**REGULAR MEETING**

**BAINBRIDGE TOWN BOARD**

**OCTOBER 13, 2020**

**(THIS MEETING WAS OPENED TO THE PUBLIC TO ATTEND)**

Present: Dolores Nabinger Supervisor

Jennifer Sienko Councilwoman

Bob Evans Councilman

Kelly Hromada-Johnson Councilwoman

Deborah Hromada Councilwoman

Gary Richman Highway Superintendent

Recording Secretary: Aric McKown Town Clerk

Supervisor Nabinger called the Regular Meeting to order at 6:30PM.

Guests were Bill & Cathy Sherrick, Phil & Violet Wade.

**RESOLUTION #1**

Motion was made by Councilman Evans, second by Councilwoman Sienko, to approve the meeting minutes from 07/14/2020.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

**RESOLUTION #2**

Motion was made by Councilman Evans, second by Councilwoman Sienko, to approve the meeting minutes from 07/16/2020, following the word 'excessive' being changed to 'extensive'.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

**RESOLUTION #3**

Motion was made by Councilman Evans, second by Councilwoman Sienko, to approve the meeting minutes on 07/29/2020.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

The town board asked Town Clerk McKown to print physical copies of the meeting minutes on 09/08/2020, with the proposed changes.

**RESOLUTION #4**

Motion was made by Councilman Evans, second by Councilwoman Sienko, to approve the budget meeting minutes on 09/22/2020.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

The following claims as set forth on abstract #10 for 2020 were audited by Town Board:

General Town Wide#554-576 for $19,096.02

General Town Outside#41-42 for $35.08

Bennettsville Lights#21 for $34.89

Highway Town Wide#182-190 for $2,361.20

Highway Town Outside#140-142 for $6,793.78

**RESOLUTION #5**

Motion was made by Councilman Evans, second by Councilwoman Sienko , authorizing clerk to issue warrant to Supervisor for payment of all audited claims, with Councilman Evans noting that the bill for Waste Recovery was not added to the October abstract, a missing invoice from Volo's Auto Supply statement and to get another invoice from Nail-It Construction.

Ayes: Supervisor Nabinger, Councilman Evans, Councilwoman Hromada, Councilwoman Sienko, Councilwoman Johnson ; No: none; Motion Carried.

Councilwoman Hromada pulled the bill from the Evening Sun, and stated it would be paid by Bags Landfill.

**RESOLUTION #6**

Motion was made by Councilwoman Hromada, second by Councilwoman Sienko, to receive and file the August Financial Report.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

Councilwoman Hromada mentioned doing a transfer to cover the disability insurance of $102.90 and that it should come out of contingencies. She also noted something needs to be done to take care of the unemployment insurance regarding Tim Harmon, as well as the lifeguard that's collecting unemployment insurance, and that should be paid from the Youth Contractual. The town clerk fees need to be adjusted. The town board held conversation about this matter.

**Guest(s):** Mayor Wade inquired on the status of the staining at Clinton Park. He shared with town board the village had recently gone out for bid for electricity with a third party at a fixed price and has helped to reduce those costs.

Wade brought up the topic of 'Halloween' and asked how the town would like to proceed. He said it was important for the town and the village to be on the same page with it. After some conversation, the town board and Mayor Wade concluded to have a 'Trunk or Treat' run by the Lions Club, in the municipal parking lot in the village and allow residents in the village, that wanted to, to hand out candy. The town board talked about what other surrounding towns are doing now for the Halloween holiday.

Mayor Wade spoke on grant funding to put in a sidewalk leading up to Clinton Park, plans for the sidewalk and asked the town board's opinion.

He brought up the ADA days in the town court and the need for additional police coverage on these days. The town board held conversation on this matter with Mayor Wade.

Wade thanked the town for the use of the meeting room in the town hall for the village board meetings and village elections. He mentioned a mayor's commission to investigate police reform and that it's due April 1st, 2021.

Highway Superintendent Richman asked Wade about the current state of NYS Rt 206 and the timing of it. Mayor Wade stated it's a 2 year project.

**RESOLUTION #7**

Motion was made by Councilman Evans, second by Councilwoman Hromada, to open the public hearing for the 2021 Budget.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

Supervisor Nabinger talked about the $13,241.00 in tax cap carry over and suggested taking $5,000.00 of that and putting it into DB General Repairs, leaving us with $8,241.00.

Mayor Wade asked the town board questions on the 2021 budget's start up balances, Real Property Tax amounts and CHIPS money.

**RESOLUTION #8**

Motion was made by Councilwoman Hromada, second by Councilman Evans, to close the public hearing for the 2021 Budget.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

Councilwoman Hromada commented on using up the reserve fund first before adding another $5,000.00, but expressed she was fine either way.

