

PLYMOUTH TOWN BOARD MEETING

JULY 10, 2017

PRESENT: Supervisor Grace Nucero-Alger
Councilman Gary Simpson
Councilman Daniel Meyer
Councilman Lewis Somers
Councilman Eric Jones

The meeting came to order at 6:30pm. Mr. Simpson led the Pledge to the Flag.

Mrs. Alger asked the Board if anyone had any corrections to make to the minutes of the June Board meeting. Mrs. Alger wanted a correction to be made in regards to the statement she made on page 4 concerning the fee for the New York State Diversion Program. She said that fee is in addition to the application fee. Mr. Meyer made a motion to accept the corrected minutes. Mr. Jones seconded the motion. The Board was polled and the motion passed with five yeases and nonos.

CODE ENFORCEMENT REPORT: Mr. Burlingame was absent, however, he did call in to the Town Clerk to say that he had only signed one permit.

HIGHWAY SUPERINTENDENT REPORT: Mr. Marshall reported that the crew has been putting down gravel on Chan Aldridge Road and one spot on Childs Road. They also replaced two culverts on the Reservoir Road and one on Underwood

Road. They are putting down grader shim and cleaning shoulders now on the Bates Road. Mowing will begin on the first of next month.

DOG CONTROL OFFICER'S REPORT: Mr. Bates and Ms. Burns were absent. Ms. Burns reported to Mrs. Alger before the meeting that she still needs to contact 41 people that she had not yet been able to contact concerning the dog enumeration. When she is able to do that, the enumeration will end. Mr. Somers asked if the notifications were sent by certified mail. Mrs. Alger said she would ask Ms. Burns.

LETTERS AND COMMUNICATIONS: Charter Communications announced upcoming programming changes.

Announcement of a Payroll Seminar in September that Mrs. Alger will ask Mrs. Santullo if she would like to attend.

Announcement of a Central Summer Seminar given by the New York State Government Finance Association on August 4, 2017 which Mrs. Alger might possibly attend with Mrs. Santullo.

Mrs. Alger gave an overview of the proceedings at the County Supervisors' meeting which included a report by Betty Osbourne on Social Services. A packet exploring Shared Services proposals was handed out to each Supervisor for their review. A plan must be submitted to the State by August 14.

Mrs. Alger announced that the annual bus trip to Enchanted Forrest will be on July 18, 2017. Each child making the trip must have an adult with them. Anyone that would like to go should contact Linda Owens.

BOARD CONCERNS: Mr. Simpson made a motion to transfer \$32,000.00 from the Highway Reserve Fund to the CHIPS Fund. Mr. Meyer seconded the motion. The Board was polled and the motion was passed with five yeases and no nos.

PUBLIC CONCERNS: Sally Chirlin asked the Town Highway Superintendent if the Highway Crew could make the old town road into her property passible. She said

that no one had ever asked her family if they wanted the road to be abandoned. She noted that there are nicely paved roads in the vicinity of her property. Mr. Simpson said that those roads were built by the land developer. Mrs. Winton asked who maintained those roads. Mr. Simpson answered that the Town does. These roads added a mile to a mile and a half to the Town's total miles to be maintained. Mr. Marshall stated that these roads only get plowed when the owner calls the Highway Department. There are no residents on these roads. Mr. Marshall said that he would take a look at Mrs. Chirlin's road and see what his crew could do. Mrs. Chirlin also asked if the Town was mowing cemeteries. Mr. Marshall said no. Mrs. Chirlin stated that it was a New York State Law that the Towns are to mow abandoned cemeteries at least once a year. Mr. Simpson stated that the cemetery that Mrs. Chirlin is referring to is in the Town of Norwich.

Jerry Kriener asked if the Town has an attorney. Mrs. Alger answered yes. His name is James Gregory. He lives in Oxford. His office is in Johnson City. He was recommended by Joe McBride, Allen Gordon, and Lawrence Wilcox. Paul O'Connor asked if the Board had approved the appointment of Mr. Gregory as Town attorney. He also asked when Adam Spence resigned. Mrs. Alger replied that he resigned May 31, 2017. Mr. O'Connor questioned why the lack of a Town attorney was not made public. Mrs. Alger said that she didn't see what that would have done.

