



Town of Chenango

Minutes

Town Board

5:00 PM - Wednesday, June 12, 2024

Town Office Building

The Town Board of the Town of Chenango was called to order on Wednesday, June 12, 2024, at 5:00 PM, in the Town Office Building, with the following members present:

Present: Councilperson Jim DiMascio
Councilperson Gene Hulbert Jr
Councilperson Dave Johnson
Councilperson Kevin Worden
Supervisor Mike Lumsden

Absent:

Also Present: Nate VanWhy, Town Attorney
Gavin Stiles, Code Enforcement Officer
Joel Troutman, Dog Control Officer
Alex Urda, Town Engineer
John Endress, Town Assessor
Derin Kraack, Highway Superintendent
Jodi Carey, Administrative Assistant
Adam Donahue, Deputy Town Clerk

CALL TO ORDER / PLEDGE OF ALLEGIANCE

ROLL CALL

The Clerk took the roll call and all were present.

COMMUNICATIONS

There were no communications.

OPEN FORUM

No one wished to speak.

OLD BUSINESS

Work Rules

Attorney VanWhy has requested that any suggestions for updating work rules be forwarded to him. Some suggestions have been previously submitted and discussed. Additional suggestions/questions received since the Board's last update are:

- Employees in Town Hall should wear badges so they can be easily identified by the public.
- Decide if the Supervisor should be listed as a full-time elected official as it is currently showing. It was agreed that it has always been considered a part-time position of 20 hours a week or less.
- Should department heads be expected to clock in and out. Currently it says employees need to punch in and punch out but this has to be clarified.
- Standard work day resolutions are required for purposes of the retirement system and are required to be accepted every year. It might be more efficient to have them separate from the work rules to avoid having to approve the work rules every year.
- Clarification of rounding times for punching in and out should be discussed. The Fair Labor Standards Act has a 7 minute rule where an employee would be charged 15 minutes for coming in more than 7 minutes late. There is a question whether someone should be disciplined if they consistently come in late but still under the 7 minute deadline.
- There was a question about the timeframe for getting Paychex or time clocks.
- There was a question whether Town Hall employees could get the same vacation schedule as the one offered members of the Teamsters Union.
- There were questions on when personal days should begin to accrue, on date of hire or January 1.
- There was a concern about how personal days should be handled when taken before or after a holiday. Perhaps there should be language added to require a doctor's note around a holiday.
- There was continued discussion regarding comp time. The policy has been the same as the suggestions on the redline copy, but enforcement has changed. It has been difficult to get documentation for comp time. The difference between exempt and non-exempt employees and their job duties and the advantages of comp time versus overtime pay needs to be clarified during this work rules discussion update.

The Board decided to do three pages per meeting until the work rule changes are done. Comp time is a broad subject that may need more time to gather information. The first three pages will be discussed at the July 10 meeting. Backup information on comp time accrued will be provided by Payroll.

[Work Rules - redlined](#)

[Work Rules - response to Kasmarcik questions](#)

[SKM_C45824062413230](#)

WWTP Project Funding Discussion

The bond resolution for this project has already been authorized, so the Board has the authority to get a BAN. Hawkins has given a quote of \$5,950 for a one year BAN for \$9 million. There has been discussion about pulling out the labor component but a concern has been raised that labor costs will increase by an unknown amount. Doing the BAN allows the labor to stay in. If it still took another year, another ban could be acquired. It is difficult to know how long the process will take, possibly two months meaning the fund balance will probably need to be used until the bond closes. Since time is of the essence, it is important to approve the BAN at tonight's meeting.

[Contract - Cash Flow](#)

The motion was made to authorize Hawkins to procure a Bond Anticipation Note, at a fee not to exceed \$10,000, for the amount of \$9 million for the term of one year with quotes for pre-payment penalties if it is paid back early and to authorize the Town Supervisor, as the fiscal officer of the Town, to sign all the bond related documents necessary to obtain the \$9 million BAN.

Motion made by Councilperson Jim DiMascio, Seconded by Councilperson Dave Johnson

Ayes: Councilperson Jim DiMascio, Councilperson Gene Hulbert Jr, Councilperson Dave Johnson, Councilperson Kevin Worden, and Supervisor Mike Lumsden
Nays: None
Abstained: None
Carried: 5-0

PUBLIC HEARINGS - 6:00PM

There were no Public Hearings.

NEW BUSINESS

B.A.N. Water District Issue

Public Works Superintendent Burden provided a report showing there were 49 customers in the BAN 16 water district. He was not present at tonight's meeting but recommends in his report that they be changed to match W01 rates. He will need to explain his recommendation to the Board. It was agreed to table the issue.

[W16
water rate list](#)

ZBA Appointments and End of Term Dates

This will be placed on a future agenda.

8PM Meeting Stop Strategy/Department Head's Meeting Attendance/Agenda Format

Councilperson Hulbert distributed a summary of discussions done in October 2023 regarding agendas. The discussions resulted from the excessive length of agendas and meetings and resulted in many reasons why inefficiency occurs. (See attached document for list of issues discussed.) Mr. Hulbert then reviewed some of his thoughts on where progress has been made or where changes would cause more productive meetings.

