**REGULAR MEETING**

**BAINBRIDGE TOWN BOARD**

**MAY 11, 2021**

Present: Dolores Nabinger Supervisor

Bob Evans Councilman

Gordie Daniels Councilman

Michael Kauffman Councilman

Jennifer Sienko Councilwoman

Gary Richman Highway Superintendent

Recording Secretary: Aric McKown Town Clerk

**Guest(s):** Phil & Violet Wade, Cathy Sherrick, Recreation Director Dale Palmer, JR Bogert.

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

**RESOLUTION # 1**

Motion was made by Councilman Evans, second by Councilman Kauffman, to approve the minutes from the April 12th, 2021 Regular Meeting.

Ayes: Supervisor Nabinger, Councilman Evans, Councilman Kauffman; No: none; Motion Carried.

**RESOLUTION #2**

Motion was made by Councilwoman Sienko second by Councilman Kauffman, to receive and file the financial reports from March 2021.

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

**Guest(s) Questions & Concerns;**

JR Bogert spoke on the Sexual Harassment Training he set up for all town employees and how this year's training is being conducted from a website that all town employees will have to log onto using a password. Employee information and certificates will be retained by the website and available upon request. Bogert informed the town board that our highway department will use the same training as last year, and those certificates of completion will be held on file at the town clerk's office.

The town board held conversation on the matter with Recreation Director Palmer and concluded that all employees will need to complete the Sexual Harassment Training by June 30th, 2021.

**OLD TIME BAND**

Phil Wade of the Old Time Band stated the band needs a place to rehearse that's outside and offers shelter, and wondered if it would be okay to use the band shell at General Clinton Park on Thursday nights. Wade said he would check dates with Town Clerk McKown to see on availability.

**RESOLUTION #3**

Motion was made by Councilman Kauffman, second by Councilwoman Sienko, to allow for the Old Time Band to use the band shell at General Clinton Park for rehearsals.

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

**JAC**

Phil Wade of the Jericho Arts Council informed the town board that nothing has been scheduled yet with the theater. He said the chairs for Regatta Row will be on display next Wednesday starting at 10am. Wade mentioned he'd provided Town Clerk McKown with schedules for the theater and the gallery.

**VILLAGE**

Mayor Wade talked about the project he's been working on for a sidewalk going to Clinton Park, creating a design for the project and the use of a TAP Grant to make it happen. He spoke on it's location, the sponsorship needed, and the risks to pedestrians with the sidewalk being next to the road. Wade expressed that support would be needed by both the village and town, as well as, grant money to get it done. The town board held discussion on the matter.

Mayor Wade said the village had submitted their Bridge NY application to help with the culvert repair in village.

**RECREATION**

Recreation Director Palmer provided the town board with a handout showing the 2021 Recreation Employees and their salaries. He said he would be meeting with the Board of Health this week to go over things at the pool, to see what would be required with signage and COVID guidelines. Palmer fielded questions from the town board on the matter.

Supervisor Nabinger asked the town board for a motion to approve the 2021 Recreation Employees.

**Playground Program:**

Playground Program Director-Stephanie Brown

Playground Counselors- Sara Cannistra, Erica Frost, Makenna Clark

Playground Counselor Substitutes-Alexis Brown & Trevor Ross

**Town Pool Lifeguards**:

Jenna Nordberg(HG) Ryan Porter(HG)

Nolan Hawkins Peyton Mosher

Megan Palmatier Carson Benjamin

Jillian Cannistra Olivia Harris-Morris

Nick Williams Garrett O'Hara

**Town Pool Lifeguard Substitutes:**

Kyle Rideout Danny Morris

Xavier Cherniak Lacey Meredith

Alli Miller Stephanie Kozak

Anthony Morris

**RESOLUTION #4**

Motion was made by Councilman Kauffman, second by Councilman Evans, to approve the 2021 Recreation Employees.

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

Recreation Director Palmer went over the rate of pay for the 2021 Recreation Employees with town board.

**Playground Director-** $1700.00

**Playground Counselors-** $12.50 per hour

**Lifeguards:**

Year 1- $12.50 per hour

Year 2- $13.50 per hour

Year 3- $14.50 per hour

Year 4 & above- $15.50 per hour

\*Head Lifeguards receive an additional $1 per hour their first year as a Head Lifeguard, $1.50 per hour their second year and $2 per hour for their third year and above\*

**RESOLUTION #5**

Motion was made by Councilman Daniels, second by Councilwoman Sienko, to accept the 2021 Rate of Pay.

