

TOWN OF AMITY

Regular Board Meeting

November 12, 2013

APPROVED BY THE BOARD

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

Clerk: Richard Winterhalter

Deputy Highway Superintendent: Mark Bliven

Also Present: See Attachment A.

The meeting was called to order by Supervisor Criss at 7:05PM.

The meeting began with the Pledge of Allegiance.

Supervisor Criss introduced Russ Heslin. Russ indicated that he phoned Mr. Criss regarding assessment errors he was finding in the Amity Tax roll. Mr. Criss asked Rus to bring a few examples for the board to look at. A package was provided for all board members. Russ explained the data shown in this package which contained documentation of assessment errors that he has uncovered in the Town of Amity. He went over the documents in the package with the board. He explained that some assessments were more than they should be while others were less. Errors in all aspects of the assessments were found. These include invalid land usage, exemptions etc. He indicated that errors in assessed value could only be changed by doing a new re-assessment. He will fix errors as they come to his attention. He also went over the requirements for the aged exemption and explained that the use of the Income Verification form is not good for many taxpayers. The State does not verify a person for aged exemption but that his office does.

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The reading of the November minutes was waived. All board members had copies of the minutes which they had previously read. Supervisor Criss indicated that the word not was left out of the statement he made regarding the fact a resolution could not be used to change a law. The word not will be included. Councilman Skinner indicated that the word not was also missing from the statement regarding piggybacking on existing contracts. The word not will be added. No other corrections were noted. The Clerk will make the corrections before certification and publishing of the minutes.

Councilman Skinner made a motion to approve the minutes with noted corrections. Councilman Presutti made the second. Councilmen Skinner, Presutti, Zenoski and Supervisor Criss all voted Aye. There were no Nay votes. Motion carried 4-0-0.

The reading of the budget workshops held was waved. All board members had copies which they previously had read. Supervisor Criss made a motion to accept the minutes of both workshops. Councilman Skinner made the second. Councilmen Skinner, Presutti, Zenoski and Supervisor Criss all voted Aye. There were no Nay votes. Motion carried 4-0-0.

The reading of the public hearing minutes was waved. All board members had copies which they previously had read. Supervisor Criss made a motion to accept the minutes of both workshops. Councilman Skinner made the second. Councilmen Skinner, Presutti, Zenoski and Supervisor Criss all voted Aye. There were no Nay votes. Motion carried 4-0-0.

Clerk Winterhalter told the board that in the minutes he wrote that Supervisor Criss had called Russ Heslin two weeks prior to the meeting and told him he was hired. In actuality Supervisor Criss had taken a straw vote among the Councilmen and determined that there were sufficient votes to appoint Russ as the assessor. Clerk Winterhalter correct this error after the board approved the minutes. Clerk

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Winterhalter then asked for a motion and a vote to allow this correction to the September minutes.

Councilman Skinner made the motion to allow the correction. Councilman Presutti made the second. Supervisor Criss, Councilmen, Skinner, Presutti, and Zenoski all voted Aye. There were no Nay votes. Motion carried 4-0-0.

The board received a late application for the Highway Superintendent opening due to the retirement of Jim Reniff. To be fair the board accepted this application. A motion to enter executive session to interview Doug Serra was made by Supervisor Criss. The Second by Councilman Skinner. Supervisor Criss, councilmen Skinner, Presutti and Zenoski voted Aye. Motion carried 4-0-0. Executive session entered at 7:49 PM.

Executive session ended at 8:15 PM and the regular meeting resumed.

Supervisor Criss introduced Resolution 2013-018 to restrict the hours of WilMac Park. Supervisor Criss read the resolution then made a motion to accept the resolution. Councilman Skinner made the second. Supervisor Criss, Councilmen Skinner, Presutti and Zenoski all voted Aye. The motion carried 3-0-0.

Town of Amity

Resolution No: 2013-018

Title: WILMAC Park Hours

Offered by: Chuck Criss

At the November 12, 2013 Town of Amity Regular Town Board Meeting attended by Councilmen Mark Presutti, Jeff Zenoski, Don Skinner and Supervisor Chuck Criss.

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Whereas: Concerned Citizens have asked the Town Board to help protect WilMac park from vandals and misuse by restricting the hours of operation.

Be it resolved that: The park will be closed to public use between the hours of Dusk to Dawn daily.

Be it further resolved that: The Town of Amity will post a sign or signs in location or locations within the Park clearly stating the hours which the park will be closed to the public.

Moved by Councilman Seconded by Councilman

Roll Call Vote: Ayes Nays Abstain

Jeff Zenoski X

Brian Clendenin ABSENT

Mark Presutti X

Don Skinner X

Charles Criss X

Motion Carried. 4-0-0.

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Supervisor Criss introduced the resolution to appoint a Superintendent.

