

January 3, 2011

The regular meeting of the Town Board of Vernon was held at the Town Office Building on the above date with the following persons present: Myron J. Thurston, Supervisor; Gene Bennati, Mick McDonough, Sandy Williams and Randy Watson, Council members. Also present: Art Freemire, Superintendent of Highways; Garold Vanderwerken, Mike Kaiser of PAC 99, Doug Kraeger, Charles Canada, Pete Richardson, Amy Schachtler and Michael Hennessy, County Legislator. Attorney Rossi was absent.

Following the Pledge of Allegiance, the meeting was called to order by Supervisor Thurston at 7:00 PM.

Supervisor Thurston stated that he knew that the minutes from the December 27, 2010 meeting had been received by council members and asked if there were any additions or corrections. Supervisor Thurston wanted to change the wording in Public Concerns regarding Pete Richardson's question: if there is going to be a public hearing coming up for Planned Development, Entertainment and Tourism and his answer should be that the necessary hearing has been conducted. A motion to accept the minutes with this change was made by McDonough, seconded by Watson. No discussion. Ayes 4. Nays 0. Motion carried.

PUBLIC CONCERNS:

Doug Kraeger asked the Board members another lengthy question that briefly asks if Attorney Rossi is competent enough to know that the Constitution of the United States is the Supreme law of the land and that he can't get in trouble for saying that. Supervisor Thurston again said that the Board decided at the last meeting that they would not ask Attorney Rossi this question. Kraeger said that his question tonight (which again is very lengthy), but briefly asks if Attorney Rossi does not disagree with him that those who use unconstitutional judicial fiat to try and take away the rights guaranteed by the Constitution to all as Rights, then these people have no real hope to succeed in open public dialogue. Then, does the Board want to know if Attorney Rossi disagrees with his opinion on this or do they not care. Williams said that she does not want to know his answer, Bennati said that he has the right to not answer the question, Supervisor Thurston said he is not going to answer the question but that they do follow Federal and State laws, McDonough said that he told him before that he thinks Kraeger has the right to ask Attorney Rossi himself and that Mick doesn't want to do anything that's unconstitutional and Watson said that he starts every meeting with his own prayer and that Kraeger can ask Attorney Rossi himself. McDonough added that he has no problem opening with a prayer, but when the citizens of Vernon find us in a lawsuit with the ACLU, then there is going to be a lot of people mad at us for wasting the Town's money. Kraeger added that he would like it known that his lengthy question is available in the additions to the minutes for anyone that would like to read it.

REPORTS:

The following reports were presented: Town Clerk, Codes Enforcement and Supervisor (Supervisor Thurston commended all the Town's departments for having some fund balances left over and for being very responsible).

There were no reports from the Planning Board, Zoning Board of Appeals, Assessors, Education and Libraries, Intergovernmental Relations, Economic Development, Operations, SWOCO, Highway Superintendent and Historian.

County Legislator's Report: Hennessy didn't have anything to report, but asked if anyone had questions for him. Bennati asked him if there is a group that is trying to get tickets for the Supreme Court hearing and he replied that there is. Hennessy mentioned that they are trying to reduce the Board of County Legislators to 15 because we do have a lot more in comparison to other counties that are our size.

A motion to accept above reports was made by McDonough, seconded by Williams. No discussion. Ayes 4. Nays 0. Motion carried.

A motion to pay bills was made by Watson, seconded by Bennati. No discussion. Ayes 4. Nays 0. Motion carried.

BUSINESS:

A motion was made by Williams, seconded by Bennati to approve the following: Authorize Supervisor to pay all utilities, bank indebtedness and invest funds wisely without prior approval of the Board.

Appoint Oneida Daily Dispatch as the official newspaper for the Town of Vernon.

Designate the State Bank of Chittenango to be used as depository for all Town funds.

Allow Supervisor or Deputy Supervisor to attend SWOCO meetings as Town representative.

Authorize the Highway Superintendent to purchase tools, equipment and implements in an amount not to exceed \$1,000.00 per purchase in 2011 without prior approval of the Town Board.

Set the salary for members of the Planning Board and members of the Zoning Board of Appeals at \$60 per meeting attended with Board Chairman of each board to receive \$175 per meeting chaired; members pay not to exceed \$900.00 each annually and Chairman of each not to exceed \$2,400.00 annually, secretary of the Planning Board and Zoning Board of Appeals to receive \$60.00 per meeting; pay for members of the Board of Assessment Review will be set at \$125.00 per year with Chairman receiving \$175.00. No discussion. Ayes 4. Nays 0. Motion carried.

