

REGULAR TOWN BOARD MEETING

October 8, 2019

The Regular Meeting of the Burke Town Board was held on October 8, 2019 at the Burke Town Court House. Supervisor Bill Wood declared the meeting to order at 7:00 P.M. The Pledge of Allegiance to the Flag was said.

Roll Call:	
Councilman:	Arnold Lobdell Jim Otis Tim Crippen Patrick Downing, absent
Supervisor:	Bill Wood
Supt. of Highways:	Larry LaPlante
Town Clerk:	Elizabeth Downing
Bookkeeper:	Linda Trudell

This Regular Meeting is being voice recorded by the Burke Town Clerk, Elizabeth Downing, as always. Jerry Tacy and a Burke resident who refused to identify herself are also voice recording the meeting.

A motion to accept the September 10, 2019 minutes as read was made by Tim Crippen and seconded by Jim Otis. Roll Call: Arnold aye, Tim aye, Pat absent, Jim aye and Bill aye.

A motion to accept the September 24, 2019 minutes as read was made by Arnold Lobdell and seconded by Tim Crippen. Roll Call: Arnold aye, Tim aye, Pat absent, Jim aye and Bill aye.

Public Comments:

1. Various Burke residents came before the Town Board to voice their extreme displeasure about how the Town of Burke conducted the 2019 Dog Enumeration and the collection of a \$25.00 fee for each dog found unlicensed during Enumeration. The Board stated that they will discuss the issue later in the meeting.
2. A Burke citizen asked the Board if a lower speed limit could be placed on East Road. Highway Superintendent Larry LaPlante explained that to change a speed limit you must apply to the New York State Department of Transportation. DOT will add equipment to study the roads traffic patterns and determine if a reduction in the speed limit is warranted.
3. Burke Citizen Bob Boyer, representing Burke FARM presented a copy of the "Request for Judicial Intervention #2019-802 that was filed with the Franklin County Supreme Court for a Judgment Pursuant to Article 78 and Section 3001 of the Civil Practice Laws and Rules against the Town Board of the Town of Burke to the Burke Town Board. He asked that the copy be added to the Burke Town minutes.

New Business:

1. Jim O'Brien with the Burke Adult Center asked the Town Board permission to park Adult Center vehicles in the Town Courthouse garage during winter months. All members of the Burke Board except Councilman Downing who was absent agreed to allow the Burke Adult Center park vehicles in the Burke Town Courthouse garage during winter months as long as the Town of Burke's Insurance carrier NYMIR will cover the liability. The Burke Adult Center would have to agree to keep doorways clear.
2. The 2020 Tentative Budget was presented to the Burke Town Board by the Burke Town Clerk. A change to increase the Sellers Field Contractual to \$1,500.00 was made. A motion was made by Arnold Lobdell and seconded by Jim Otis to schedule a Public Hearing on the 2020 Preliminary Budget on November 13, 2019 at 7:00 P.M. at the Burke Town Courthouse. Roll Call: Arnold aye, Tim aye, Pat absent, Jim aye and Bill aye. The Regular Meeting for November will immediately follow the Public Hearing.

The Highway Committee did not meet.

Highway Superintendent Larry LaPlante's Report:

1. The Spencer Road gravel shoulders are finished.
2. Work is being done on the 1996 Ford.
3. The beavers have returned to cause destruction on the Flynn's Line Road.
4. Sand has been totally delivered for the winter season.

Old Business:

1. The Town Board discussed if Thayer's Corner's Water District should acquire their own liability insurance. Brian Stewart, the Town Attorney, said that districts in the Town are covered under the Town policy so Thayer's Corner's Water District does not need their own insurance.
2. The request for Town Property mowing in the year 2020 must include the wording that the prevailing mowing wage be used when calculating the price set for the Town Courthouse and Town Garage property. Washington County's prevailing wage is \$16.55 but Franklin County's prevailing wage hasn't been identified by the Town Attorney or the Town Clerk at this time.
3. Councilman Lobdell received a bid of \$17,850.00 from BGR Power, Inc. to buy and install a 20 Kw generator for the Town Courthouse to add to the request for a 2020 Justice Grant.
4. Councilman Crippen has received a quote of \$11,500.00 from Dow Electric to install a fire alarm/security system to add to the request for the Town Courthouse to add to the request for a 2020 Justice Grant.
5. Linda Trudell informed the Town Board that the Uniform Allowance is paid at the beginning of the year.
6. The price paid to Brian Spinner for the Health Care payout in 2020 still needs to be set.