Mr. Ivan Quantance asked the board why they were going to appoint a Superintendent when all they needed to do was to make an attempt. Supervisor Criss explained why the board was going to do this now. Additional discussion between Mr. and Mrs. Quantance continued until they were satisfied with the reasons.

Diane Quantance asked why the board accepted a application after the deadline. The board explained they did it in an attempt to be fair to all interested parties.

Councilman Skinner introduced resolution 2013-019 and made a motion to appoint Max Bill Bigelow as the Superintendent of Highways thru December 31, 2014. Councilman Presutti made the second. Some discussion regarding pay took place. The pay was set at 22.65 per hour. This was added to the resolution.

Additional discussion took place with the board asking for opinions. After the discussion was ended the resolution was not modified. Councilmen Skinner, Presutti and Zenoski voted Aye. Supervisor Criss abstained. Motion carried 3-0-1.

Town of Amity

Resolution No. 2013-019

Title: Appointment of Highway Superintendent

Offered by: Councilman Don Skinner

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At the *November 12, 2013* Town of Amity Regular Town Board Meeting attended by Supervisor Chuck Criss, Councilmen Mark Presutti, Jeff Zenoski, and Donald Skinner.

WHEARAS the town of board will make appointments as necessary

BE IT RESOLVED, The town board appoints Max Bill Bigelow to be Highway Superintendent for the Town of Amity.

BE IT RESOLVED, The Town Board will set the hourly rate at \$22.65 (Twenty Two dollars and sixty five cents).

BE IT RESOLVED, The term of this appointment shall expire midnight December 31, 2014.

Moved by Councilman Don Skinner second by Councilman Mark Presutti.

Roll Call Vote:	Ayes	Nays	Abstain
Charles Criss			X
Don Skinner	X		
Brian Clendenin			ABSENT
Jeff Zenoski	X		
Mark Presutti	X		

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Carried 3-0-1

SS

Belmont

State of New York

County of Allegany

IN TESTIMONY HEREOF, I have hereunto set my hand and affixed the seal of said Town of Amity, this 14TH day of November, 2013.

Richard Winterhalter

Town Clerk of the Town of Amity

Councilman Skinner introduced Resolution 2013-020 to purchase a new plow truck. Discussion regarding how much of the reserve was earmarked for the purchase and how much the old truck would sell for. Deputy Superintendent Bliven suggested the old truck would sell for \$70,000.00. They would put an additional \$70,000.00 as a down payment and finance the rest at 2.5%. They would be using a State bid contract and that the Mac truck was the only one set up as a plow truck. He also explained what options would be on the truck. He also explained the financing options.

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Resolution No. 2013-020

Title: Purchase Plow Truck

Offered by: Councilman Don Skinner

At the *November 12, 2013* Town of Amity Regular Town Board Meeting attended by Councilmen Mark Presutti, Jeff Zenoski, and Donald Skinner Supervisor Chuck Criss.

WHEAREAS, the town is in need of a new plow truck for highway maintenance during the winter months, and

WHEAERAS, There are not sufficient appropriations in the current budget for this purchase, and

WHEAREAS, the Town Supervisor suggest that a Bond Anticipation Note be considered to purchase a 2015 MAC Plow Truck, and

NOW THEREFORE BE IT RESOLVED, that a Bond Anticipation Note in the amount of \$85,000.00 (Eighty Five thousand dollars and no cents) to be secured through Steuben Trust Company, to be repaid in 4 annual installments at an interest rate of 2.5%.

Moved by Councilman Mark Presutti second by Councilman Jeff Zenoski.

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Roll Call Vote:	Ayes	Nays	Abstain
Charles Criss		X	
Don Skinner	X		
Brian Clendenin			ABSENT
Jeff Zenoski	X		
Mark Presutti	X		

Carried 3-1-0

SS

Belmont

State of New York

County of Allegany

IN TESTIMONY HEREOF, I have hereunto set my hand and affixed the seal of said Town of Amity, this 14TH day of November, 2013.

Richard Winterhalter

Town Clerk of the Town of Amity

Allegany County, New York

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Deputy Bliven would market the old truck.

Clerk Winterhalter read the resolution. Councilman Skinner made the motion to accept this resolution. The Second was made by Councilman Zenoski. Councilman Skinner, Presutti and Zenoski voted Aye. Supervisor Criss voted Nay. Motion carried 3-1-0.

Clerk Winterhalter read resolution 2013-021 for a bond anticipation.

Motion to accept the resolution was made by Councilman Skinner. Second was made by Councilman Zenoski. Supervisor Criss voted Nay. Councilmen Skinner, Presutti and Zenoski voted Aye. Motion carried 3-1-0.