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

**RESOLUTION #6**

Motion was made by Councilwoman Sienko, second by Councilmamn Kauffman, to receive and file the reports from the Sanitation, Dog Control Officer, and Assessor.

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

**CLINTON PARK**

Park Superintendent Richman reported the park has been mowed every 3 days, and the mower has been stuck a few times. We have 5 seasonal campers for the summer & not as many campers from the south. Richman informed the town board that the signs for both parks should be here next week and the military flags are up.

**POOL**

Pool Superintendent Richman said the pool has been drained, cleaned and the painting has been started. The pool needed a new hot water heater this year.

Richman mentioned he had the new basketball arches and is still waiting on the new backboards. Photos were sent, of the backboard mounts, to the company that's supplying us the new backboards.

**WHITE GOODS DAY**

Highway Superintendent Richman talked about this year's White Goods Day, and how this year was slow, taking in $237.00. The dumpster ended up being half full, and included 20 refrigerators & tires.

**HIGHWAY DEPARTMENT**

Richman shared that Old Gifford Road had been cleaned up by Amphenol, counting 30 bags of garbage. His department has been busy cleaning ditches, installing culverts and will be ready to start paving next week.

Richman told the town board that he's in desperate need for help in his department, and is currently down to 2 guys. He claimed he's behind on his work, and will be dealing with vacation time taken with summer coming. Richman stressed that his department has worked hard over the last 25 years to keep the town roads in good shape, and it wouldn't take long for that to change.

Supervisor Nabinger said the highway department hasn't had any summer help in awhile, and with Tony Christian being out right now with a foot injury, it's made things difficult for Richman. Nabinger mentioned a high school student that might be interested in working for the summer.

Nabinger asked the town board for a motion to hire a high school student to help during the summer at minimum wage, for the highway department. The town board held discussion on the matter.

**RESOLUTION #7**

Motion was made by Councilman Evans, second by Councilman Daniels, to hire summer help for the highway department at minimum wage.

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

Highway Superintendent told the town board that the lighting project at the highway garage will start next week. This project is being done by Eastern Energy.

The following claims as set forth on abstract #5 for 2021 were audited by the Town Board:

General Town Wide#85-117 for $18,160.16

General Town Outside#6-8 for $4,410.80

Bennettsville Lights#5 for $15.04

Highway Town Wide#41-47 for $1,813.41

Highway Town Outside#19-21 for $20,951.81

**RESOLUTION #8**

Motion was made by Councilman Kauffman, second by Councilman Daniels, authorizing clerk to issue warrant to Supervisor for payment of audited claims, noting the bill for Coughlin & Gerhart will not be paid, until we have clarification on the balance owed;

Ayes:Supervisor Nabinger, Councilwoman Sienko, Councilman Evans, Councilman Daniels; Councilman Kauffman; No: none; Motion Carried.

Councilman Evans asked Town Clerk McKown to remove Pam Barton's name from the payment section of the Bainbridge Free Library.

**TOWN CLERK**

Town Clerk McKown brought up the Spectrum franchise agreement and reminded the town board that a decision would be made at the May meeting on how to proceed.

The town board talked about this and concluded the language with the Spectrum franchise agreement should be the same as in the Delhi Telephone Company franchise agreement.

Councilman Evans referenced a section in the Delhi Telephone Cable franchise agreement on the 'damage, replacement or interruption of equipment', and said the Spectrum franchise agreement should reflect the same information. He also commented on Spectrum including a service to Public Facilities & Accountability Provision, and providing internet service at no charge to Clinton Park, the Highway Garage, and the Town Hall.

Supervisor Nabinger asked Councilman Evans to get with McKown to get these two things added to the Spectrum franchise agreement, and then present the agreement again at the June meeting.

Town Clerk McKown reported to the town board that he'd received schedules for the theater and the JAC Gallery Room, from Phil Wade. He asked about the schedule for the Jericho Garden Club and their use of the town hall building, both in the basement and the meeting room. Supervisor Nabinger reminded McKown the Jericho Garden Club would be using the large pavilion at Clinton Park from June through September.

McKown said the Employee Handbooks have been distributed and read the list of employees he's received an acknowledgment form from.