- Department heads could submit monthly reports, but only be required to attend meetings quarterly or by Board invitation. There was agreement on this change.
- He suggested removing 6:00 p.m. time for Public Hearings and make it first on the agenda. There was some pushback on this suggestion because 5:00 p.m. is too early for many community members to get to the meeting. It was agreed to keep it at 6:00 p.m. but go back in to the spot on the agenda where the Board had to pause to do the Public Hearing.
- The Rules of Order for Town meetings need to be enforced. The public, department heads and others should not be allowed to interrupt and prolong the discussion. Supporting documents need to be tightened up. They need to always be provided with the current agenda. Agenda items should be input by Town Board members only. Requests for additional items can be made through the Town Board's secretary, Jodi

Carey, but unless it is an emergency it should be put on a future topics list. Emergency items could be handled by contacting the Board secretary who would then alert Supervisor Lumsden. A phone tree would then be activated to inform members of the emergency.

- Items need to be prioritized when planning the agenda.
- There was discussion on the 8:00 hard stop time. Most of the Board members believe in the importance of it and feel that with proper time management it can be done. Different approaches to handling the stop time were discussed such as no new business starting after 8:00, realizing that important matters in executive sessions should be carefully handled, and the public should be allowed to speak at the end of a meeting even if past 8:00. Special meetings could be scheduled for things that were not covered during a meeting. There will be more discussion in the future.

DEPARTMENT REPORTS / SUPERVISOR REPORT / ATTORNEY REPORT

Dog Control Report

Councilperson Hulbert recused himself from the meeting and returned after the dog control report.

Dog Control Officer Troutman presented his report.

Ordinance Report - Hiring Plan

Code Enforcement Officer Stiles presented his report. There were no questions.

There is \$36,000 available in the Code budget for an Administrative Assistant. He requested permission to put a signboard at the bottom of Town Hall driveway to advertise the opening. He is also asking for \$50,000 to put in his budget to get a full-time code enforcement assistant. This money was inadvertently left out of his budget so there will have to be a budget adjustment to restore it. The general questions are being asked tonight and documentation will be prepared based on tonight's discussion and ready for for the July 10 meeting.

[5. May](#)

Engineer's Report

[001-MEMO-engineering TB 2024 06 12](#)

Assessor's Report

Town Assessor Endress presented his report. He is reviewing the OGS Mini bid process with the goal of replacing the twelve-year-old Assessor's vehicle. More information will be needed about the vehicle requested to make the decision during budget time. The vehicle is rusting and may need repairs.

The Board was notified about the EDU. He is recommending meeting with small groups but the Board prefers to meet as a whole. It will be put on a future agenda to refresh members on the EDU would be approximately 30 minutes. Eventually it may need a special meeting. It would need to be adopted by December 1 in order to get bills out in time. The 30-minute refresher will be on the July 24 agenda with a special meeting scheduled before the first August meeting.

[Assessors's Report 2024-06-12](#)

Attorney's Report

Attorney Van Why requested an executive session to discuss the Safety Committee.

The motion was made to have an executive session to have the attorney update the Board on the Safety Committee results.

Motion made by Councilperson Jim DiMascio, Seconded by Councilperson Gene Hulbert Jr

Ayes: Councilperson Jim DiMascio, Councilperson Gene Hulbert Jr, Councilperson Dave Johnson, Councilperson Kevin Worden, and Supervisor Mike Lumsden
Nays: None
Abstained: None
Carried: 5-0

Supervisor's Report

[May 2024 Financials](#)

[BCBS Health Insurance Rates](#)

RESOLUTIONS

[Resolution Approving Abstract No. 10](#)

[Abstract No. 10](#)

[Resolution Appointing Cooley to PB](#)

[Resolution Appointing Donnelly to PB](#)

FUTURE BOARD TOPICS

[Town of Chenango future topics list](#)

OPEN FORUM

A citizen was very upset with the way tonight's meeting was run. He wants the Board to have work sessions to discuss agenda topics and use the Board meetings to hear the results of the work done. He feels too much time is taken answering simple questions.

Another citizen asked that acronyms be defined. For example BAN and EDU are not common terms to most people. Public Works Superintendent Burden should be here often, not quarterly as proposed, because there are so many questions surrounding the sewer project.

A resident wants to know who has a real understanding of the sewer project. There should be someone providing specific information on the progress.

A resident stated that the work rules discussion was 45 minutes and there were many questions that couldn't be answered that someone should have known. If no one can answer them, then there are resources at the County that can help sort them out.

Another resident was a supervisor many years ago and he knew exactly what his people were doing. It should be the same here. You should know when they come and leave and what they are doing.

A resident stated that Board members are exempt employees and they are not staying until their work is done as is expected from exempt employees.

The motion was made to return from executive session to regular session.

Motion made by Councilperson Jim DiMascio, Seconded by Councilperson Kevin Worden
Carried

Following the executive session, the motion was made to accept the report from the Safety Committee related to a personnel issue and their action.

Motion made by Councilperson Gene Hulbert Jr, Seconded by Councilperson Jim DiMascio

Ayes: Councilperson Jim DiMascio, Councilperson Gene Hulbert Jr, Councilperson Dave Johnson, Councilperson Kevin Worden, and Supervisor Mike Lumsden
Nays: None
Abstained: None
Carried: 5-0

Following the executive session, the motion was made to schedule a special meeting for June 18, 2024 at 9:00 a.m. to discuss a personnel issue.

Motion made by Councilperson Gene Hulbert Jr, Seconded by Councilperson Kevin Worden

Ayes: Councilperson Jim DiMascio, Councilperson Gene Hulbert Jr, Councilperson Dave Johnson, Councilperson Kevin Worden, and Supervisor Mike Lumsden
Nays: None
Abstained: None
Carried: 5-0

ADJOURNMENT

There being no further items for discussion, motion to adjourn the meeting at 8:48.

Motion made by Councilperson Jim DiMascio, Seconded by Councilperson Kevin Worden
Carried

Respectfully submitted,

Dawn Blair, Town Clerk
Town of Chenango