

State of New York
County of Fulton
Town of Stratford

Minutes of the Stratford Regular Board meeting held on Thursday, September 15, 2016 at the municipal building located at 120 Piseco Rd.

Present:

Allicia Rice	---	Supervisor
Allan Perkins	---	Councilman
Richard Fogarty	---	Councilman
Lorraine Rumrill	---	Councilwoman
Joan Ploss	---	Councilwoman
Charles Goodwin	---	Superintendent
Diana Massicotte	---	Town Clerk
Leigh Anne Loucks	---	Assessor
Norman Wright	---	Code Enforcement Officer
Peg Klages	---	Deputy Town Clerk
Karen Jaquay	---	Dog Control Officer

Absent:

Janet Dickson	---	Deputy Town Clerk
Michael Sokira	---	BTI Director

Supervisor Rice called the regular Town Board meeting to order at 6:30 pm with the Pledge to the Flag.

Residents in attendance: Dorothy Eifert, Heidi Christiansen, Ken Thompson, Gary Rumrill, Jay Pierz, Mary and Peter Szczebak, Harry Jaquay, Pearl and Joseph Subaniewicz, Rodney Swartz, Carolyn Walker, and Mary Beth Salomone.

There was correspondence which has to do with budget which will be incorporated at the budget meeting..

REPORTS

Highway Superintendent Goodwin reported as follows:

Cut trees out from storm on August 13 and 14.

Hauled stonedust in to mix with crushed run for shoulders for Mallet Hill, Piseco and Mike Smith Roads.

Shoulder will be put down the week of 9/16

Black topping was done on Mallet Hill, Piseco and Mike Smith roads.

Soit-Kote came back and fixed Piseco Road for free with oil and stone which was done last year.

The oil did stick to the road.

Hauled milling in from 29A from Salisbury Town Barn to Stratford. We got one side, they got the other side.

The milling was free.

Going to use the milling for black topping next year on road.

The milling will have to be crushed for next year for black topping, will help to do more black topping.

Mowing sides of roads was done.

Cut shoulder on Piseco and Seeley Roads.

Doing black patch on Seeley and Avery Roads.

Work on Stewart Landing Road, some ditching work.

Did some black patching on Stewart Landing and Powerhouse Roads.

Superintendent Goodwin submitted a quote for the 1988 Ford Tractor, \$15,500 to be used for mowing. Also gave an additional quote for mower on back. Councilwoman Ploss suggested it be tabled until some of the other equipment is sold, the Board was in agreement. The screening plant and log truck are still on the auction network.

Superintendent Goodwin stated that Fulton County Superintendent of Highways Yost said the amount that would be paid for mowing sides of county roads would be \$400, which is figured by center line mile. Supervisor Rice said they were still following up on this because they received two different amounts.

Councilman Fogarty asked about mixing stone dust and crush. Superintendent Goodwin said he got the stone dust for \$3.50/ton, he said it provides more bite and patches better. Councilman Fogarty would like Superintendent Goodwin to work up the cost for hauling it to the yard.

Councilwoman Rumrill asked about mower. The one he wants to purchase has a longer reach.

Energy Audit – Dr. Pierz’s son-in-law who works for NYSERTA suggested contacting utility company first. Supervisor Rice contacted Smartedge. She handed out brochure to Board. She gave him information regarding town use. They will allow the Town 10% of the total utility bills. The most we would pay is \$840.00 and NYSERTA would pay half.

Supervisor Rice said the truck is paid off.

CEO Norman Wright’s report as follows:

August 9 – September 5, 2016

Five inspections

Two meetings

Issued two permits

Many Phone calls

CEO Wright was asked about solar on roof, but he said the roof structure would not hold it.

Assessor had no report.

Karen Jaquay, Dog Control Officer, reported as follows:

August 12 to September 13, 2016

I gave out a failure to license ticket, 14 counts. Owner has yet to comply.

Made calls to Health Officer, Office of the aging, Codes Enforcer, State Police and Public Health.

Went to court on a DCO matter. Case postponed till the 20th of September.

Made several calls to a dog owner to advise date and time to go to court. Also to remind him to go to public health. Left two messages.

I will be starting the census next week.

Supervisor Rice announced there was a Budget Workshop on August 29 in Fairfield sponsored by the State Comptroller.

The Assessment Meeting held on August 31 with Marc Butler and Peter Galarneau was well attended. ORPTS was unable to send a representative.

Supervisor Rice read Proclamation from Town to Carolyn Walker, Town Historian for all her years of service to the Town. She started the Musical Festival 28 years ago. Carolyn said she did it for the town to provide something for the town residents.

