

**MINUTES OF TOWN BOARD MEETING OF AUGUST 10, 2015  
HELD AT THE TOWN HALL, 8529 MAIN ST., CAMPBELL, NEW YORK**

**PRESENT: Town Board Members:** David L. Tennent, John R. Tschantre; Jeffrey Horton, Terry E. Wheat and Sara B. Rosplock; **Town Clerk:** Sandra M. Austin; and **Highway Supt:** Thomas A. Austin.

**ABSENT:** None.

**GUESTS:** Wayne Cosier, Linda Baird, Glenn Vogel, Karen Miller, Jay Haskell, Edward & Shirley Kreyve, Janet Bates and Jody Wheat.

**Call To Order/Pledge /Roll Call/ Prior Minutes.**

Mr. Tennent called the regular monthly meeting to order at 6 p.m. at the meeting room of the Campbell Town Hall and led the pledge of allegiance. The Town Clerk then took roll call. The minutes of July 13<sup>th</sup> and 22<sup>nd</sup> were noted. RESOLUTION #1 was offered by Wheat and seconded by Rosplock to accept the above-noted minutes as presented. Adopted by vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

**Town Historian Resignation & Appointment.**

Mr. Tennent noted that we had received the resignation of Lorraine Loomis-Konig for health reasons which included a recommendation to appoint Joseph Pierson and Rebecca Grace as Town Historians to take her place. Following discussion, RESOLUTION #2, was offered by Tschantre and seconded by Rosplock as follows: To accept the resignation of Lorraine Loomis-Konig with gratitude from the Board for her work; and further to authorize the appointment of Joseph Pierson and Rebecca Grace as Town Historians for the remainder of the year. Resolution Adopted by vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

**Executive Session.**

On motion of Horton seconded by Rosplock the following resolution was adopted: RESOLUTION #3: RESOLVED that this Board move into executive session to discuss items concerning potential litigation with Appraisal Consultants. Time 6:04 p. m. Adopted by roll call Vote: Ayes- 5; Nays-0.

**Close Executive Session.**

On motion of Rosplock, seconded by Wheat, the following resolution was adopted: RESOLUTION #4: Resolved that the executive session be closed and that this Board return to regular meeting. Time 6:21 p.m. Adopted by vote: Ayes-5; Nays-0.

**Public Comments.**

Karen Miller-of Campbell Fire Department—gave report on fire calls; they are at 208 for the year.

Jay Haskell—wanted to know what the Town would do for him at his property at 8540 Clinton Street, [on the tax roll as "Wendy Shoff"]. He says he is on the low part of Clinton Street and is being flooded. When it rains real hard, it keeps washing his foundation out; that the main support beam in the addition has now broken. Discussion was had about different options or alternatives, but there is nothing feasible for the Town to do. Tom Austin said that, as far as the road drain is concerned, that they have done everything possible but when we get 2-3 inches of rain in an hour, that the drainage system will not take any more water. Austin also noted that as far as the Town is concerned, we have made several attempts to rectify the situation but the difficulty is because it is the lowest part of Clinton Street and Mr. Haskell has created the dam himself by locating his addition there. Mr. Tennent said that to get a grant to assist with drainage, we would have to include the whole area and not just this parcel and, realistically, this would be 4-5 years out. The water table in the hamlet is very high and this is a similar problem for all the properties on Clinton Street.

It was noted and Mr. Haskell agreed that prior to when he built the addition on to the house, the storm drainage water would go between the garage and the house. Now that he had put the addition on the house, the water still wants to go in the same path. One way to put it is, that since he has dammed up the natural drainage, he would have to make a drainage line through the dam or take out the dam.

**Highway Dept.**

Tom Austin commented on several of the projects he has been working on. For the salt storage building repair, he is going to need a man lift and there is a possibility that he can use the County's. They had gotten several loads of millings from the Corning Route 352 project and used them on Wixon Road and it is almost as hard as regular blacktop. The patchwork on Dry Run has been completed and the Hough & Vieley Road upper sections.