Councilman Evans talked about having to cut our Road Repairs budget and felt the $5,000.00 would be helpful. The town board held discussion on this matter.

**RESOLUTION #9**

Motion was made by Councilman Evans, second by Councilwoman Hromada, to add the $5,000.00 to our Road Repairs, with a tax cap roll over of $8,241.00.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

**RESOLUTION #10**

Motion was made by Councilwoman Hromada, second by Councilwoman Sienko, to adopt the 2021 Budget.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

Sanitation Officer, Dog Control Officer, Assessor reports were received and filed.

**POOL**

Pool Superintendent Richman informed the town board the pool water was shut off and some water had been added for next year.

**CLINTON PARK**

Park Superintendent Richman said we've had a lot of campers this year, bringing in $660.00 over the weekend and a total of $13,000.00 for the year. He told the town board he shut down the lower bathroom today and will shut the rest down by Halloween.

**TOWN HALL**

Highway Superintendent Richman said we're still waiting to hear on the AC Unit in the town clerk's office and Madison Vinyl replacing the fire doors on the town hall.

Richman asked if there was anything else that needed to be done here at the town hall for Election Day. Supervisor Nabinger replied she had been given permission from NBT to put a handicap parking sign on the fence in the back parking lot.

**HIGHWAY DEPARTMENT**

Highway Superintendent Richman informed the town board his department has been busy working the ditches, mowing cemeteries and roadsides, cutting brush and working on truck maintenance.

Richman talked about the truck repair bill, the invoices for the new truck and the sander and wanted to make sure they got paid.

Town Clerk McKown asked about payment for the truck repair bill. Councilwoman Hromada replied we would pay for the truck repair with the money in the Equipment Reserve Fund.

Richman told the town board the old truck and sander are currently up for auction on the Auction Website and sold his department's hole digger for $500.00.

**TOWN CLERK**

Town Clerk McKown informed the town board that Phil Canonaco has a potential new buyer for his former businesses 'Highway 7', and asked if he needed special permission or waiver to hand the business over to the new buyer. The town board said there's nothing the town needs to.

McKown brought up a review the Office of the State Comptroller is conducting on the NYS Retirement System, and they need to see a copy of the Teamster Union Contract. He asked if anyone had a copy of this contract, and that his copy is missing. Supervisor Nabinger told McKown he could make a copy of her copy.

McKown went over the details of the fire inspection that was conducted recently by the county. He commented on an annual inspection being done on the alarm system device by Sentry Alarms and asked the town board for their thoughts on having that done. The town board asked McKown to get a price, and to get together with Highway Superintendent Richman to go over everything else.

Town Clerk McKown brought up the new Records Retention and Disposition Schedule that will go into effect January 1st, 2021 and needs to be adopted by the town board.

Here is the RESOLUTION for that new Records Retention and Disposition Schedule.

**RESOLVED,** By the Bainbridge Town Board of the Town of Bainbridge that Rentention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

**FURTHER RESOLVED,** that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

**RESOLUTION #11**

Motion was made by Councilwoman Hromada, second by Councilman Evans, to adopt the new New York State Record Retention Schedule and their recommended resolution.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

Town Clerk McKown shared a recent conversation with a Sheila Sullivan from the American Red Cross and their interest in hold a blood drive again in the Town of Bainbridge and asked the town board's thoughts on that. The town board discussed this and asked McKown to look up the policy on the use of the town hall meeting room, before making a decision. They brought up the Lions Club being involved and if this would replace the blood drive at the school.

McKown asked the town board if they were still okay with Ron Sherman doing snow removal for the town.

**RESOLUTION #12**

Motion was made by Councilwoman Sienko, second by Councilman Evans, to rehire Ron Sherman for snow removal for the 2020-2021 season, with no change in rates.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

Councilwoman Sienko talked about an upcoming training by the Bainbridge Fire Department at Clinton Park, that involved the landing of a helicopter and 10 to 15 people in attendance on November 7th , 2020.

**RESOLUTION #13**

Motion was made by Councilwoman Sienko, second by Councilwoman Hromada, to allow the Bainbridge Fire Department to do a practice drill and land a helicopter on November 7th, 2020.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

Sienko told the town board that she's had numerous calls on what the town is doing for Halloween, and asked that we advertise our plans as soon as we have an idea. The town board held a conversation on this matter.

