

October 14, 2014

A public hearing to adopt Local Law #1 of 2014 and the regular monthly meeting of the Tyrone Town Board was held on the above date at the Tyrone Meeting Room. Doors opened to the public at 6:30 pm and the meeting was called to order by Supervisor Kosty at 7:00 pm.

Meeting opened with the Pledge to the Flag.

Present: Supervisor; Town Clerk; Councilpersons: Desrochers, Grimmke, Allen and Bason; Highway Superintendent and Justice Clerk.

The public hearing opened at 7:01 pm on Local Law #1-2014 to override the tax levy limit. Supervisor Kosty read aloud the Local Law and opened the floor to public discussion. After all questions had been addressed and there were no further comments.

Motion by Bason, second by Allen to close the public hearing at 7:07 pm.

The regular monthly meeting convened at 7:07 pm.

A copy of the September 9, 2014 minutes were furnished to all Board Members.

Motion by Desrochers, second by Bason to accept the minutes. Carried unanimously.

Supervisor Kosty read aloud the balances of the Town's bank accounts.

After review of the Financial Reports by all Board Members:

Motion by Allen, second by Grimmke to accept reports of the checking account for the General Fund. Carried unanimously.

Motion by Desrochers, second by Grimmke to accept reports of the checking account for the Highway Fund. Carried unanimously.

Motion by Allen, second by Bason to accept reports of the Trust Account. Carried unanimously.

After review of the Abstracts by all Board Members:

Motion by Grimmke, second by Bason to approve payment of bills on the General Abstract. Carried unanimously.

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Motion by Allen, second by Grimmke to approve payment of bills on the Highway Abstract. Carried unanimously.

Old Business:

(1) Agricultural Committee: Chris Bason announced that he will be attending a meeting held by Steuben County Industrial Development Agency on Oct. 27th at Bath Haverling School regarding the Steuben County Agricultural & Farmland Protection Plan.

If Planning Board Members wish to attend this will also count as 2 training credit hours.

(2) Lakes Association: Cartha Conklin said that their last meeting was held on Oct. 11th and that they mostly discussed plans for next year. She also mentioned the draw-down of the lakes.

Resolutions:

MOTION Desroschers
SECOND Grimmke

OCTOBER 14, 2014
RESOLUTION NO. 26, 2014

RE: RESOLUTION SETTING STANDARD WORK DAY REPORTING
FOR THE ELECTED JUSTICE POSITION

WHEREAS, the standard work day reporting resolution for the Justice position as submitted the state on May 23, 2013, was returned as unacceptable, as a standard work day was not determined, and

WHEREAS, a standard work day must be at least six hours and not more than eight hours. Based on a standard work day of six hours for the Justice position, using the calculations provided by the New York State and Local Retirement System, the Justice position would be eligible for 2.37 days credit per month for retirement purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Justice position be and hereby is entitled to 2.37 hours per month for credit to the retirement system, and

BE IT FURTHER RESOLVED, that pursuant to the rules of the Retirement Board said Reporting Resolution RS 2417-A and the foregoing Resolution No. 26 of the Town of Tyrone shall be posted on the Bulletin in the Meeting Room of the Town of Tyrone for a minimum of thirty (30) days.

ROLL CALL VOTE:

Tom Allen - aye

Pam Grimke -aye

Christopher Bason -aye

Donald Desrochers - aye

Jean Kosty -aye

MOTION BASON
SECOND ALLEN

OCTOBER 14, 2014
RESOLUTION NO. 27, 2014

RE: ADOPT LOCAL LAW NO. 1 OF THE YEAR 2014 - A LOCAL LAW TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL
MUNICIPAL LAW 3-c

WHEREAS, due to the fact that there was a \$22,083.00 deficit in the Retirement Fund line item account in the 2014 budget in the General Fund and the 2014 Highway Budget had an appropriated fund balance of \$73,000, when in fact it should have been \$18,000, it will be extremely difficult to keep the 2015 budget within the 2% cap limit, and

WHEREAS, it is necessary to pass a local law in order to increase the tax levy more than the 2%, prior to the 2015 budget being adopted, and

WHEREAS, Local Law No. 1 of the year 2014 was introduced at the September 9, 2014 meeting, with a Public Hearing scheduled for the October 14, 2014 meeting, said Public Hearing having been duly held.

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 1 of the Year 2014, as attached hereto be adopted as attached, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to file said Local Law with the Secretary of State.

ROLL CALL VOTE:

Tom Allen - aye

Pam Grimke - aye

Christopher Bason - aye

Donald Desrochers - aye

Jean Kosty - aye

MOTION Bason
SECOND Allen

OCTOBER 14, 2014
RESOLUTION NO. 28, 2014

RE: ADOPT ADDENDUM TO THE TOWN OF TYRONE ETHICS POLICY

WHEREAS, on July 15, 2011, the Town of Tyrone adopted a Code of Ethics of the Town of Tyrone, and

WHEREAS, the Board is desirous of adding an addendum to that policy as follows:

Personal Conduct - Any public official, employee, or committee member, salaried or unsalaried, shall act in a way that is in the best interest of the municipality; performing their duties and responsibilities in a cooperative manner with honesty, integrity and respect for others.

NOW, THEREFORE, BE IT RESOLVED, that the above addendum in the form of this

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resolution be attached to and made a part of the Code of Ethics of the Town of Tyrone.

