

**TOWN OF WAYNE  
BOARD MEETING MINUTES  
March 10, 2020**

The March monthly meeting commenced at 6:30 PM with the Pledge of Allegiance.

Present:      Supervisor Dunbar  
                  Councilperson Kenyon  
                  Councilperson Haff  
                  Councilperson Freeman  
                  Town Clerk Mahr

Also present: Doug & Megan Howard, David Bauer, Julie Haar, Kurt Falvey, Steve Veley, Jay Palmer, Maureen Kurtz, Dennis Carlson, Patty Gray, Kerry & LuAnn Simmons, Maureen Conklin, Karen Doucette, Candy Dietrich, Ken Hurst, Les Reimsnyder, Beth Mooney, Bill Weber, Paul Sutherland & Ron McIntire.

**Approval of Minutes**

The February 11<sup>th</sup> Board Minutes were reviewed. Motion to approve the minutes was made by Councilperson Freeman, seconded by Councilperson Kenyon with all in favor

**Executive Session**

At 6:34 Supervisor Dunbar made a motion that the Board move into executive session to review the interviews for the vacant board seat appointment. The motion was seconded by Councilperson Freeman with all in favor.

At 7:10 a motion was made by Councilperson Haff and seconded by Councilperson Freeman to come out of executive session. At that time Councilperson Freeman made the motion that the following action be taken from the executive session: John Walton will be appointed to the open board position for the remainder of 2020. The roll call was as follows:

Councilperson Haff	Yes
Supervisor Dunbar	Yes
Councilperson Freeman	Yes
Councilperson Kenyon	Yes

**Supervisors Report**

Prior to the review of the Supervisor's Report Supervisor Dunbar discussed the following positions have been filled and will be added as updates in the Town's Organizational Meeting.

Cleaning – Chris Curry  
Dog Shelter Assistant – Samantha Swarthout  
Deputy Dog Control Officer – Kyle Barrett-Teri  
Maintenance Personnel – Greg Blessing & Kyle Barrett-Teri

In addition, Supervisor discussed the following business issues:

1. Confidential Secretary – Supervisor Dunbar recommended the board approve a resolution to allow him to hire a confidential secretary to assist with his filing, records management, correspondence, administrative scheduling and for general assistance to town hall operations. Supervisor Dunbar felt there was more of a need for this position versus hiring a book keeper and also stated the potential pay and hours required would be within the 2020 Budget. In the Resolution Supervisor Dunbar made the motion and it was seconded by Councilperson Haff contingent on this position be only temporary for 2020 and be reassessed at the 2021 Organizational meeting. The roll call voting was as follows:

Councilperson Haff	Yes
Supervisor Dunbar	Yes
Councilperson Freeman	No
Councilperson Kenyon	No

The Resolution was not passed.

2. Union Negotiation – Supervisor Dunbar updated the status of the Highway union talks and the financial impact of negotiating a reasonable contract with health insurance. It is estimated that this will impact the budget by at least \$35,000. Supervisor Dunbar discussed some potential options for streamlining the Highway d General Fund budgets to address this potential requirement. The Union meeting scheduled for March 11<sup>th</sup> has been cancelled. The next meeting is tentatively scheduled for April 1.
3. Tractor Mower Purchase - Supervisor Dunbar reviewed his discussion with Harter Secrest Associate Gregory Scholand regarding the Tractor Mower purchase approved at the January 21<sup>st</sup> special board meeting. Supervisor Dunbar stated Harter Secrest viewed the Tiger/Wildcat mower attachment as a non- contract purchase that could not be “piggy-backed” with the base tractor purchase. Since the cost was over the \$20,000 threshold, New York State General Municipal Law requires that the attachment go through a separate bidding process to be compliant. Based upon this input Supervisor Dunbar contacted Land Pro equipment to cancel the order. Supervisor Dunbar proposed that a cost benefit analysis be done re-evaluating the acquisition and that used equipment options should also be looked at. Supervisor Dunbar also said that former Highway Superintendent Dave Bauer, has volunteered to head up a sub-committee to evaluate used tractor alternatives. Councilperson Freeman suggested the Town also evaluate Source Well as an option for doing purchases. Supervisor Dunbar is to fill out an application for the Town to join up.
4. Records Recovery Investigation - Supervisor Dunbar reviewed that he had been in contact with the Steuben County DA, the NYS Comptroller’s investigator and the NYS Police chief investigator. The investigation is ongoing with NYS Comptroller’s office being most active. Supervisor Dunbar also stated that County investigator, Noel Terwilliger, was provided with the names of the (3) current Town Board members and clarified that he had not spoken to any of them regarding pressing criminal charges. It appears it was another individual misrepresenting themselves as a Town board member. The name of the individual was not released.