**RESOLUTION #14**

Motion was made by Councilwoman Sienko, second by Councilwoman Hromada, that the Town of Bainbridge supports a 'Trunk or Treat' in the municipal parking lot on Saturday October 31st 2020, supporting the village, with details to be determined.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

Councilman Evans requested the use of the town hall on October 26th to conduct Bainbridge Community Foundation's annual meeting. Town Clerk McKown confirmed the date was available and the Bainbridge Community Foundation could use the town hall.

**RESOLUTION #15**

Motion was made by Councilwoman Sienko, second by Councilwoman Hromada, for the Bainbridge Community Foundation to use the town hall meeting room on October 26th, 2020.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Johnson, Councilwoman Sienko; No: None; Motion Carried.

Councilman Evans asked Supervisor Nabinger for an update on whether or not Thoma was involved with the Town of Unadilla receiving their grant. Nabinger said she did not get a chance to look into that.

Evans gave a review on the handout from our insurance company's risk management, points that need to be addressed, and how it's all about the 'paperwork'.

Councilwoman Hromada said she'd like the town to go back to a committee format for Clinton Park, and that we don't really have a good camping policy.

Councilwoman Johnson provided the town board with 2 motions and asked Town Clerk McKown to read these motions. Here are those motions:

Motion #1:

Councilwoman Johnson made a motion: To notify Tim Harmon that his services are no longer needed and that he will not be asked to return to employment with the Town of Bainbridge. The Town Board was notified by Town Highway Superintendent, Gary Richman that Tim Harmon, seasonal employee to the Town of Bainbridge, was collecting unemployment from April 2020 to the end of July 2020, while continuing to work as grounds keeper at Clinton Park. This motion was made by Councilwoman Johnson as a matter of right vs. wrong behavior in local government.

Supervisor Nabinger asked if there was a second behind this motion, and Councilwoman Hromada said she would second the motion and explained her reasoning behind seconding this motion. The town board held a discussion on this matter.

Ayes: Councilwoman Johnson, Councilwoman Hromada

No: Councilman Evans, Supervisor Nabinger

Abstain: Councilwoman Sienko

Motion Failed.

Motion #2:

Councilwoman Johnson made a motion: to contact Town of Bainbridge Lawyer and Town of Bainbridge Insurance Agency, inform them that a Town of Bainbridge seasonal employee was working for the Town of Bainbridge April 2020 to the end of July 2020 while collecting unemployment. The employee approached the Town Highway Superintendent in the spring 2020 with his plan of collecting unemployment insurance and continuing to work for the Town of Bainbridge. The employee did not turn in a time sheet for the months that he was collecting unemployment. The Town Board was not made aware of this arrangement until August 2020. The employee continued to work during the time he collected unemployment and the Town of Bainbridge continued to have the employee on the payroll. The position was available to the employee. The employee was not unemployed.

Supervisor Nabinger asked for a second behind this motion. There was not a second behind this motion. Motion Failed.

The town board held a conversation about this motion. Supervisor Nabinger expressed her thoughts on this matter, and concluded she was hopeful we could come together as a town board and work through this.

Councilwoman Johnson expressed her opinion, and provided the town board with her letter of resignation.

**RESOLUTION #16**

Motion was made by Councilman Evans, second by Supervisor Nabinger, to accept Councilwoman Johnson's letter of resignation.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Sienko; No: None; Motion Carried.

Supervisor Nabinger announced the Delhi Telephone Company would like a public hearing for their franchise agreement on November 10th , at 7:45PM.

**RESOLUTION #17**

Motion was made by Councilman Evans, second by Councilwoman Sienko, to hold a public hearing for the Delhi Telephone Company's franchise agreement.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Sienko; No: None; Motion Carried.

Supervisor Nabinger provided Town Clerk McKown with the notice for our truck payment, that's due on 11/21/2020 and that it should go into next month's bills.

Nabinger brought up her meeting on the union contract with Councilman Evans and mentioned it should be discussed in executive session.

She said the speed trailer had been put in on County Rd 39, and asked Town Clerk McKown to do a payment voucher for the town's municipal dues of $700.00 in November.

Nabinger scheduled another meeting for 10/27/2020 from 4-6pm to go over the 'Employee Handbook'.

**RESOLUTION #18**

Motion was made by Councilman Evans, second by Councilwoman Sienko, to go into executive session, to talk about the union contract.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Sienko; No: None; Motion Carried.

**RESOLUTION #19**

Motion was made by Councilman Evans, second by Councilwoman Sienko, to come out of executive session.

Ayes: Supervisor Nabinger, Councilwoman Hromada, Councilman Evans, Councilwoman Sienko; No: None; Motion Carried.

Motion to Adjourn at 9:17PM

Respectively Submitted,

Aric McKown

Town Clerk