He gave an update on the installation of the fax line in the town clerk's office, and confirmed Frontier will be here this Thursday to finish job.

McKown informed the town board on the status of the speed reduction for County Road 39, and how the paper work had been lost during the County's cyber hacking last year. After speaking to Shawn Frye in Public Safety, he was told the paperwork had been resubmitted to New York State Department of Transportation, and should be resolved soon.

Town Clerk McKown brought up the Berean Bible Church and the fireworks permit they submitted to be signed, for their grand opening. McKown said he'd spoken to the company doing the fireworks display, and asked who needs to approve this. He was told this permit should be shared with the town board for approval. The town board held discussion on this matter and the requirements involved.

These requirements include listing the Town of Bainbridge as the additional insured and Certificate Holder, notifying the Bainbridge Fire Department, & notifying the surrounding neighbors.

**RESOLUTION #9**

Motion was made by Councilman Kauffman, second by Councilman Evans, authorizing Town Clerk McKown to sign the fireworks permit for the Berean Bible Church, as long as the town's requirements are met.

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

Councilman Evans talked about the town's current insurance policy with Gates-Cole, and his recent meeting with an agent from NYMIR/NBT insurance . He spoke on the demands of the town's current insurance carrier and compared the two insurances. Evans said insurance with the NYMIR package offers an expansion of limits and additional coverage, at a cost of $23,350.00, with a $6,000.00 dividend that would be given back over the course of two years. Evans felt it was in the town's best interest to go with the NYMIR Insurance. Conversation was held among the town board regarding the insurances between NYMIR and Gates-Cole.

Councilman Evans made a motion to change insurance companies from Gates-Cole to NYMIR, there was no second motion, and the motion was not carried.

The town board concluded to wait for the end of the year to look at another insurance carrier, when it's time to renew.

Councilman Evans brought up the American Rescue Plan and asked how the town would use the plan. Supervisor Nabinger read over the Department of Treasury's guidance of the plan and how it's used.

Evans wondered if there was any discussion on the 'Marijuana Opt-Out' plan, both at the County and Village level. Supervisor Nabinger said there had not been any discussion at the County level. Mayor Wade stated the village board did not make a motion to opt-out, and asked for the village board officials to ask around the community to see what people's feelings are on it. The town board discussed the matter with Mayor Wade. Wade stated the decision to ' opt-out' needs to be done by the end of the year.

Councilman Evans asked if the NYS Annual Report had been submitted. Supervisor Nabinger confirmed that it had been submitted.

Supervisor Nabinger brought up the $1900.00 of grant money that was still left to use. The town board discussed using the money to replace the tables in the meeting room or fix the tile in the vestibule. Town Clerk McKown suggested replacing the lighting in the town clerk's office. Supervisor Nabinger asked Highway Superintendent Richman to ask Joe Rico about replacing that lighting.

Nabinger mentioned the outstanding balance with Aramark, and the continuous communication regarding this balance.

Supervisor Nabinger brought up the positions of the Highway Superintendent and the Town Clerk and changing those positions from 'Elected' to 'Appointed'. She shared her communication with the town's attorney and the steps involved to make these changes. The steps would include, drafting a local law, scheduling a public hearing & publication of a public hearing, a mandatory referendum, and for it to be voted upon at the next election. Nabinger shared the feedback she'd received from the community. The town board held discussion on the matter, and the varying views heard from the community.

**RESOLUTION #10**

Motion was made by Councilman Daniels, second by Councilman Kauffman, to look at changing the positions of the Highway Superintendent and Town Clerk from 'Elected' to 'Appointed' at the 1st of the year.

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

Nabinger mentioned doing an 'inspection of the roads' this September, with Highway Superintendent Richman.

Supervisor Nabinger brought up the MEO Worker vacancy and reviewed with the town board the chart comparison of the townships in Chenango County and the road maintenance, the MEO Workers are responsible for. The town board talked about filling this vacancy and the best options from an economic standpoint.

**RESOLUTION #11**

Motion was made by Councilwoman Sienko, second by Councilman Kauffman, to go into executive session.

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

**RESOLUTION #12**

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

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

**RESOLUTION #19**

Motion by Councilman Kauffman, second by Councilman Daniels, that the meeting be and hereby is adjourned at 9:25PM.

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

Respectively Submitted,

Aric McKown

Town Clerk