Supervisor Rice said she would ask S&S Ambulance about their budget request and how much their budget depends on the Town contributions. She does have the Stratford Volunteer Fire Company budget request.

Supervisor Rice said she followed up on the assessment meeting through the newsletter, website and emails. She will put information regarding the budget into the next newsletter.

The email policy is still being worked on by Councilwomen Rumrill and Ploss.

Supervisor Rice had passed out the complaint policy at the last meeting to the members of Board. Verbal complaint to Supervisor. Written form to Town Clerk and then copies will be given to Town Board. An individual complaint must be in writing.

RESOLUTION #27-16 COMPLAINT POLICY FOR THE TOWN OF STRATFORD

WHEREAS, the Stratford Town Board after discussion at the Town Board meeting on September 15, 2016, and

WHEREAS, there are two types of complaints: policy complaints and complaints between individuals.

Verbal complaints may be made to the Supervisor. If the Supervisor cannot resolve the problem, the person will be asked to file a formal complaint.

WHEREAS, formal complaints will be given to the Town Clerk in the Town Clerk's Office and the Town Clerk will give copies to the board. When action has been taken, the form will be filed.

Policy complaints that have been received will be brought up at a public meeting. Town Board members will be made aware of the complaint. Prior to the meeting, a designated board member will discuss the complaint with the individual raising the issue. The person making the complaint will be notified at which Town Board meeting it will be on the agenda. The Town Board will discuss the complaint and the public will be able to comment during public speaking. The Town Board will determine if action is necessary and if so, what action should be taken. Residents may raise such complaints in public speaking without completing a complaint form, but the discussion will be held over to the next meeting if there is not an immediate obvious answer or solution.

Complaints between individuals include complaints by a resident against an employee, complaints by an employee against a resident, and complaints between employees. The term employee refers to all appointed and elected officials. The complaints are formal complaints in writing.

If the complaint is made by a resident against an employee, a designated board member will discuss the problem with the resident. The Supervisor or designated board member will address the problem with the employee. The Town Board will discuss the problem in executive session and will address the problem with the employee. Residents cannot be present in an executive session. Both parties will be advised of the outcome.

If the complaint is made by an employee against a resident or another employee, the supervisor or designated board member will discuss the problem with the employee. If the complaint is against a resident, a designated board member will discuss the problem with the resident. The Town Board will discuss the problem in executive session and decide how to address the problem. An example of this type of problem would be harassment. Both parties will be advised of outcome. If the complaint is against a town board member, he/she will not be allowed to participate in the executive session. Both parties will be advised of the outcome.

RESOLVED, that all complaints will be addressed as soon as reasonably possible within the limits of the procedures.

Offered by: Councilwoman Rumrill, seconded by Councilwoman Ploss

ADOPTED Ayes 5 Rice, Rumrill, Fogarty, Ploss and Perkins
Nays 0

Supervisor Rice stated that there would be a meeting with the Town Lawyer and she would report on it at the next meeting.

Supervisor Rice asked Town Clerk Massicotte if she would like to explain what the Seniors are requesting. The Seniors would like another tall cabinet to use for their supplies. Councilwoman Rumrill said she could not see why they needed another cabinet. She felt the Seniors could cart what they needed to each meeting, same as the Historical Society does. Supervisor Rice said she understood from President Drake that they wanted to buy roasters and a place to store them. The Hall is rented and should not be used to store things in the Hall. The Historical Society's cabinet has been moved to the outer office. Councilwoman Rumrill felt the Seniors had too much storage which included the refrigerator and cupboards. The tables that the Seniors bought which are stored in the Hall can be used by anyone who rents the Hall or the Seniors can put the tables in the shed.

RESOLUTION #28-16 NO MORE STORAGE WILL BE ALLOWED IN THE COMMUNITY ROOM BY THE SENIORS

WHEREAS, the Stratford Town Board after discussion at the Town Board meeting on September 15, 2016, and

WHEREAS, it was decided not to allow any more storage in the Community Center by the Seniors,

RESOLVED, that the supplies could be stored in the shed and carried in and out as needed.

Offered by: Councilwoman Rumrill, seconded by Councilwoman Ploss

ADOPTED Ayes 5 Rice, Rumrill, Fogarty, Ploss and Perkins
Nays 0

Supervisor Rice stated that the paving bill of \$147,000 would be coming in the next week or two. We should have the chips check by December. We need cancelled check for reimbursement. Councilmen Fogarty asked about a grace period. Superintendent Goodwin said the bill was due and payable when it was received.

