

Public Hearing & Regular Town Board Meeting, December 28th, 2016

A public hearing and regular meeting of the Town of Barrington, County of Yates and State of New York was held at the Town Hall located at 4424 Bath Road on December 28th, 2016.

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| Present: | Phil Warren | Town Supervisor |
| | Nate Olney | Deputy Supervisor |
| | Bruce Castner | Councilman |
| | Calvin Crosby | Councilman |
| | Sue Lange | Councilwoman |
| | Steven Wheeler | Highway Superintendent |
| | Joy L. C. Perry | Town Clerk |

Also Present: Leo Kenyon; Seth Olney; Chris & Chuck Tolbert; Fred Goossen; Bryan Yarrington; Nick Olney; Gwen Chamberlain; Michael Leavy; Rebecca Flynn Ames, Debra Weckelman

Supervisor Warren called the meeting to order with the Pledge of Allegiance at 7:00 pm.

1. Public Hearing-Senior Exemption

A motion to open the public hearing on the proposed local law to increase the income levels for tax exemption for persons 65 years of age or older was made by Olney and seconded by Castner at 7:01 pm.

5-Ayes (Castner, Crosby, Lange, Olney, Warren) 0-Noes

There were no public comments.

A motion to come out of the public hearing at 7:02 pm was made by Castner and seconded by Olney.

5-Ayes (Castner, Crosby, Lange, Olney, Warren) 0-Noes

Resolution 2016-131 to pass the local law to increase income levels for Tax Exemption for persons 65 years of age and over was made by Warren and seconded by Lange.

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|---------------|-----|
| Phil Warren | Aye |
| Sue Lange | Aye |
| Nate Olney | Aye |
| Bruce Castner | Aye |
| Calvin Crosby | Aye |

0-Noes

2. Public Hearing-Veteran Exemption

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A motion to open the public hearing on the proposed local law in regards to amendments to local law 1 of 1995 which increases income levels for tax exemption for veterans was made by Olney and seconded by Castner.

5-Ayes (Castner, Crosby, Lange, Olney, Warren) 0-Noes

Chuck Tolbert pointed out a typo on the local law.

A motion to come out of the public hearing at 7:05 pm was made by Olney and seconded by Warren.

5-Ayes (Castner, Crosby, Lange, Olney, Warren) 0-Noes

A motion to table the proposed local law until next month was made by Castner and seconded by Olney.

5-Ayes (Castner, Crosby, Lange, Olney, Warren) 0-Noes

3. Approve Minutes

A motion to approve the minutes of November 22, 2016 was made by Warren and seconded by Olney.

5-Ayes (Castner, Crosby, Lange, Olney, Warren) 0-Noes

4. Public Participation on Non-Agenda Items

Supervisor Warren stated that there will be a two minute limitation for people speaking regarding the Olney Place. He further stated there will be no interrupting the person who is speaking. The Board will not be answering any questions regarding the Olney Place or regarding John Griffin. Warren further stated if anyone threatens a Board Member including Wheeler and Griffin they will be asked to leave immediately.

Seth Olney stated that last meeting when he left the Board went into executive session regarding the potential rehire of John Griffin. He requested the Board's findings from this session. He stated since Griffin is a town employee he feels they all have the right to know and the reasoning for the Board's decision. Warren told him that the Board has not voted on it yet.

Bryan Yarrington asked if the Board is saying that there will be no transparency on the issue of John Griffin. He said that he didn't hear the reason they fired him in the first place and then rehired him. He wanted to know if there was any transparency regarding this issue. Clerk Perry stated that it is in the minutes. Yarrington stated that he would like to hear the Board speak on it for once.

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Supervisor Warren stated that they let him go for several reasons at first. He later found out that they should have given him a warning before they fired him and that is why they hired him back.

Chuck Tolbert asked if it was a civil service issue as opposed to an employment issue. He asked if John Griffin is in fact a civil service employee. Warren stated that he is not. He checked it out with Yates County.

Nate Olney stated that they had to hire thru Yates County Civil Service but he is not a civil service employee. He is an appointed employee. Tolbert asked what prompted the rehire based on it should have been a warning then. Warren stated that the Attorney told them that. Tolbert questioned what the Attorney based that on. Warren stated that they didn't give him fair warning so he may come back with a lawsuit himself against the town. He further stated that they hired him back to protect the town from another lawsuit.

5. Approve Monthly Accounting-November

Resolution 2016-132 to approve the monthly accounting for November was made by Olney and seconded by Castner.

Nate Olney Aye
Bruce Castner Aye
Phil Warren Aye
Calvin Crosby Aye
Sue Lange Aye

0-Noes

6. Approve Justice Audit-November

Resolution 2016-133 to approve the justice audit was made by Warren and seconded by Lange.