A motion was made by Watson, seconded by Bennati to accept the following Highway rates of pay for 2011:

Working Foreman, \$20.10/hr; Heavy Equipment Operator (2), \$19.75/hr; Motor Equipment Operator (3), \$19.47/hr; Mechanic (1) \$16.00/hr; Laborer, minimum wage to \$13.67/hr; Part time laborer, minimum wage to \$10.30/hr. One (1) week vacation after completion of one (1) year's work, two (2) week vacation after completion of two (2) years' work, three (3) week vacation after completion of five (5) years' work, four (4) week vacation after completion of fifteen (15) years' work. Six (6) personal days - noncumulative. Holidays: New Year's Day, Good Friday (1/2 day), Memorial Day, week of July 5 (vacation), Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day plus following Friday and Christmas. Health Insurance: 50% during first year of work. Town pays other 50% if employee signs during first year of employment. Second year and thereafter the employee will pay 15% of the premium per month. The Town will pay \$20.00 per month toward dental and vision insurance. The Town will pay one-half of single-person health insurance for retiree with 30 years of service. Noncontributory retirement and disability for Tiers 1 and 2; employees pay 3% for Tiers 3 and 4. Tier 5 employees pay 3% for entire career. Five days sick leave (per year) accumulative to sixty (60) days. No discussion. Ayes 4. Nays 0. Motion carried.

Vanderwerken mentioned that in the last part regarding the Planning and Zoning Chairman's maximum not to exceed \$2400.00 annually, it should be \$2600.00 to make the amount agree with the same number of meetings as the members. A motion to make this change was made by McDonough, seconded by Bennati. No discussion. Ayes 4. Nays 0. Motion carried.

A motion was made by McDonough, seconded by Watson to accept the following appointments: Bennati again clarified that we are not creating a new Deputy Town Clerk position. One clerk is now on social security and wanted her hours cut, so we added another clerk to make up the hours that we were losing.

Deputy Supervisor - Gene Bennati
Historian - Garold Vanderwerken
Deputy Town Clerk - Janet Pohley
Deputy Town Clerk - Beverley Mackey
Bookkeeper to the Supervisor - Wendy Coston
Bookkeeper to the Highway Dept - Wendy Coston
Deputy Hwy Supt/Working Foreman - Mark Burke
Court Clerk - Louise Snyder
Assistant Court Clerk - Kristi Meyers

Prospect St Water Dist Collector - Judith Beach
 Prospect St Water Dist Biller - Melanie Slawiak
 Prospect St Water Dist
 Meter Reader/Repairman - George Thurston
 Voting Machine Custodian - Warren Harris
 Registrar of Vital Statistics - Julie McElroy
 Deputy Registrar of Vital Statistics - Janet Pohley
 Records Management Officer - Julie McElroy
 Budget Director - Myron J. Thurston
 Chairman, Zoning Board of Appeals - Norman Laube
 Chairman, Planning Board - Michael Sheridan
 Chairman, Board of Assessors - Frank Laguzza
 Assessors' Clerk - Judith Beach
 Attorney for Town - Vincent Rossi, Jr.
 Codes Enforcement Officers - Jody Thieme
 Terry Williamson
 Codes Clerk - Jean Halstead
 Potash Hill Cemetery Custodian - Elizabeth Eastman
 Marble Hill Rd Indian Cemetery Custodian - Melvin Phillips
 Pre-retirement Seminar Coordinator - Wendy Coston
 Dog Control Officer - Judith Quesnelle
 Filley Road Plowing - Kevin Mumford
 Town Engineer - Delta Engineering
 Supervisor Committee Appointments:
 Education and Libraries - Sandy Williams
 Intergovernmental Relations - Gene Bennati
 Economic Development - Randy Watson
 Operations - Michael McDonough

Williams asked if Beverley Mackey should also be added as a Deputy Registrar of Vital Statistics and Supervisor Thurston said that it would be a good idea. A motion to accept with this change was made by McDonough, seconded by Watson. No discussion. Ayes 4. Nays 0. Motion carried.

