

**TOWN OF WAYNE**  
**BOARD MEETING MINUTES**  
**April 13, 2021**

The April 13<sup>th</sup> Board meeting commenced at 6:40 PM with the conducting of the Board roll call followed by the Pledge of Allegiance.

Present:      Supervisor Dunbar  
                 Councilperson Kenyon  
                 Councilperson Haff  
                 Councilperson Freeman  
                 Councilperson Walton  
                 Town Clerk Mahr

Also in attendance at Town Hall were Doug Howard, Darlene Swarthout, Julie Haar, Justin Whitcomb and Steve Veley. Participants identified via Zoom conferencing were Megan Howard, Karen Doucette, ChrIs Curry, Kurt Valvey, Dave Harman, Mary Starkweather, Joy MacDonald, Kalen Frees, Scott Hendershott and Donna Sue Kerrick.

**Approval of Minutes**

The March 9<sup>th</sup> Board meeting minutes were reviewed. Motion to approve was made by Councilperson Freeman and seconded by Councilperson Haff with all in favor.

**Supervisors Report**

Supervisor Dunbar reviewed the Emergency Plan for the Town Hall that will be submitted to Steuben County. Motion to approve the plan was made by Councilperson Freeman and seconded by Councilperson Walton with all in favor.

Supervisor Dunbar reviewed the appeal letter sent to the Board by Mr. Douglas Campbell regarding culvert repair on Keuka Village Road. Supervisor Dunbar recommended that the Town have Larson engineering review the situation with regards to responsibility and potential liability. Supervisor Dunbar stated that the other culverts in the area appear to have been worked on. It is unknown if the work was done by the Town. Supervisor Dunbar to research. Councilperson Haff asked what the engagement cost would be to the Town. Councilpersons Freeman and Walton expressed concern on setting a precedent to fix something that may not truly be the Town's responsibility. Highway Superintendent Howard showed pictures of current situation. Motion to engage Larson Engineering was made by Councilperson Kenyon and seconded by Councilperson Haff with the stipulation that the cost of the engagement not exceed a couple hundred dollars. The voting was as follows:

Councilperson Freeman	Yes	Councilperson Kenyon	Yes
Councilperson Haff	Yes		
Supervisor Dunbar	Yes		
Councilperson Walton	Yes		

Supervisor Dunbar reviewed the permissive referendum procedure for removal of funds from the Highway Equipment Reserve account. The Resolution to take this action enables residents to petition the Town Board for a vote prior to expenditure of funds. The petition will require 27 signatures which represents 5% of the total town voters who participated in the last gubernatorial election. Supervisor Dunbar asked the Board to delay voting on the resolution until the vendor reviews safety issues with regards to the size of the attachment fitting appropriately on the tractor. Councilperson Haff stated he reviewed this concern with Highway Superintendent Howard. Superintendent Howard responded to Councilperson Haff that there were (3) sizes reviewed and the middle size was selected based on the vendor recommendation. A Resolution to move \$14,254.40 out of Highway equipment reserve fund into Highway budget funds was made with voting as follows:

Councilperson Haff	Yes	Supervisor Dunbar	No
Councilperson Freeman	Yes	Councilperson Kenyon	Yes
Councilperson Walton	Yes		

Supervisor Dunbar briefly reviewed possible federal funds from the American Rescue Plan that may be available to Town of Wayne. The procedures and guidelines for applying is being worked on by New York State.

Supervisor Dunbar discussed in the Supervisor financial report that the tax monies are now reflected in the Highway and General funds. Supervisor Dunbar also stated that the Williamson Law software has now been upgraded to its cloud-based version its software. Supervisor Dunbar also stated he has outsourced the running of the payroll to Williamson law. This process will create a delay in receiving of payroll checks. Councilperson Freeman questioned the cost and Councilperson Haff added that it was his understanding the board would review prior to any decision being made. Supervisor Dunbar responded that the cost to run each payroll will be \$65 which will save the Town money and that he has the authority to make these decisions as the Chief Financial Officer.

Councilperson Freeman questioned the charges in the Judgements & Claims budget line item. Councilperson Walton expressed concern that the run rate for the payroll in Highway is exceeding the planned 2021 budget and should be monitored. Supervisor Dunbar to research both issues. Councilperson Kenyon asked if there had been any resolution to the missing Justice checks discussed at the March meeting. Supervisor Dunbar said he discussed with Justice Freeman and the checks will be voided and new ones submitted.

Supervisor Dunbar also stated that he is moving the Town's reserve funds into money market savings accounts to earn higher interest. No motion was made to approve the Supervisor report.

### **Clerks Report**

The Clerk's monthly report for March was reviewed with no discussion. Clerk Mahr

noted (2) checks were made to the General Fund because of the requirement to separate out playground donations. Donna Sue Kerrick donated \$400 for the basketball hoop. Motion to approve report was made by Councilperson Kenyon and seconded by Councilperson Haff with all in favor.

Abstract 4 Vouchers submitted were reviewed as follows:

• General Account	Vouchers 58 – 73	\$ 7,733.90
• Highway Account	Vouchers 29 - 44	\$10,209.36
• Keuka Lighting	Voucher 4	\$ 86.18
• Trust & Agency	Voucher 3 – 4	\$ 1,034.60

A motion to approve Abstract 4 vouchers was made by Councilperson Haff and seconded by Councilperson Kenyon all in favor.

