

Town of Niles
Regular Meeting
Town Board
December 8, 2011
Niles Town Hall

Present: Rickey Slagle, Supervisor
Bernard Juli, Councilman
Barbara Eberhardt, Councilwoman
Alberta Darlene Winters, Councilwoman
Clarence Edmonds, Councilman

Others: Bill Street, George E Case Jr, Tom Nevius, Bob Martin, Wayne Blann, Susan Blann, Michael Gorr, Ron VanNonstrand, Karen Porter, Dick Dewitt, David Bates, Robin Sheehan, Sue Newell, Brody Smith, Pat Steger

Meeting called to order at 7:00 p.m. by Supervisor Slagle with the Pledge of Allegiance.

Open Bids for Air Exchange System for VIP:

Supervisor Slagle called for any bids from the audience, there were none. The Town received one bid the air exchange systems for the vehicle maintenance facility. This bid had remained sealed; Supervisor Slagle opened the Bid and read aloud the contents. The bid received was from Vent USA with a total cost of \$41,889.00. Members of the Board are to further review the bid.

Review and Approval of November 10, 2011 minutes:

A Motion was made by Councilwoman Eberhardt to approve the November 10, 2011 minutes as written; seconded by Councilwoman Winters; unanimously passed.

NYMIR:

Mr. Bill Street from the Eastern Shore Associates presented on the various advantages of Niles joining the New York State Municipal Insurance Reciprocal. The organization is different from other insurance companies in that it is non-profit; owned and controlled by municipalities with costs and coverage's tailored to suit the Town's needs. There are currently only 3 Towns in Cayuga County which are not participating in NYMIR those include; Niles, Fleming, and Sennett. Supervisor Slagle thanked Mr. Street for coming and presenting. Members of the board were given Quotation information from NYMIR including its history, costs, and advantages. Supervisor Slagle encouraged Members of the Board to review the information before the end of the year meeting scheduled for December 28 so that a decision could be made at that time.

Open Floor to Public:

Supervisor Slagle opened the floor to the public. Mr. Michael Gore addressed the Board concerning hydrofracking. He announced that Scipio recently released an environmental impact statement relating to every aspect of hydrofracking. He provided copies of this statement to board members. Also Skaneateles recently held a forum in which Pennsylvania Farmers spoke about their experiences living with hydrofracking; Mr. Gore provided a video of this forum for members of the board to watch at a later date. There is an upcoming informational hydrofracking

forum scheduled for January 11, 2012 at 7:00 pm at the Moravia Firehouse. Speakers that will be presenting include a physicist, attorney with experience addressing hydrofracking, and the Deputy Director from Cortland Public Health. Mr. Gore encouraged those in attendance to participate if possible.

Supervisor Slagle announced that there is also a hydrofracking forum scheduled for December 20, 2011 at the Summerhill Town Hall at 6:30; topics to be discussed include a highway protection law which is in place in Danby.

Karen Porter requested for the Board to contact Weeks Engineering regarding VIP. An attempt will be made to contact them.

Hydrofracking Moratorium:

Supervisor Slagle inquired to Attorney Smith as to if there are any new developments from the DEC regarding hydrofracking. Attorney Smith indicated that there are none at this time and will not be until the New Year.

Informational Meetings are scheduled to begin in February. Supervisor Slagle asked for volunteers from members of the Board to assist in contacting speakers for these meetings, both Councilwoman Eberhardt and Councilman Edmonds volunteered to do so.

Highway Report:

Pat Steger indicated the Highway Department is getting the trucks ready for sanding and plowing for winter.

The Snow fence has been put up in West Niles.

A small amount of vacation time was used this month in the Highway Department.

Supervisor Slagle reported that the Highway Department has distributed the recycling bins to residents of the Town. There are additional bins available for residents at the Town Hall.

The new plow truck is expected to be delivered to Viking any day now as indicated by Mr. Steger.

Councilman Edmonds inquired as to the status of the mowing on Glen Haven Road and if the county would be assisting. Mr. Steger has contacted the county several times on this matter and has had no response. He will attempt to contact them again regarding this matter. If there is no response from the County the Town will proceed on its own.

Several part time highway workers are lined up for work in the Highway Department. Supervisor Slagle needs this information so as to file the forms with Civil Service.

Assessor Report:

The Assessors report was provided to members of the board. The county printed and mailed the Star Exemptions out for the Town, we will be receiving a bill for the postage.

The RPS (Real Property Service) software sign in issues have now been resolved.

Mr. Stanford is recommending that Mr. VeVone concurs that a permit for agricultural buildings be implemented; the Town currently does not require this. He is requesting this so that assessment and exemptions can be processed in a timely matter. Supervisor Slagle asked Mr. Martin to take this matter up with the Planning Board and also his recommendation is there is to be no fee for such permits.