Mr. Kriener asked if it was true that the Town was being sued. Mrs. Alger said yes. Mr. Kriener asked who was suing who for what. Mrs. Alger said that she was not sure she could talk about that. Mr. Kriener said that he thought the public had a right to know. Mr. Simpson said it was a personnel matter. Mr. Kriener stated that the Town Judge was suing the Town Board and the Town Supervisor. He asked what was the nature of the law suit. Mrs. Alger said that Adam Spence was going to be the attorney for this case and she was told not to discuss it. Mr. Kriener asked why the Town's insurance company wasn't paying for this. Mrs. Winton asked if the Town had looked into this possibility. Mrs. Alger replied, no.

Mrs. Winton asked if the Board would check into it. Mrs. Alger said yes, that she will check with the Town attorney on it.

Jerry Kriener stated that back in October, he had asked for a copy of a resolution having to do with the Town retaining legal representation for the Town Judge. During that October meeting, Mr. Simpson asked Mr. O'Connor if he had a copy of that resolution. Mr. O'Connor said yes. Mr. Kriener still doesn't have a copy of it. The records access officer said that one does not exist. Mrs. Alger agreed that one does not exist. Mr. Kriener asked if the court where the law suit was going to be adjudicated was open to the public. Mrs. Alger said she didn't know, but she would find out and call Mr. Kriener.

Thomas Cohen presented the Board with a letter, regarding grants that Judge O'Connor had written to the Board. He rounded out a figure of \$40,000.00 that Judge O'Connor had been able to secure toward the cost of the Town Hall and its equipment. Mr. Simpson said that he had never seen the letter before. Mr. Cohen made the point that Mr. Simpson was mistaken at the last meeting when he said that the grants that Judge O'Connor had acquired had paid only for furnishings. Mr. Simpson said that he corrected Mr. Cohen when he said that Judge O'Connor got the grants to pay for all of the building.

Mr. Cohen asked for an explanation of the 284 Plan. Mr. Simpson said that it is something that the State wants the Towns to do. They want a written plan for the next year about what roads are going to be worked and in what way, and how the CHIPS Fund money will be used. Mr. Cohen asked why the Town does not have one. Mr. Simpson said Mr. Marshall has written down what the CHIPS money will be used for. The 284 Plan was not compulsory yet. Mr. Cohen asked for an explanation of the work that was done on the Reservoir Road. Mr. Cohen said he was asking the Board because when people make phone calls to Mr. Marshall, he ignores them. Mr. Cohen said that a quarter mile seasonal road is being used instead of a 3 mile piece of full service road that is in bad repair. He stated that even dump trucks are using the seasonal road. He finds the practice

to be unsafe. The condition of the main thoroughfare has caused damage to his vehicle. He wanted to know if CHIPS money has been or will be used on this road. Mr. Cohen also restated his complaint about the front of his home. He says he gets no reply to his complaints. He asked to have the culvert across his driveway reburied . It now is not buried deep enough and creates a "speed bump". He asked what the Town was going to do about this. Mrs. Alger said she would discuss the issue with Mr. Marshall the next day. She said that she would call Mr. Cohen and let him know what they concluded. Mrs. Cohen presented the Board with a letter documenting their complaints.

Mrs. Cohen asked what happened to the speed limit sign that was near their home. Mr. Marshall assumed that it had been stolen.

Jerry Kriener asked about the status of the Town website. Mrs. Alger stated that Mr. Peterson will probably start work on it next week. She said that she consulted with Allen Gordon, the County attorney, about the contract and he found it to be legitimate. Mrs. Winton asked if the public would be able to make comments on the website. Mrs. Alger said no. The only people that would be able to have input to the site would be Mrs. Alger, Mrs. Brown (the Town Clerk) and Mr. Peterson.

Rhonda Fairbanks asked if there was anything planned to be done on the culvert near her mother's property in German Hollow. Mr. Marshall told Ms. Fairbanks to get a contractor to clean out the ditch that is on private property and if that doesn't take care of the problem, the Town would change the pipe.

The next Town Board meeting is August 14, 2017 at 6:30pm.

The next Highway Advisory Committee meeting will be on July 25, 2017 at 6:00pm at the Town Hall.

The bills were reviewed and signed. Mr. Somers made a motion to pay the bills. Mr. Meyer seconded the motion. The Board was polled and the motion was carried with five yeses and no nos.

Mr. Meyer made a motion to adjourn the meeting. Mr. Jones seconded the motion. The Board was polled and the motion was carried with five yeses and no nos. The meeting was adjourned.

Respectfully submitted by

A handwritten signature in black ink that reads "Virginia E. Brown". The signature is written in a cursive style with a vertical line through the middle of the name.

Virginia E. Brown
Plymouth Town Clerk
July 18, 2017