Phil Warren Aye
Sue Lange Aye
Nate Olney Aye
Bruce Castner Aye
Calvin Crosby Aye

0-Noes

7. Supervisor's Correspondences

Supervisor Warren went over his correspondences.

He stated that the auditors found a glitch on the budget for 2017. He and Anita looked at it and Anita found that she put in a wrong formula. He said that it is now corrected. It didn't change the budget much only possibly by .01%. The budget is still under the tax cap.

8. Planning Board Report

Lange stated that the Planning Board is looking at a request for a dog kennel which will be a special use application. Wheeler asked who is applying and where in the town. Lange stated that it's a Hoover and she believes it will be off of John Green Road. She further stated that it will be a modular kennel.

9. Highway Superintendent's Comments/Concerns

Wheeler stated that they have been doing some snow plowing. This month they have made thirty trips already. Last year at this time they only made five so far. He stated that they have also cut some brush.

10. Code Enforcement/Watershed Inspector Report

The Board has a copy of the report.

11. Public Participation on Agenda Items

Seth Olney stated that three of the four last times that he has been to the meetings the Code Enforcement Officer has not been here. He further stated that there are three hundred septic in zone one as defined within two hundred feet within the shore line of Keuka Lake. He further stated that sixty of them have not been done so far this year which is twenty percent; a full year if they are to be done every five years. He stated that this is an entire year behind in zone one alone. He questioned if it were time they relinquished these duties and perhaps give them back to the county so they can be more diligent in following up with the importance of waste water treatment around our lakeshore. Warren stated that the Code Enforcement Officer is catching up now that he has more time since he has been taken off the Olney Place situation. Seth questioned what that meant. Warren stated that he is now recused. Seth asked if that took up the bulk of his time here at the town. Warren stated that it did. Seth Olney further asked who he would see in the future for improvements to his business. Warren stated that they are working on that.

Bryan Yarrington asked if being behind on septic inspections was one of the reasons that the Board let Griffin go the first time. Warren let him know that it was not. He said that Griffin was down a hundred inspections but as of the last KWIK meeting he was only down fifty seven. Yarrington asked if threatening to sue the Town is a good reason to be rehired as a public servant; does that mean he is doing a good job. Nate Olney stated that he couldn't have sued the town because they are an at-will employer. Yarrington questioned if it were not because of Griffin doing a good job that he got rehired. Castner

stated that Griffin does a very good job on many of the jobs that he does. He further pointed out that Colby Peterson who works for Yates County Soil and Water sent a letter stating that they have had no complaints at all on Griffin and as far as all the other municipalities Griffin was further caught up than anyone else at the time. Castner pointed out that he has caught up even more in the last couple weeks. Seth Olney stated that this is just not true. He said he was at KWIK last week and just asked Colby Peterson. He said there were thirty five remaining out of four hundred and forty in the Town of Jerusalem and sixty remaining out of three hundred in the Town of Barrington. He said that is eight percent versus twenty percent. Olney pointed out that he is more than twice behind as a percentage.

Tolbert asked for a copy of the Code Enforcement report. Seth Olney asked if they were going to see the report or if there was a reading of the report. Perry stated that they could make a copy. Lange stated that it is a large document. Tolbert told the Board to give them a gist of the report. Lange stated that it lists all the things that he does. Warren said that the New York State Auditors saw it today and said that it was an excellent layout.

Debra Weckelman asked if the dog kennel is a boarding or breeding kennel and if there will be a public hearing. Lange let her know that it will be a breeding kennel and there will be a public hearing. Weckelman also wanted to know if there was a timeframe. Lange said that it will probably be at the January Zoning Board meeting.

12. Elected/Appointed Official's Comments/Concerns

None

13. Pay General Bills

Resolution 2016-134 to pay the general bills numbered 308 thru 342 in the amount of \$12,976.85 which have been audited by the Town Board was made by Castner and seconded by Warren.

Bruce Castner Aye
Phil Warren Aye
Nate Olney Aye
Calvin Crosby Aye
Sue Lange Aye

0-Noes

14. Pay Highway Bills

Resolution 2016-135 to pay the highway bills numbered 319 thru 357 in the amount of \$24,936.70 which have been audited by the Town Board was made by Olney and seconded by Warren.

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Nate Olney Aye
Phil Warren Aye
Bruce Castner Aye
Calvin Crosby Aye
Sue Lange Aye

0-Noes

15. Next Meeting

The next meeting will be the organizational meeting on January 3rd. The next regular meeting will be January 25th.

16. Adjourn

A motion to adjourn at 7:36 pm was made by Crosby and seconded by Olney.

Respectfully Submitted,

Joy L. C. Perry, RMC, Town Clerk