

State of New York
County of Fulton
Town of Stratford

Minutes of the Stratford Regular Board meeting held on Thursday, May 12, 2016 at the municipal building located at 120 Piseco Rd.

Present:

Alicia Rice	---	Supervisor
Allan Perkins	---	Councilman
Lorraine Rumrill	---	Councilwoman
Joan Ploss	---	Councilwoman
Diana Massicotte	---	Town Clerk
Charles Goodwin	---	Superintendent
Leigh Anne Loucks	---	Assessor
Norman Wright	---	Code Enforcement Officer
Michael Sokira	---	BTI Director
Janet Dickson	---	Deputy Town Clerk
Peg Klages	---	Deputy Town Clerk

Absent:

Richard Fogarty	---	Councilman
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Supervisor Rice called the regular Town Board meeting to order at 6:32 pm with the Pledge to the Flag.

Residents in attendance: Dorothy Eifert, Heidi Christiansen, Peter and Mary Szczebak, Ken Thompson, Thomas Vennard, Ann and Joseph Purez, Brian Alling, Mary Beth Salamone, and Gary Rumrill.

Supervisor Rice announced that NYMIR sent an informative brochure regarding insurance coverage. We also received from the Adirondack Association of Towns & Villages their 2016 Legislative Agenda.

REPORTS

Highway Superintendent Goodwin reported as follows:

- Got sweeping done.
- Have been backpatching roads.
- Grading and raking roads
- Mower fixed on 661C Ford Tractor.
- Hauling crush run
- Took box off truck #8 and put new box on.
- Started cutting brush on Mallet Hill Road from Hadcock Road to 119 County Rd.
- Swept off sides of bridges
- Fixed head wall on Stony Brook Creek
- Some ditching on the road.
- Getting roads ready for blacktopping, Piseco Road and Mallet Hill Road.

Ditching on Stewarts Landing Road, replacing pipe on upper road.

Supervisor Rice stated the septic system was completed.

CEO Norman Wright read his report as follows:

April 1 through April 30

Four inspections

Sixteen meetings

Issued 4 permits

Issued one order to remedy

Issued two appearance tickets

Many Phone calls

Supervisor Rice stated that the dirt portion of Avery Road on the north side of 29A has been taken off the map. Superintendent Goodwin will look into it with the County.

Assessor Loucks reported as follows:

Grievance Day will be held on Wednesday, May 25, 2016 from 4:00 pm to 8:00 pm. Information packets are located in the office outside the Assessor's Office, where the copy machine is located. The 2016 Tentative Tax Roll is located there also. Complaint forms can be turned in through Grievance Day, but RPTL 524 does allow an adjournment, if requested by the Assessor, for any forms and/or supporting documents turned in less than three (3) business days prior to May 25.

A voucher was submitted for a representative of the Assessor to sit with the roll during the NYS mandated hours on Saturday, May 7, 2016. Due to a family emergency which arose Friday, I was unable to be there, but it was imperative to have someone there that could make the roll available. I was available by phone if there were questions.

There have been two accusations made at the previous two board meetings, which I feel should be addressed.

The first is in reference to exemptions and the deadline of taxable status date, as set forth by New York State. The accusation was made at the March board meeting and in writing to the Town Board, which an extension had been previously given to a property owner in 2008. I have attached to the Board members reports, copies of the documents pertaining to this accusation, which show it is entirely false. The documents show that the Assessor's Office in fact, did not extend the deadline or recommend a correction, as the owner did not apply by 3/1/2008. The resident did not file an exemption application by taxable status date, and was therefore denied, as any other resident would be, who did not fall within the guidelines given by NYS to file after taxable status date, the same circumstances which have arisen this year. I would also like it on the record, that it was demanded by certain board members at the March meeting, that I accept the application, without regard to the legal ramifications it would cause. This became a hostile exchange with certain members of the Board and should be recorded in the official record of the meeting. The second issue was in regard to a resident who filed a SCAR for 2016, and filed

with everyone on the list of required recipients, with the exception of the Assessor's office. The Court instructions state the following:

“The petitioner serves by regular mail (unless otherwise specified herein) copies of the SCAR petition on the Clerk of Assessing Unit named in the petition (only certified, returned receipt requested or personal service), the Assessor or Chairman of the Board of Assessors, Clerk of the School District, County Treasurer, and the Clerk of the Village (if necessary), within 10 days of filing with the County Clerk.”

The resident stated in his written complaint that he could not reach me, and believed I could get copies from the Town Clerk, when I was notified of the court hearing by the hearing officer. This resident had contacted me at home on several occasions previously, with regard to town-related issues, but failed to call me at home to make other arrangements for me to get a copy of his filing. After speaking with Assessors of other municipalities, it was determined that searching out SCAR petitions not personally received, is not common practice. The statute clearly states that the petitioner needs to serve the entities listed above and that the paperwork can be sent via regular mail, but could be sent certified so that the property owners would have proof it was received by the Assessor's Office.

The Supervisor asked the Assessor if she heard anything regarding STAR. Assessor said that for new property owners they would have to pay the school tax bill upfront and would receive a check back if entitled. At this time, previous residents will not be affected.

Supervisor Rice read Karen Jaquay's, Dog Control Officer, report as follows:

April 14, 2016 through May 12, 2016

I spent the past month calling to remind people about their overdue licenses.

I chased two dogs on two separate days and was not able to catch them. I was able to discover the owners of these dogs and gave a warning and educated them about the town laws. I will continue to monitor to make sure they comply with the town laws.

I drove around town checking to see if any other dogs might be running at large. Glad to say I did not find any.

I am still looking for a good crate for a reasonable price. I should have one for the next report.