Town of Amity

Resolution No. 2013-021

Title: Bond Anticipation Note

Offered by: Councilman Don Skinner

At the *November 12, 2013* Town of Amity Regular Town Board Meeting attended by Supervisor Chuck Crss, Councilmen Mark Presutti, Jeff Zenoski, Brian Clendenin and Donald Skinner.

A RESOLUTION DELEGATING TO THE TOWN CLERK OF THE TOWN OF AMITY, ALLEGANY COUNTY, NEW YORK, THE POWER TO AUTHORIZE THE ISSUANCE OF AND SALE OF BOND ANTICIPATION NOTES OF SAID TOWN IN A AGGREGATE SUM NOT

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EXCEEDING \$85,000.00 (Eighty five thousand and no cents) OF SAID TOWN TO FINANCE THE COST OF A 2015 MAC PLOW TRUCK.

BE IT RESOLVED, by the Town Board of the Town of Amity, Allegany County, New York, as follows:

Section 1. In anticipation of the issuance of sale of said bonds of the Town of Amity, the power to authorize of and to sell bond anticipation notes of the Town of Amity, Allegany County, New York, in aggregate sum not exceeding \$85,000.00 (Eighty five thousand and no cents), is hereby delegated to the Town Clerk, the chief fiscal officer. Such notes shall be sold in such manner as may be prescribed by said Town Supervisor of the Town of Amity in accordance with the Local Finance Law.

Section 2. The notes hereby authorized, or any portion thereof, shall not be issued until such Town Clerk shall have first filed with the Town Board of said Town, a certificate providing for the details of such notes, which certificate shall contain the statements required by Section 30.00 of the Local Finance Law.

Section 3. The bond anticipation note totaling \$85,000.00 (Eighty five thousand and no cents) is not a renewal. There are currently no other outstanding bond anticipation notes for the Town of Amity.

Section 4. This \$85,000.00 (Eighty five thousand and no cents) bond anticipation note hereby authorized shall mature on July, 31 2019.

Section 5. This resolution shall take effect immediately.

Moved by Councilman Mark Presutti second by Councilman Don Skinner

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Roll Call Vote:	Ayes	Nay	Abstain
Charles Criss		X	
Don Skinner	X		
Brian Clendenin			ABSENT
Jeff Zenoski	X		
Mark Presutti	X		

Carried 3-1-0.

This resolution was thereupon declared duly adopted.

SS

Belmont

State of New York

County of Allegany

I Richard Winterhalter Town Clerk of the Town of Amity, County of Allegany, State of New York, do hereby certify that I have compared the foregoing resolution with the original thereof filed in my office at the Town of Amity, New York and that the same is a true and correct copy of said original and whole thereof.

I further certify that all members of the Town Board had due notice of the meeting at which said resolution was accepted.

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IN TESTIMONY HEREOF, I have hereunto set my hand and affixed the seal of said Town of Amity, this 14th day of November, 2012.

Richard Winterhalter

Town Clerk of the Town of Amity

Allegany County, New York

Supervisor Criss explained his vote by telling the board that he preferred a less expensive truck.

Resolution 2013-021 was read by the Clerk.

Some discussion took place. Councilman Presutti made the motion to accept Resolution 2013-021. Councilman Skinner made the second. Supervisor Criss voted Nay. Councilman Skinner, Presutti and Zenoski voted Aye. Motion Carried 3-1-0.

Supervisor Criss gave the floor to Harold Mitchell. Harold and Mark Bliven discussed the location of the sanding unit on the new truck.

Supervisor Criss called for discussion of the Preliminary budget. Voting was put off to discuss some items of the budget after the close of this meeting.

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Supervisor Criss made a motion to accept the fire contract. Councilman Skinner made the second. Supervisor Criss and all councilmen voted Aye. Motion Carried 4-0-0 . The contract will be furnished to the clerk at a later time.

Deputy Bliven made the highway report. He reported on work done by the Highway department. Insulation was put in the town buildings. Survey markers in the cemetery with the help of John Francisco. Leaves are picked up. Did some work on Back River road and have done some plowing. Work done on Plum Bottom Road. Mark made a suggestion that the Town charge a different fee for non residents for lots. Discussion took place. No decisions were made.

A motion to accept abstracts 11 for the General fund in the amount of \$12,462.69 and Highway in the amount of \$15,877.84 was made by Councilman Presutti. The second by Councilman Skinner. All councilmen and Supervisor voted Aye. Motion carried 4-0-0.

A motion to adjourn meeting was made by Councilman Presutti. The second was by Councilman Skinner. Supervisor and all councilmen voted Aye. Motion carried 4-0-0. Meeting was adjourned at 9:07 PM.

The next regular board meeting will be held December9, 2013 at 7:00PM at Town Hall.

Sincerely, Richard Winterhalter Town of Amity Clerk