Clerk Mahr reviewed the requirement do an Abstract revision update for audit purposes per his conversation with Ed Grant at the New York State Comptroller's Office. Clerk Mahr stated the following for the minutes. "Upon reviewing Abstract 3 from the March 9, 2021 Board meeting it was brought to my attention that the payments made for the approved vouchers were dated March 4<sup>th</sup>. The board acknowledges that payments were processed on March 12<sup>th</sup> after they were approved at the meeting on the 9<sup>th</sup>. The Board also acknowledges a similar situation occurred in 2020 for vouchers in Abstracts 6, 7, 11 and 12 with the same resolution action being taken for audit purposes."

### **2021 Taxes**

Clerk Mahr reviewed the 2021 Property tax collection figures as of April 3, 2021. \$2,623,858.06 have been collected which included \$4,068.19 in penalties. \$77,223.94 in taxes are still outstanding which represents 53 properties. Clerk Mahr will be meeting with Steuben County the week of April 19<sup>th</sup> to close out the tax payment.

### **Justice Report**

The monthly report was presented with no discussion.

### **Assessor Report**

The monthly report was reviewed with no discussion..

### **Highway Superintendent**

Superintendent Howard reported that 310.5 gallons of fuel was used in March.

Superintendent Howard reviewed the foot injury incurred by Cody Kenney and its impact on the workload. Councilperson Haff inquired on what kind of safety shoes the highway employees are wearing

The estimated cost to update the Town road signs is \$3,628.71 which will create a need for a budget modification. Currently there is \$2,000 budgeted. Superintendent Howard was asked to prioritize what signs should be replaced up to the \$2,000 amount before any budget modification will be reviewed.

The No Parking Sign approved at the March meeting was installed in Keuka Village.

The DEC removed the pipe that was obstructing the boat launch.

The Town Clean-Up day is scheduled for Saturday May 22<sup>nd</sup>. Post cards are being printed up to be mailed to Town residents.

The Town has been doing a lot of tree work due to high winds throughout the month.

Superintendent Howard stated that the road work schedule has not been released yet by the County. Typically, the County work will start in the Pultney area and then move eastward around the Keuka Lake.

Superintendent Howard stated he had not received the CHIPS check from New York State. Supervisor Dunbar stated he received the check and deposited it.

Councilperson Freeman revisited the sign inventory discussion and suggested Superintendent Howard order all the signs he needs and the Board make a budget modification in the May meeting. No objections were made by any of the other Board members.

### **Code Enforcement Officer**

The monthly code enforcement was reviewed with no discussion. The zoning board minutes from March 1 were reviewed with no discussion. The Planning Board minutes from February 8 and March 8 were reviewed with no discussion. The Planning Board made a recommendation to the Town Board that they consider modifying the LUR to allow home occupation in Residential district 3. There were numerous questions issues to consider for the board to make a decision on the requested change at this time. Councilperson Freeman will get a recommendation from the Association of Towns on the process of updating the LUR if the change is eventually approved.

### **Watershed**

The monthly watershed report was presented with no discussion.

### **Dog Control Officer**

The monthly dog license report was reviewed with no discussion. DCO Howard stated the Town rabies clinic plan has been approved by Steuben County Public Health is currently scheduled for Friday, June 25<sup>th</sup> from 5:00 PM to 7:00 PM.

### **History**

A history department update was provided with no discussion.

### **Web Statistics**

Report reviewed with no discussion. Clerk Mahr was authorized to have Scott Deming implement the social interface to the Town website based on the minimal effort required.

### **Old Business**

Clerk Mahr reviewed a correspondence Darlene Swartout left asking the Board if she can send out letters requesting for playground donations. She also wants to conduct a quilt raffle. Supervisor Dunbar to review if this needs to be done individually, not Town sponsored.

Councilperson Kenyon asked if there was any update on the records investigation regarding prior Supervisor Butchko. Supervisor Dunbar stated there was not enough apparent evidence for the Steuben County District Attorney's office to feel prosecution should be pursued. The Town could still pursue a civil suit if desired.

### **Public Comments**

Ms. Karen Doucette asked if there were any updates to the Dog Laws with regards to kennels. DCO Howard stated that a meeting with herself, Councilperson Kenyon and attorneys at Harter Secrest was never scheduled. Supervisor Dunbar will send out to the Board the latest correspondence from Harter Secrest on this issue for their evaluation and possible changes.

DCO Howard also asked what the status of the Town AUD and why was it not posted on the website. Supervisor to research.

Ms. Julie Haar voiced her concern over charging fees for the Town clean-up day.

Mr. Steve Veley brought up numerous concerns over the failure to address repairing Coryell Road and asked the Board to become more actively involved to address this issue. Supervisor Dunbar to review with the Association of Towns to see if there is a mechanism by which the Town Board can exercise more supervision over the Town Highway Superintendent.

### **Announcements**

The next board meeting is Tuesday, May 11, 2021

Town Clean-Up Day May 22<sup>nd</sup> 8:30AM – 3:00PM

Board of Assessment Review May 26<sup>th</sup> 4:00PM – 8:00PM

### **Adjourn**

Motion to adjourn was made by Councilperson Haff and seconded by Councilperson Freeman with all in favor. The meeting adjourned at 8:45 PM.

Respectfully Submitted

William Mahr  
Town Clerk  
April 13, 2021