The rest of the month was quiet.

BTI Director, Michael Sokira, reported as follows:

Last two weeks have been spent mostly monitoring creeks. Not seeing much larvae. I believe we are between hatches. Will continue monitoring and treating as needed.

Notice some biting adults on the streams previous treated, but overall not too bad. Middle Sprite Road was pretty hot with them. Met with a Middle Sprite Road resident who use to treat in the area. He showed me some of the areas along the creek he used to treat.

Updated some maps with streams not currently identified on the maps.

Supervisor Rice announced that Mike Sokira was interviewed by Patricia Older of the Leader Herald. Article was entitled “Buggy Nuisance.”

Tuesday, May 17, is voting day for School Budget, 2% increase. Two positions to be voted on also.

Supervisor Rice stated that the every door direct mail flats were ready to be mailed.

Supervisor Rice clarified the use of monthly calendars, for appointed employees, as running from the first of the month to the last day. The BTI calendar would be as needed.

Supervisor Rice suggested that the town should have an email and a complaint policy in place. The Board will work on it. The Board will not accept any anonymous complaints. Emails can be foiled because they become public record. Supervisor Rice asked that she be emailed on the Stratford Supervisor email. There were many suggestions as to how to handle complaints. This will be discussed at the next meeting.

Supervisor Rice received information from NYMIR “Defense and indemnification of officers and employees of public entities.” In an email the following was included:

Please be advised that the Public Officials policy which the Town carries with NYMIR defines “who is an insured” in part as follows:

“Each of the following is an insured but only for acts within the scope of their duties for and employment by the town:

Any Duly Elected or Appointed Official
Any of your employees or authorized volunteers”.

An Article 78 claim was presented to NYMIR back in 2014. The claim was denied by NYMIR because the plaintiffs were not seeking monetary damages. Plaintiffs must be seeking monetary damages for coverage under the NYMIR Public Officials liability policy to be triggered.

The following explanation was received from Guardian Insurance for the reimbursement check sent to one of the Highway workers.

“Our system has the max benefit amount of \$170.00 per week. Because of the town’s contract with the highway department employees, both the current contract and the previous contract states:

After thirty (30) days service, employees will receive from the Employer disability insurance maximum benefit of \$290.00 per week with a limit of twenty-six (26) weeks per occasion, as per New York State Disability Law.” The Town made up the difference.

Supervisor Rice reported that the 2014 Financial Report will be filed shortly. There was a line error in the last budget report which has been corrected.

Supervisor Rice said she is still working with Verizon on the cell phone transfer in the name of the Town. Verizon and Verizon Wireless are two separate entities. We did receive a \$12.00 credit on all our phone lines because of the four day outage.

Regarding speed limits on the Stratford roads – There is quite a process to changing the speed limit, which will be looked into with the Town Board and Highway Superintendent.

AUDIT OF CLAIMS

Motion made by Councilwoman Ploss, seconded by Councilwoman Rumrill to approve the bills on Abstract #5.

ADOPTED Ayes - 4 Rice, Rumrill, Ploss, and Perkins
Nays – 0

General Fund – Abstract 5	Voucher Nos. 53 through 59	\$ 826.27
Highway Fund - Abstract 5	Voucher Nos. 54 through 67	\$9,091.28
Prepaid Fund - Abstract 5	Voucher Nos. 65 through 75	\$4,987.26

PUBLIC SPEAKING

Brian Alling, Fire Chief, said the Burn Ban is still in effect. The residents should check on the Fire Department Board to see if ban is extended. If a fire runs out of control, the resident is responsible. Camp fires are ok, as long as precautions are taken. If bigger than a campfire, the resident will need a burn permit which can be obtained from Forest Ranger Thompson.

Resident asked how the speed limit would be enforced. This will all be looked into.

Resident asked if the Health Officer has authority over condemned property. He would work with CEO. It was asked if towns could share a Health Officer. We can share with other counties or towns. The officer would be covered under the NYMIR policy. Supervisor Rice has a couple names for a Health Officer.

Resident suggested establishing an ethics committee to go over complaints that would then be submitted to the Town Board.

APPROVAL OF MINUTES

Motion made by Councilman Perkins, seconded by Councilwoman Ploss to approve the Board meeting minutes of April 14, 2016.

ADOPTED Ayes - 4 Rice, Rumrill, Ploss and Perkins
Nays – 0

OLD BUSINESS

Will discuss the SCAR procedure next meeting. When SCAR is served, it can be done in person or certified mail.

NEW BUSINESS

Supervisor Rice remarked that Donna Loucks sat in for the Assessor on Saturday because of a family emergency and that was the reason for the voucher.

Motion was made by Councilwoman Ploss, seconded by Councilman Perkins that Harry Jaquay can cover for Karen, the DCO, with no added expense to the Town, while she is on vacation.

ADOPTED: Ayes 4 Rice, Perkins, Ploss, and Rumrill
Nays 0

A motion was made by Councilwoman Rumrill, seconded by Councilwoman Ploss to move into executive session to discuss the Health Officer position and the information obtained from the attorney during the meeting with the Assessor and the Supervisor.

ADOPTED: Ayes 4 Rice, Perkins, Ploss, and Rumrill
Nays 0

Meeting at rest at 7:40 pm.

Meeting was called back in session at 8:28 pm on a motion by Councilwoman Rumrill, seconded by Councilman Perkins.

ADOPTED: Ayes 4 Rice, Perkins, Ploss, and Rumrill
Nays 0

With no further business, on a motion by Councilwoman Rumrill, seconded by Councilwoman Ploss, the meeting was adjourned at 8:29 pm.

Respectfully submitted,

Diana Massicotte, Town Clerk