5. Hunt – Larson Engineering Comparison – Supervisor Dunbar presented retainer proposals from both Hunt & Larson Engineering. In his opinion both firms have areas of expertise that the Town could benefit from. Neither retainer requires any initial cost. A motion was made by Councilperson Haff to sign both retainers, seconded by Councilperson Freeman with all in favor.
6. KWIC Update – Supervisor Dunbar has been appointed to KWIC Chairman. Supervisor Dunbar is also going to question the Town of Wayne's subsidizing KLA with direct payments versus using a grant. Councilperson Haff asked why there are 61 overdue septic inspections on the monthly Watershed report and requested action be taken on this. Supervisor Dunbar to follow up.
7. NYSEG Hydro Property – Supervisor Dunbar announced he would like to hold a Special information board meeting on March 19 at the Wayne Town Hall to discuss potential opportunity options for repurposing the NYSEG Hydro property and gather initial public input. Supervisor Dunbar envisions this to be a slow evaluation process that could involve multiple towns.

The supervisor's report and trial balances for February were reviewed. Councilperson Freeman questioned why the numbers from the various reports don't match. Supervisor Dunbar felt it was a timing issue on when tax deposits were made. Councilperson Haff asked if there was any further clarification on why the Trust & Agency line item was zero. Supervisor Dunbar said since the funds going in and out of that line were a wash it did not really need to be reported. There was no motion made or action taken to approve the Monthly Supervisor's Report.

Supervisor Dunbar recommended the board approve a resolution to adopt Budget modifications to transfer monies from the A909 Fund Balance to:

A1680.1 Web Hosting  
 A1354.8 Director of Finance Contractual  
 A1420.4 Attorney Contractual  
 A1410.47 Town Clerk Advertising  
 A3510.45 Control of Dog Supplies  
 A4025.48 Water System Supplies

The Roll Call was as follows:

Councilperson Haff	Yes
Supervisor Dunbar	Yes
Councilperson Freeman	Yes
Councilperson Kenyon	No

Supervisor Dunbar also reviewed (2) other potential upgrade projects for the Town Hall which could improve productivity and possibly reduce costs:

- New Network Printer/Scanner/Copier for electronic shared document management
- Phone System Upgrade for VOIP

## Clerks Report

The Clerk's monthly report for February 2020 was presented with no discussion. Motion to approve the Clerk's Report was made by Councilperson Haff and seconded by Councilperson Kenyon with all in favor.

Abstract 3 Vouchers submitted were broken down by:

• General Account	Vouchers 52 – 80	\$ 24,212.74
• Highway Account	Vouchers 14 - 27	\$ 18,106.03
• Keuka Lighting	Voucher 2	\$ 239.85

Supervisor Dunbar reviewed the requirement that certain people that work for the Town should be transferred from 1099 status to the Town payroll. To reflect this change the following vouchers will be deleted from the General Fund in Abstract 3: 64, 65, & 73. The individuals effected will be paid via payroll time sheets not by voucher. Clerk Mahr to make the correction to the Abstract. Councilperson Haff asked what is the potential cost impact this change would be to the Town Supervisor Dunbar to follow up. Motion to approve Abstract 3 subject to the voucher changes was made by Councilperson Haff and seconded by Councilperson Kenyon. The voting was as follows:

Councilperson Haff	Yes
Supervisor Dunbar	Yes
Councilperson Freeman	Yes
Councilperson Kenyon	No

### **Tax Update**

Clerk Mahr updated the 2020 property tax collections as of February 29<sup>th</sup>. \$2,273,051.71 has been collected of which includes \$847.50 is in penalties. \$247,262.34 remain outstanding. The Wayne Fire Department, Keuka Lighting, General Fund and Highway accounts have all been paid. Letters will be sent out next week to the taxpayers whose invoices are still outstanding.

### **Assessor**

Assessor Report was reviewed with no discussion. Clerk Mahr presented a Resolution to restate the Board of Assessment Review members term expirations. Motion was made by Councilperson Haff and seconded by Councilperson Kenyon that the following member expiration terms be restated Bill Mahr term be reappointed.