With regard to the Hough Road Complaint he requested that any questions or issues with the highway department be dealt with by first referring them to the Highway Department.

**CHIPS Transfer.**

Discussion was had concerning the CHIPS loan transferred from General to Highway by resolution at the July 22, 2015 meeting. It was the amount of \$161,000.00 from the General side fund balance to allow for the payment of the vendors doing work for the CHIPS projects; it was noted that the amount was over-stated to the highway fund by \$12,344.19 for the CHIPS allocation. RESOLUTION #5, was offered by Horton and seconded by Wheat to authorize transferring the amount over-loaned to the highway fund of \$12,344.19 back to the general side fund balance for CHIPS work. Adopted by vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

**Water Departments—Consistent Charge for Meters.**

Following discussion as to some inconsistencies in the fee for the water meters in the different water districts, RESOLUTION #6, was offered by Horton, and seconded by Rosplock to authorize the establishment of a set fee, consistent in all water districts of \$250.00 for a water meter. Adopted by vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

**Water Departments—Resignation of Water Operator.**

It was noted that Jake Roloson had resigned from his position and that we need to put out an ad for a replacement.

**WD #3 –Completion status.**

It was noted that we are currently going through an audit for the close-out of Water District #3. The project completion date of August 20<sup>th</sup> has been extended to September 29<sup>th</sup>. This is when the BAN is due at Five Star Bank.

**Town Clerk.**

Sandy Austin noted that the dog licenses had slowed down and now, the DEC's hunting licenses are on sale starting today.

**Ed Kreyev Complaint re Water District #3.**

Ed Kreyev was still unhappy with the way the area was left in the Wendell Circle neighborhood and complained about the LRS contractor. He felt various items were done incorrectly and that it was not put back like it was. Following a discussion of what could or could not be done, Mr. and Mrs. Kreyev exited the meeting at 7:15 p.m.

**Budget 2016.**

Discussion was had about the review process for 2016 budget. A date was set for September 8<sup>th</sup> at 6 p.m. for a budget workshop.

**Tax Cap Over-Ride Local Law- Public Hearing Set.**

RESOLUTION #7, was offered by Wheat and seconded by Horton to authorize the Town Clerk to set a public hearing for the next meeting at 6:00 p. m. on a tentative local law to over-ride the tax levy limit established in General Municipal Law 3-c, for the Budget Year 2016, which would be Local Law #2 of 2015. Adopted by vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

**Highway Schooling.**

Tom Austin noted that he would be away for schooling at the Highway Supts. Association Conference from September 15<sup>th</sup> through the 18<sup>th</sup> at Saratoga. It was noted that this was previously authorized at the organizational meeting.

**TEP Sidewalk project.**

It was noted that the bid Opening on the sidewalk project was held in July and the Board had agreed to go with the lowest responsible bidder. LaBella Associates and the DOT have agreed that the lowest responsible bidder is Nelson & Streeter at a cost of \$179,250.00. We are proceeding with the contracts and paperwork. It was also noted that we had received an incident report from a person who fell on Knox Street; said report indicated that the sidewalk in several areas of Knox Street has heaved making it hazardous to walkers; and that there is another hazardous spot near the Main Street and Center Street intersection. It is the intention of the TEP Sidewalk Project to correct those areas referred to and improve the sidewalks for those walking around the Town.

**Flood remediation-- Whitehead property.**

Discussion was had concerning the final piece of property needed to go forward on the flood remediation project along the Cohocton River. Instead of signing easement, Mr. Whitehead wants to gift the approx. ½ to ¾-acre-piece located off from Tannery Road, to the Town. It was discussed that the gift value would be \$1,000 or less and that any lost revenue by taking it off the tax roll would be in the neighborhood of \$35-\$50. RESOLUTION #8 was then offered by Horton and seconded by Wheat to authorize the acceptance of the gift of real property valued at \$1,000 or less, which is an approximate ½ to ¾-acre-piece of the property located at 4720 Tannery Road along the Cohocton River [Tax Map # 242.00-01-024.000 owned by Clifford F. Whitehead, Jr. and Denise Whitehead], upon attorney approval and the Town would pay acquisition costs. Adopted by vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

**Deferred Compensation Plan.**

Discussion was had concerning an employee's request for the Town to offer a deferred compensation plan. It would be at no cost to the Town.