A motion was made by Tim Crippen and seconded by Jim Otis to go into Executive Session at 8:30 P.M. to discuss a Highway Employee. Roll Call: Arnold aye, Tim aye, Pat absent, Jim aye and Bill aye. Highway Superintendent Larry LaPlante was also invited to attend the Executive Session.

The Board returned from Executive Session at 8:47 P.M. A new Article 21 for Retirement was added. The Board feels this will be mutually agreed upon. The Highway Employees also like the new insurance provided through the Teamster's. A motion was made by Jim Otis and seconded by Arnold Lobdell to accept the 2020 Teamster's Contract with the new retirement article 21 added. Roll Call: Arnold aye, Tim aye, Pat absent, Jim aye and Bill aye.

The Town Board discussed the citizen complaints about the 2019 Dog Enumeration conducted by Burke. Councilman Jim Otis said some unjust situations have occurred and the fee should be waived this year. Councilman Arnold Lobdell stated that we have the obligation to follow set laws and it is not the responsibility of the Town of Burke to inform the citizens to follow the laws. The Town Clerk, Elizabeth Downing, informed the Town Board that we have a contract with the Enumerator for \$10.00 an unlicensed dog identified during Enumeration that we are obligated to adhere to. A motion was made by Jim Otis and seconded by Tim Crippen to drop the enumeration fee to \$10.00 per unlicensed dog identified during the 2019 Enumeration and to reimburse Burke citizens who have paid the fee, \$15.00 per \$25.00 fee paid. Roll Call: Arnold aye, Tim aye, Pat absent, Jim aye and Bill aye.

The Code Officer collected \$375.00 for the month of September. A motion to accept the September 2019 Code Officers Report was made by Arnold Lobdell and seconded by Tim Crippen. Roll Call: Arnold aye, Tim aye, Pat absent, Jim aye and Bill aye.

Payment for a payroll payment was taken out of Highway Fund DB5110.4 Item 1 and should have been taken from Highway Fund DA5130.4 Item 3. The funds for Seller's Field's benches should have been taken from Burke Youth Group Funds, Account #A7320.45 and Complete Streets grant funds which were put into Fund A7140.2. The Account#A1620.43 should be changed from Town Hall Fuel Oil to Propane. Payments

for Propane from Town Hall Contractual A1620.4 should go into A1620.43. A motion was made by Arnold Lobdell and seconded by Jim Otis to accept the September 2019 Financial Report with the noted discrepancies. Roll Call: Arnold aye, Tim aye, Pat absent, Jim aye and Bill aye.

Public Comments:

1. It was noted by Burke Citizen Mary Moore that the Public Hearing and Regular Meeting should be amended to be on November 12, 2019 not November 13, 2019 as previously stated in the minutes.
2. Albert Johnson asked about the Pilot funds received on Income Fund A1081 of the Financial Report that was budgeted at \$2,500.00 but with an actual payment of \$12,916.67. The Town Board explained that this was a one time payment.
3. June Parmeter asked about the Public Hearing for the IDA policy change. She was informed the hearing was held on Tuesday, September 10, 2019 at 4:00 P.M. at the Franklin County Courthouse.

Bills were paid.

A motion to adjourn at 9:36 P.M. was made by Tim Crippen and seconded by Jim Otis. Roll Call: Arnold aye, Tim aye, Pat absent, Jim aye and Bill aye.

Respectfully submitted,
Elizabeth A. Downing, Town Clerk



Recorded by, Elizabeth A. Downing, Town Clerk