A motion was made by McDonough, seconded by Williams to approve the salaries budgeted but not to exceed the following:

Supervisor - Myron J. Thurston - \$17,500
 Deputy Supervisor - Gene Bennati - \$1,200
 Budget Director - Myron J. Thurston - \$2,500
 Bookkeeper to Supr. - Wendy Coston - \$14.77/hr
 Bookkeeper to Hwy. Supt. - Wendy Coston - \$1,800
 Personnel - Wendy Coston - \$1,500
 Justice - William Croll - \$10,300
 Justice - Robert Suttmeier - \$10,300
 Councilperson - Gene Bennati - \$4,500
 Councilperson - Michael McDonough - \$4,500
 Councilman - Sandy Williams - \$4,500
 Councilman - Randy Watson - \$4,500
 Town Clerk - Julie McElroy - \$25,750
 Tax Collector - Julie McElroy - \$5,665
 Registrar of Vital Statistics - Julie McElroy - \$1,648
 Records Mgmt Officer - Julie McElroy - \$1,500
 Deputy Town Clerk - Janet Pohley - \$14.28/hr
 Deputy Town Clerk - Beverley Mackey - \$10.50/hr
 Assessor, Chairman - Frank Laguzza - \$16,600
 Assessor - Timothy Wagner - \$15,700
 Assessor - Robert Moher - \$15,120
 Assessors' Clerk - Judith Beach - \$12.32/hr
 Supt. of Highways - Arthur Freemire - \$53,560
 Prospect St. Water District
 Collector - Judith Beach - \$475/per qtr
 Prospect St. Water Biller - Melanie Slawiak - \$475/per qtr
 Prospect St. Water Meter Reader - George Thurston - \$475/per qtr

Code Enforcement Officers - Jody Thieme - \$21.36/hr
Terry Williamson - \$21.36/hr
Codes Clerk - Jean Halstead - \$13.50/hr
Historian - Garold Vanderwerken - \$500/yr
Voting Machine Custodian - Warren Harris - \$50/per machine
Town Engineer - Delta Engineering - \$700/yr (for advice)
Court Clerk - Louise Snyder - \$13.77/hr
Assistant Court Clerk - Kristi Meyers - \$10.20/hr
Dog Control Officer - Judith Quesnelle - Per schedule
Fillely Road Plowing - Kevin Mumford - \$395/yr
General Office Help (part time depending
on experience) - \$7.00 to \$13.50/hr
Election Workers - to be paid by Oneida County
Board of Elections
Potash Hill Cemetery Custodian - Elizabeth Eastman - \$500/yr
Marble Hill Rd. Indian Cemetery Custodian - Melvin Phillips - \$500/yr

Supervisor Thurston stated that none of the elected officials received a raise, hourly workers received a 2% raise and the Supervisor took a \$1000 cut and gave it to the bookkeeper. Pete Richardson mentioned that minimum wage is \$7.25 hour, not \$7.00 as listed under General Office Help, so that correction was made.

No discussion. Ayes 4. Nays 0. Motion carried.

A motion to authorize Highway Superintendent Freemire to help the Town of Marshall Highway Department (ex. loan equipment or assist with use of equipment) within his discretion after their highway garage was destroyed by fire was made by McDonough, seconded by Bennati. Supervisor Thurston mentioned that we are fully covered under our insurance company to do this. No discussion. Ayes 4. Nays 0. Motion carried.

Interest rates as of December 13, 2010 were received from Oneida Savings through the State Bank of Chittenango regarding municipal bonding for a loan to install a salt dome elevator. Supervisor Thurston mentioned that we would like to put it out to bid at our February meeting.

Notice was received from the Oneida County District Attorney designating our Town Attorney to prosecute all violations of town ordinance, local laws or codes in place of an assistant district attorney, and shall continue until withdrawn by the County Attorney.

A motion to change the November 3, 2011 Board meeting to November 10, 2011 because it has to be after Election Day was made by Williams, seconded by McDonough. No discussion. Ayes 4. Nays 0. Motion carried.

GOOD OF THE ORDER:

Bennati mentioned that the biggest complaint around the State regarding the new voting machines was the lack of privacy. Watson noticed that there was an election inspector standing at the machine who can see your sheet when you put it in. Williams said that you could put the sheet in face down. Supervisor Thurston mentioned that it is a new process and they are working on smoothing it out.

Williams asked the Town Clerk how the new dog licenses went today and she replied that it wasn't too bad, but the phone was so busy that you couldn't get through to ask any questions. Williams said that they had a trial period with the hunting licenses and it was still a disaster, so she can't imagine what today was like with no trial.

Garold Vanderwerken asked if we have the two flags that are missing from our Veterans' Memorial and Supervisor Thurston replied that we do but the rope and the snap is broken, so he is waiting for better weather to fix them.

A motion to adjourn at 7:58 p.m. was made by Williams, seconded by Watson. No discussion. Ayes 4. Nays 0. Motion carried.

EXECUTIVE SESSION:

None

Additions to minutes on file
in Town Clerk's Office.

Respectfully submitted,

Julie A. McElroy
Town Clerk

It should be noted that this meeting was tape recorded and is on file in the Town Clerk's office.

COMMUNICATIONS:

None