The 2014 and 2015 Financial Reports have not been filed. Supervisor Rice said she would check it out with Lita.

Budget requests have been issued to department heads to return by September 20. There will be a Budget Workshop on October 12 at 6:30.

The elections will cost the town \$2,538.15 for this year.

Supervisor Rice said there is a change in Line item DA5112.2, Capital Outlay should be \$146,777.

Motion made by Councilman Perkins and seconded by Councilwoman Ploss that Line item DA5112.2 should read \$146,777.

ADOPTED Ayes 5 Rice, Rumrill, Fogarty, Ploss and Perkins
Nays 0

Motion made by Councilwoman Ploss and seconded by Councilwoman Rumrill that the monthly payroll for Department Heads would be the week of the Board Meeting, but not later than the 15th of the month.

ADOPTED Ayes 5 Rice, Rumrill, Fogarty, Ploss and Perkins
Nays 0

AUDIT OF CLAIMS

Motion made by Councilwoman Rumrill, seconded by Councilman Perkins to approve the bills on Abstract #9.

ADOPTED Ayes - 5 Rice, Rumrill, Ploss, Perkins and Fogarty
Nays – 0

General Fund – Abstract 9	Voucher Nos. 88 through 96	\$2,067.74
Highway Fund - Abstract 9	Voucher Nos. 121 through 140 (Voucher 129 deleted)	\$9,190.21
Prepaid Fund - Abstract 9	Voucher Nos. 117 through 129	\$4,545.42

Supervisor Rice announced that Peg Klages appointment ends September 30, she would like to be reappointed for the five year term. Councilman Fogarty requested an executive session.

OLD BUSINESS

RESOLUTION #29-16 TO UNDERTAKE AND IMPLEMENT A REASSESSMENT FOR THE 2018 ASSESSMENT ROLL

WHEREAS, Section 305 of the New York State Real Property Tax Law mandates uniform and equitable assessments; and

WHEREAS, financial assistance is available from the New York State Office of Real Property Tax Services; and,

WHEREAS, tax map services, technical advice, and Real Property System support are available from the Fulton County Real Property Tax Service Agency; and,

WHEREAS, the Town Board is convinced that a reassessment is necessary to comply with Section 305 of the New York State Real Property Tax Law;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF STRATFORD, COUNTY OF FULTON, STATE OF NEW YORK, AS FOLLOWS:

Section 1. The Assessor of the Town of Stratford is hereby authorized to undertake and implement a reassessment for the 2018 assessment roll.

Section 2. The Town Board does hereby agree to support the Town’s Assessment staff in this reassessment.

Section 3. The Town Board and the Assessor are authorized to enter into any necessary agreement to achieve that purpose. The Town Board must first approve any agreements resulting in expenditure of funds by the Town of Stratford. Any agreement with a private contractor to provide services for this reassessment shall be entered into only upon review by the Corporation Counsel, the Assessor and a representative from the Office of Real Property Services.

There was discussion regarding the reval. Councilman Fogarty said he is recusing himself. Councilwoman Ploss said she didn’t think we needed to go this route. Councilwoman Rumrill was not in

favor. Councilman Perkins was not sure one way or the other. Many residents do not want a new reval. Supervisor Rice said the only legal opinion she has received is that the only way to fix it is to do it over. She said they could send out a mailer with the resident's inventory, if they did not agree they could have it corrected. A Contractor would come in and do a random selection and determine if it is correct. If it is 95% correct, then we could use the inventory. If the inventory is changed by property owner, it has to be verified.

The Town Board decided to table this Resolution until further information is available.

PUBLIC SPEAKING

There was much discussion regarding the reval. Resident asked if anyone ran numbers. We are recovering from a \$40,000 mess. Supervisor Rice said it cost us much more than that because of the lawsuits. Resident said if we have another reval, that is more money spent to fix problem. He made a suggestion that the Board set monies aside so we do not have to borrow \$60,000. Supervisor Rice said the companies make it possible to spread the cost over a three-year period. She stated that we were sued and that suit opened us up to more suits. Are we going to pay money for more lawsuits or are we going to fix the problem. Councilwoman Ploss felt we would be right back in the same boat with another reval because the State does not pay their fair share. Supervisor Rice said it is not about the taxes, but about assessments of the residents in town. We got sued because Maxwell did not do the reval right. Resident said it was all about the taxes. He said when you are assessed high, the taxes are out of wack. Residents felt that going ahead with the reval would not eliminate any upcoming lawsuits. Resident suggested reducing everybody to the 2012 assessments in conjunction with ORPTS, then next year have the reval. She felt that the 2012 assessments were about 80% equalization rate.