RESOLUTION #9, was offered by Horton, and seconded by Rosplock, as follows:

WHEREAS, the Town of Campbell wishes to adopt the Deferred Compensation Plan for employees of the State of New York and other participating public jurisdictions (the "Plan") for the voluntary participation of all eligible employees; and

WHEREAS, the Town of Campbell is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law, and

WHEREAS, the Town of Campbell has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Campbell by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

NOW, THEREFORE, it is hereby:

RESOLVED, that the Town of Campbell hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Town of Campbell are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation and maintenance of the plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Adopted by vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

**Executive Session.**

On motion of Horton, seconded by Tschantre, the following resolution was adopted: RESOLUTION #10: RESOLVED that this Board move into executive session to discuss items concerning union negotiations. Time 7:35 p.m. Adopted by roll call Vote: Ayes- 5; Nays-0.

**Close Executive Session.**

On motion of Wheat, seconded by Tschantre the following resolution was adopted: RESOLUTION #11, Resolved that the executive session be closed and that this Board return to regular meeting. Time 8:04 p.m. Adopted by vote: Ayes-5; Nays-0.

**Union Contract---Rescind Health Care Cap.**

Discussion was had concerning the agreement worked out for the next 3-year contract. The agreed-upon terms were as follows:

Article XI Wages and Hours: Increase work-breaks from 10 to 15 minutes in morning and afternoon.

Article III; 2204 – no signing bonus.

Section -Appendix A:

	2015*	2016	2017	2018
Total Healthcare cost	\$15750.56	\$16,270.52	\$16,946.48	\$17,514.92
Per cent buy in		2.5	3	4
Union cost annually		\$406.76	\$508.39	\$700.60
Wage increase		\$1.25	\$0.50	\$0.40

RESOLUTION #12, was then offered by Horton, and seconded by Rosplock, to authorize rescinding the healthcare cap of \$16,400.00. Adopted by vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

**Adoption of Union Contract.**

RESOLUTION #13, was offered by Tschantre and seconded by Wheat to authorize the adoption of the Union Contract for the years 2016, 2017 & 2018; said contract includes the above-outlined terms. Adopted by vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

**Budget Transfers.**

RESOLUTION #14, was offered by Horton, and seconded by Wheat to authorize the following budget transfers:

FROM:	TO:	AMOUNT:
DA5110.410	DA5110.440	\$6,000.00

Adopted by vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

**Church Street-- Two Abandoned Houses.**

Board Member Wheat asked what could be done about the two abandoned houses on Church Street. Following discussion, it would be brought to Marvin's attention.

**Monthly Reports Filed.**

It was noted that a monthly report was received from Marvin Rethmel as per Codes and Dogs dated 8/10/2015. A Copy was filed with the Town Clerk.

**Voucher Audit - 8:16 p.m.**

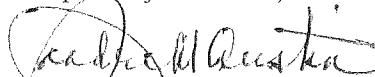
Vouchers were submitted and approved as follows:

General Fund Vouchers #246-283 totaling	\$ 35,728.24
And Highway Vouchers #145-158 totaling	\$ 72,099.40;
Water District 1 SW Vchrs #48-52	\$ 1,772.56;
Water District 2 SW2-Vchr #17	\$ 12.00;
Water District 3 SW3-Vchr #18-20	\$ 381.20;
For a grand total of	\$109,993.40.

**Adjournment.**

There being no further business before the Board, the meeting was, upon motion by Horton and seconded by Wheat, adjourned at 8:18 p.m.

Respectfully submitted,

  
 SANDRA M. AUSTIN  
 Campbell Town Clerk

DATED: August 24, 2015.