Code Enforcement:

The Code Enforcement report was submitted which included all permit information.

Finance Report:

Mr. Morris was not present. He was busy earlier in the week preparing the finance packets which were presented to members of the board.

Clerk:

The Town clerk and deputy clerks attended the new tax training today, December 8, 2011. Ms. Newell is to be in contact with Allen Tunnel next week so as to install the new software on the Town computer. The new software is expected to operate efficiently and easily.

Ms. Newell announced she will be attending the Newly Elected Officials Training on Wednesday January 4, 2012 as well as Councilwoman Eberhardt and Councilwoman Winters.

Supervisor Slagle brought to the attention of the Board that upon appointing Ms. Newell to fill the remainder of the Christine Nolte's position that she would be paid an hourly rate of \$11.00 per hour for a period of 90 days. The 90 days expired on September 9, 2011 and the board has been remiss in giving a raise. Supervisor Slagle requested permission from the Board to provide back pay from 09/08/11 to the present and to pay her bi-weekly the prior clerk's bi-weekly rate for the remainder of the year. Motion was made by Councilwoman Winters; seconded by Councilman Juli; unanimously approved.

The usual clerk fees have been collected. The clerk's report was read aloud by Supervisor Slagle.

Town Hall Repairs:

Propane Fumes again are being emitted from the boiler. Upstate was called and troubleshot the problem; there appeared to be a small leak in the valve. The valve has now been replaced. The situation is to be closely monitored as it is not certain if this is the exact cause of the issue.

The siding is coming off the building in various spots. Supervisor Slagle inquired as to what we should do to remedy the problem. Councilman Edmonds offered to make the needed repairs free of charge.

The bathrooms in the basement still need completing. Supervisor Slagle would like to obtain quotes to finish the project. There is balance of \$26,000.00 remaining in the building reserve. Councilman Edmonds requested a list to be compiled of the tasks and he would then follow up with his contacts to complete the project.

Supervisor Slagle recently fixed the toilet in the bathroom. There are also other repairs needed throughout the building.

Councilwoman Eberhardt suggested perhaps motion detector lights would be beneficial in the back parking lot for safety issues as there is currently no adequate lighting in place. This is to be looked into further.

Attorney:

A recent subdivision map filed by the County Clerk which was not approved the Town Planning Board needs to be remedied. There are several options available. It is permissible for the Town Code Enforcement officer to withhold the issuance of building permit or to close out a building permit and also to issue a stop work order. Another proactive approach is for the Town is to initiate a law suit for declaratory judgment to clarify the filing was done incorrectly without Town Planning Board approval. The matter was discussed and it was decided that a letter is to be written by Attorney Smith addressing the issue and requesting that the appropriate individuals be present at the next Town Planning Board meeting on December 15, 2011 to resolve the issue.

In regards to the Tax Cert case, Attorney Catherine Weber made a formal settlement offer on November 22, 2011. She is still waiting for a response.

Supervisor's Report:

The supervisors report was read. A motion was made by Councilman Juli to approve the Supervisor's report as written; seconded by Councilwoman Edmonds; unanimously approved.

Abstracts:

Motion was made by Councilwoman Eberhardt to pay the abstracts as presented; seconded by Councilman Juli; unanimously approved.

General	#417-454	\$9,388.66
Garbage	#448-449	\$18,179.52
Highway	#418-453	\$27,605.78

Health Care Changes:

The health care changes are in progress; all needed paper work has been submitted. The Town still has not heard back regarding if Excellus has accepted us. Supervisor Slagle met with the health saving account person recently.

Other Business:

An application and check submitted for a junk yard permit for Bernie Slater was discussed. A motion was made by Councilman Juli; seconded by Councilman Edmonds that we issue a license to operate a junkyard business to Bernie Slater.

Councilwoman Eberhardt reported that the newsletter is progressing nicely.

The year end meeting is scheduled for December 28, 2011 at 7:30. The public is welcomed to attend. There will be pizza and wings served at the event.

Councilwoman Winters requested to call the Election Board and inquire if they will be picking up the voting machines. Supervisor Slagle is in the process of drafting a letter to the Board concerning this matter.

Councilwoman Eberhardt would like to add blurb in the newsletter encouraging Town residents to participate in being Town Election Officials if they are interested in doing so.

Adjournment:

Motion to adjourn the meeting made by Councilwoman Winters; seconded by Councilwoman Eberhardt; unanimously approved.

Meeting adjourned at 8:12 p.m.

Respectfully Submitted,

Susan Newell