Jay Palmer	2022
Janet Nykiel	2023
Bill Mahr	2024

The voting was as follows:

Councilperson Haff	Yes
Supervisor Dunbar	Yes
Councilperson Freeman	Yes
Councilperson Kenyon	Yes

### **Justice Report**

Justice report was reviewed with no discussion.

### **Highway Superintendent Report**

Highway Superintendent Doug Howard discussed journal activities for the month of February primarily with regards to snow plowing, sanding and salting. 875.5 gallons of fuel was used. A motion was made by Councilperson Haff to purchase the back-up parts for the Town water system at the \$921.00 quoted by RAFA systems. The motion was seconded by Councilperson Kenyon with all in favor. Supervisor Howard also expressed his concern over the delay in prepaying Goodrich and Wilbri for the snow plow repair. The delay was compounded by the fact that the checks were not signed and this led to significant vendor dissatisfaction.

### **Code & Zoning Officer**

Review of monthly report was presented with no discussion.

There was no Zoning Board Meeting since November so the minutes from that meeting are still in draft mode. There was no Planning Board held this month so the January meeting minutes are also in draft mode.

### **Watershed**

The monthly report was reviewed with no additional discussion aside from the 61 past due inspections.

### **Dog Control Officer**

The monthly report was reviewed with no discussion. Dog Control Officer Howard presented the updated proposed Dog Laws for the Town. Supervisor Dunbar will send to Harter Secrest for review. DCO Howard also expressed her concerns about the lack of responsiveness Supervisor Dunbar has been giving to her voicemails and emails. In particular DCO Howard questioned the hiring of a Deputy DCO without her input or interviewing the candidate. Supervisor Dunbar responded by referring to the Town law statutes that supported the actions he took in fulfilling the position and that he would provide the contact information for the Deputy DCO. Councilperson Kenyon referenced that some additional construction modifications still need to be done at Town Dog Shelter. Greg Blessing to address.

### **History**

Review of monthly report was presented with no discussion.

### **Web Statistics**

Review of monthly report was presented with no discussion.

### **Public Comments**

Mrs. Maureen Kurtz expressed her concerns about the Town not hiring a bookkeeper. Mrs. Kurtz stated that reopening 2019 books and closing them with an additional Abstract 14 was a mistake because it modified the 2019 budget which caused issues with the year end AUD.. Until that action was taken the books that were closed in 2019 were balanced. Mrs. Kurtz voiced concern that the Supervisor Reports are not accurate now because they don't properly balance to the Town's bank statements. In addition, Mrs. Kurtz volunteered her time to work

with the New York State Comptroller's office to perform an audit of the Town's past 10 years financials if and when that happens.

Ms. Julie Haar asked who she should contact about the replacement of street lights in Keuka Village. Superintendent Howard has a call into NYSEG to discuss. Ms. Haar also suggested the terminology be changed regarding Town volunteers if they are being paid. Ms. Haar also asked if the level of past due inspections has increased. Ms. Haar ended her comments expressing a concern about the level of cooperation that is currently taking place between the Town Board, Town Clerk and Supervisor.

Mr. Kurt Falvey revisited the Land Use Regulation (LUR) document stating there are still a number of issues that still need to be resolved. Mr. Falvey questioned what was the Town doing to address this.

Mrs. Candy Dietrich responded to Mr. Falvey that there openings for the Zoning Board of Appeals board that need to be filled. She also referenced that the Planning Board established a subcommittee in 2019 to address LUR changes. Minimal meetings have occurred since the initial ones.

Mrs. Megan Howard raised concerns over Supervisor Dunbar's actions since assuming the Supervisor's position. Mrs. Howard referred to Supervisor Dunbar's campaign letters stating that his actions were opposite of what he campaigned on. Mrs. Howard questioned Supervisor Dunbar's lack of teamwork and, in her opinion, was not properly working with the Town Board and Highway Superintendent. Mrs. Howard referenced the Supervisor holding meetings without appropriate town personnel involvement which has led him to take actions and make financial commitments without Town Board approval. Mrs. Howard also questioned why Supervisor Dunbar had not issued a public apology to the Board as a follow up to the incorrect statement made last month in the records investigation regarding a Board member's involvement.

### **Announcements**

The next Town Board Meeting will be on Tuesday April 14, 2020

### **Adjourn**

A motion to adjourn the Town Board meeting was made by Councilperson Kenyon and seconded by Councilperson Haff with all in favor.

Meeting adjourned at 9:45 PM.

Respectfully Submitted,

William Mahr Town Clerk  
March 10, 2020