the conclusion that he stated in the paper about the town board passing a law on zoning without a public hearing. Supervisor Criss replied "No Comment". The question was repeated. The same response from Supervisor Criss "No Comment". Mrs. Skinner concluded by saying it sounded like he made false comments about the board. During this presentation the recording device could pick up background laughing, loud squealing noises and conversation.

Harold Mitchell attempted to ask a question of Mrs. Skinner. Supervisor Criss said he could not address a member of the audience Harold Mitchell then asked about Town Law page 113 paragraph 6.3 about how zoning should be done.

Nancy Casterline was recognized by Supervisor Criss. Nancy Casterline made several comments denouncing the board, and its actions, and reminded everyone that "What goes around comes around" and they would get their tomorrow. The audience responded with applause and several derogatory remarks. This prepared speech was not presented to the Clerk.

Supervisor Criss asked the people to calm down and said "you're doing real good tonight; you're doing a lot better than you did at the last meeting".

Max Bigelow also got up and also made remarks about town law. He said he went to the public hearing where more than two thirds of the people voted to abolish the proposed site plan review law. He said it more like 90% of the board voting to abolish the zoning law. Yet the board brought it up again even though they voted not to, and reinstated the law. A board member asked if Mr. Bigelow had attended the August meeting. Mr. Bigelow said he had not. The board said the proposed law was voted down again at that meeting. Councilman Clendenin explained that the public hearing was illegal so the vote taken at the July 29th meeting was null and void. The voted again in August in the present of the public

to table the proposed zoning law. Supervisor Criss said he thought that some confusion may exist between the planning board and the law.

Several members of the public wanted to know why that vote was taken. The also indicated that the vote was not in the August meeting minutes. Clerk Winterhalter said they were in the original draft but inadvertently omitted from the revised draft. He also stated that he would make that correction to the minutes prior to publishing them. The public started shouting comments to the point where there could be no reply. At this point Councilman Skinner asked that the meeting be controlled. Someone asked what the specific language was going to be in the correction. Clerk Winterhalter indicated that the correction would indicate who made the motion, the second and what the vote was. This correction would be inserted immediately after the end of the executive session that was held at that meeting and after the reopening of the public meeting. Mr. Ellis commented that the board requires 4 hours of training. Councilman Skinner corrected Mr. Ellis that at some point a resolution was passed to waive the training for new members. Councilman Skinner continued by stating that it would be a good idea to reinstate that requirement for planning board members.

Several people commented that the Town gets an official tape recorder. A motion was made by Chuck Criss to get an official recorder; a second was made by Councilman Skinner. All councilman and supervisor voted aye. Motion carried 5-0-0. Clerk Winterhalter was tasked to look into this.

Gary Frisk spoke regarding some trouble at WilMac Park in the evenings. He suggested that signs be posted closing the park at 10PM. Councilman Skinner asked if some sign was not already there. Mr. Frisk told the board the sign was gone. The project was given to Superintendent Reniff. A motion was asked for the help Reniff. Some comments regarding an ordinance to make the sign legal. A call was made for a motion. A motion was made by Supervisor Criss to look into making an ordinance for the town to restrict WilMac park hours. A second was made by Zenoski. A roll call vote was taken. All councilmen and the supervisor voted in favor. Motion carried 5-0-0.

Councilman Zenoski asked for the floor to discuss some misinformation that was in a couple of newspapers recently. Remarks were addressed to the author Dan Hunt. He asked Mr. Hunt about his remarks about the new tax assessor and re-evaluation. Councilman Zenoski stated that the town is required by State Law to retain an assessor. He also stated that there will not be another re-evaluation since one had just been completed. Mr. Hunt interrupted that he did not care about the re-evaluation that he cared about the missing money of 456,000.00 dollars. He was asked about the non-existent account of 77,000 dollars Mr. Hunt indicated that information came from the State Comptrollers audit. Councilman Zenoski explained that the town books have been audited and passed with no problem. When asked about the nonexistence account he had no answer. At this point Nancy Casterline interrupted and asked the board to cooperate with Mr. Criss. Councilman Skinner asked Supervisor Criss that as the fiscal officer he should be checking for discrepancies. A lot of shouting back and forth from the audience. The recorder could not pick up much of this. The year 2005 came through but was not audible as to the context. Supervisor Criss asked people to calm down.

Harold Mitchell asked the board why they weren't paying attention the State Comptrollers report on the town budget. He said if the board took the time to do their job and read all the way through the report, the Comptroller recommended that a better computing system for finances be used. Harold Mitchell asked the clerk if he had followed through on these recommendations. The clerk said he was not responsible for the bookkeeper's software but that a new computer had been purchased for the bookkeeper. Supervisor Criss interrupted to say that Lisa could explain. Lisa Plummer indicated that she was able to use the current program; that is was hard at first but now that she is familiar with it, she prefers to use it.

Councilman Skinner brought up the cemetery report he requested last meeting. He said it is not clear to him who is responsible for the cemetery, the Highway Superintendent or the sexton. Supervisor Criss said he thought it was the Sexton.

Councilman Skinner requested that the empty lots at the Forest Hills Cemetery be surveyed. There are people waiting to buy lots, but there is no accurate map or survey of the lots. A discussion about this took place. Supervisor Criss asked if anyone wanted to take the lead on this. Councilman Skinner said he would get more information on this. Mark Bliven stepped up to say that some action should be considered on the house in the cemetery. It is in bad shape and a liability. Supervisor Criss said it was on the tax rolls and he was watching it.

The meeting was opened for public Discussion.

Abstract 9 was discussed. A correction was noted. Councilman Skinner made the motion to accept both Highway and General with the corrections. Councilman Presutti made the second. Councilmen Skinner, Presutti, Clendenin, Zenoski and Supervisor Criss all voted Aye. Motion carried 5-0-0.

Councilman Skinner requested an executive session for a personnel issue. Supervisor Criss asked who the person was. Councilman Skinner said the person did not need to be identified to go into executive session. Supervisor Criss said the person did have to be identified. Councilman Skinner said it was about the highway department employees. Councilman Skinner made the motion to go to executive session. Councilman Presutti made the second. All councilmen voted in favor. Motion carried.

Executive Session entered at 8:19PM.

Executive Session ended at 8:54PM.

Motion to end regular meeting was made by Mark Presutti. Second was made by Jeff Zenoski. All councilmen and the Supervisor voted Aye.

The next regular board meeting will be October 14, 2013 at 7PM in the horn Room.

The regular board meeting was adjourned at 8:55 PM.

Sincerely, Richard Winterhalter Town of Amity Clerk

Attachments:

- A. Complaint form Windy Skinner
- B. Rotary Announcement
- C. Wendy Skinner's statement
- D. Part of article published in Wellsville Daily Reporter
- E. Guest sign in