ROLL CALL VOTE:

Tom Allen - aye

Pam Grimke - aye

Christopher Bason - aye

Donald Desrochers - aye

Jean Kosty - aye

MOTION Allen

SECOND Grimmke

OCTOBER 14, 2014

RESOLUTION NO. 29, 2014

RE: AUTHORIZE BUDGET TRANSFERS WITHIN THE HIGHWAY AND
GENERAL FUND BUDGETS

WHEREAS, both the Highway and General Fund have line items that have been
overspent, and

WHEREAS, both the Highway and General Fund have items with monies not yet used
that can be transferred to the line items that have been overspent.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be, and hereby is
authorized to make the following transfers, said Highway Budget transfers having been
authorized by the Highway Superintendent:

HIGHWAY BUDGET: \$8,000 from DA5110.1 to DA5110.4; \$40,000 from
DA5112.2 to DA5110.01; \$6000.00 from DA5120.4 to DA5120.1 and \$8,000 from
DA5130.1 to DA5130.2.

GENERAL FUND BUDGET: \$1,000 from A1920.4 to A1220.4; \$405 from
A1220.2 to A1220.4; \$375 from A5010.2 to A5010.4; \$200 from A5132.2 to A5132.4;
\$1,000 from A8010.2 to A1110.11 and \$300 from A8010.4 to A1110.2.

ROLL CALL VOTE:

Tom Allen - AYE

Pam Grimke - AYE

Christopher Bason - AYE

Donald Desrochers - AYE

Jean Kosty - AYE

MOTION Desrochers

SECOND Allen

OCTOBER 14, 2014

RESOLUTION NO. 30, 2014

RE: RESOLUTION AUTHORIZING SUPERVISOR TO SUBMIT PARTICIPATION
AUTHORIZATION TO PRO-STAR ENERGY SERVICE FOR ELECTRIC
UTILITY SERVICE

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WHEREAS, the Association of Towns mailed a survey to all town supervisors earlier in the summer about the Town's electric and gas utilities, and

WHEREAS, as a result of the survey the Association held conversations with several energy consultants to see if there was a way to provide a benefit in terms of cost savings and/or service enhancements to municipalities and Pro-Star Energy Service was selected to do assist local governments in lowering the purchasing costs of electricity, natural gas and other utility bill management services, and

WHEREAS, to participate in the program we must fill out and sign a participation authorization, said authorization is not a commitment by us or Pro-Star until a pricing offer and agreement is presented, and submission of the authorization does not require the payment of any fees.

NOW, THEREFOR, BE IT RESOLVED, that the Town Supervisor be and hereby is authorized to sign and submit the Participation Authorization to see if there can be any savings for us.

ROLL CALL VOTE:

Tom Allen - aye

Pam Grimke - aye

Christopher Bason - aye

Donald Desrochers - aye

Jean Kosty -aye

New Business:

(1) Supervisor: Jean Kosty announced that we will be holding a Budget Workshop on October 20, 2014 at 10:00 am at the Town Hall. This meeting is open to the public.

(2) Town Clerk: Deborah Tyler read aloud her monthly report.

(3) Justice Clerk: Bobbi Sparling furnished the Board with a copy of her monthly report.

(4) Fire Department: Matt Maloney gave us a verbal report of Department activities (budget, training, etc...)

(5) Code Enforcement: Not present.

(6) Supervisor Kosty shared with us a letter she received from NYMIR regarding Safety During Snow & Ice Removal Operations.

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(7) She also received a letter regarding National Flood Insurance Program - Reforms.

(8) Highway Superintendent: Paul Ernhout asked that the Board do a transfer of \$25,000 from the Highway Fund to the General Fund to repay part of the \$70,000 that was loaned to them.

Motion by Desrochers, second by Grimmke to approve the transfer. Carried unanimously.

Supervisor Kosty stated that she has had several requests from Board Members asking if they should consider hiring back, after the new year, one of the Highway employees that was laid off. Paul Ernhout did also talk about how much more difficult it is going to be for them to effectively handle snow and ice removal being short two employees and with no overtime being allowed for the remainder of the year.

MOTION Desrochers
SECOND Allen

OCTOBER 14, 2014
RESOLUTION NO. 31, 2014

RE: AMEND RESOLUTION 21 ORDERING NO OVERTIME FOR THE
REMAINDER OF 2014 ADOPTED ON SEPTEMBER 9, 2014

WHEREAS, on September 9, 2014, at it's Regular Meeting the Tyrone Town Board adopted a resolution ordering no overtime for the remainder of 2014, and

WHEREAS, on September 23, 2014, at a Special Meeting the Tyrone Town Board adopted a resolution laying off two (2) men in the Highway Department for lack of funds, and

WHEREAS, the laying off of two men in the Highway Department will necessitate overtime in the event of a highway emergency, such as flooding, snow and ice, etc.

NOW THEREFORE, BE IT RESOLVED, that in the event of an emergency of any kind requiring a callout of men, the Highway Superintendent, at his discretion shall be allowed to do a call out even if it results in overtime, and

BE IT FURTHER RESOLVED, in the event of such a callout, the Superintendent shall be required to allocate the number of hours of overtime for each employee on their time card and to designate the proper payroll account for it to come out of, and

BE IT FURTHER RESOLVED, that Resolution No. 21, be and hereby is amended to allow overtime as set forth herein.

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ROLL CALL VOTE:

Tom Allen - aye

Pam Grimke - aye

Christopher Bason - aye

Donald Desrochers - aye

Jean Kosty - aye

(9) Planning Board: Helen Dunlap reported that at the last meeting they discussed their objectives for the Comprehensive Plan and have chosen four areas that they would like to focus on and assigned members of the Planning Board to oversee individual objectives.

(10) County Legislator: Not present.

(11) Environmental Management: Carmine Nicastro updated us on issues that are of interest to the Council and provided some articles and handouts for the public.

Supervisor Kosty announced that they need to enter into an executive session to discuss litigation.

Motion by Grimmke, second by Allen to adjourn the regular meeting and enter into an executive session at 7:57 pm.

Respectfully submitted,

**Deborah L. Tyler
Town Clerk**