Resident stated that according to the minutes, the Town Board could institute the reval but the Assessor was the only one who could table the reval and wanted to know if that was true. The Assessor said she sat down with ORPTS, Supervisor, Town Attorney, County Representatives and State Representatives and the person who signs the Tax Roll is responsible for the reval. The Assessor said she met with everyone who was responsible at the time, three of the people are still on the Board who voted to make it so she did not have any influence on the reval. She told the Town Board not to pay, but they paid anyway. She said the Board told her they were going to get all the documents from Maxwell or he wasn't going to get paid. They said the reval was done right and she could sign the roll and that is what she did. Supervisor Rice said the Assessor has a very definite roll during the reval and is suppose to work with Contractor. Regarding refunds, the County guarantees all the taxes because if people don't pay their taxes, the County takes ownership and they pay the taxes so everything comes out. The Town paid the County for our portion of the refund. Resident wanted to know if it was the fault of the Town Board for accepting Maxwell's contract. At a Town Board meeting it was said that Maxwell should not be paid until everything was complete, but he was paid before all information was obtained from him. Councilman Perkins said that he remembers that \$10,000 was suppose to be held but doesn't know if it was paid. He doesn't remember the Town Board signing any of the vouchers for payment to Maxwell.

Resident asked if the Maxwell figures were still in place. Supervisor Rice stated they were except for the residents that brought suit. Resident asked if in order to rectify the assessment, you would have to bring suit. Supervisor Rice said that was correct and this suit provided a foundation for future suits. Resident asked how were the town finances. Supervisor Rice said we were not in debt. We just paid off the one debt we had, the truck debt. Our finances depend on how much the Highway Department

expenditures become. The budget for this year was raised by \$81,000 for the road department for specific reasons. The way the revenues are shown on the budget, \$140,000 is there as an inter fund transfer which means we are using our fund balance which is basically our savings. She said they have never used the whole thing in the Highway Department.

Resident asked Assessor if she felt the assessment was in good order. The Assessor replied that there were some issues. She cannot resolve issues without a complete reval because you cannot spot assess. Residents could grieve by coming in with comparable sales and appraisal.

Resident suggested if we do another reval, we would want someone who is competent and would support us in court.

Resident suggested that if we do another reval, that the Board appoint an advisory commission to be part of the process as the assessment goes through the steps.

Resident asked what year the lawsuits were going back to. Supervisor Rice said they were going back to 2013. He said the issue is that the Town will probably lose and have to pay money back and with the possibility of another reval, he wanted to know where the money would be coming from.

Supervisor Rice stated she would check out the procedure for following a lawsuit. This was an Article 78 not a normal assessment litigation.

Supervisor Rice stated she would try to have answers at the next meeting.

Mary Szczebak stated that the piano in the center was stored there by her daughter and could be used by the Seniors, but she had some reservations regarding use when the hall is rented. Supervisor Rice said the Board would look into the rental agreement.

The question came up about the gate at Stewarts Landing because it is not in place.

APPROVAL OF MINUTES

Motion made by Councilwoman Ploss, seconded by Councilwoman Rumrill to approve the Board meeting minutes of August 11, 2016 with the following corrections: Superintendent's report, should read mowed on Routes 104 and 119 and to clarify the 50 miles of roads are town roads. Page 4, the tickets for the Historical Society were selling should have read 1 for \$2.00 or 3 for \$5.00.

ADOPTED Ayes - 5 Rice, Rumrill, Ploss, Fogarty and Perkins
 Nays - 0

NEW BUSINESS

Supervisor Rice would like to check into internet service.

A motion was made by Councilman Perkins and seconded by Councilwoman Ploss to move into executive session at 8:50 pm to discuss BAR appointment and litigation issues.

ADOPTED: Ayes 5 Rice, Perkins, Ploss, Fogarty and Rumrill
 Nays 0

Meeting was called back in session at 9:20 pm on a motion by Councilwoman Rumrill, seconded by Councilwoman Ploss.

ADOPTED: Ayes 5 Rice, Perkins, Ploss, Fogarty and Rumrill
Nays 0

Motion made by Councilwoman Ploss and seconded by Councilman Perkins to reappointment Peg Klages for another five year term in the BAR.

ADOPTED: Ayes 5 Rice, Perkins, Ploss, Fogarty and Rumrill
Nays 0

With no further business, on a motion by Councilwoman Ploss, seconded by Councilwoman Rumrill, the meeting was adjourned at 9:22 pm.

Respectfully submitted,

Diana Massicotte, Town Clerk