

**September 9, 2014**

The regular monthly meeting, as well as a public hearing, were held on the above date at the Town Meeting Room and was called to order by Supervisor Kosty at 7:00 pm.

Meeting opened with the Pledge to the Flag.

**Board Members were furnished with a copy of the August 12, 2014 minutes.**

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

**Public Hearing:**

Chris Meuller, of Time Warner Cable, was present to explain the franchise agreement that the Town has held with Time Warner, which is due for a new 15 year renewal, and to answer questions or concerns that the public may have.

Public Hearing was adjourned at 7:15 pm and the regular monthly meeting commenced.

Present: Supervisor; Town Clerk; Councilpersons: Desrochers, Grimmke, Allen and Bason; Justice Clerk plus those on sign-in sheet.

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

**After review of the Financial Reports by Board Members:**

Motion by Allen, second by Bason 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 Board Members:**

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

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

**Old Business:**

(1) Agricultural Committee: Chris Bason said that they met on 8/19/14 and mentioned some of the topics they discussed. He will be scheduling their next meeting.

(2) Dog Control: The Planning Board had provided Board Members with a proposed Keeping of Certain Animals Law for the Board to consider as enacting into a Local Law. Councilperson Desrochers expressed his concerns of overriding NYS Ag & Markets and Schuyler Counties existing Laws, which could put more responsibility on the Town to enforce.

Motion by Desrochers, second by Bason to take this topic off the table at this time. Desrochers-Aye, Grimmke-Nay, Allen-Aye, Bason-Aye and Supervisor Kosty abstained from voting to further review the other laws.

(3) Supervisor Kosty announced that the public hearing regarding condemnation proceedings which had been mentioned in previous months is cancelled as we cannot proceed without enacting a new Local Law. She will be discussing this with the Town Attorney.

**Resolutions:**

RESOLUTION NO. 17, 2014

RE: AUTHORIZE SUPERVISOR TO SIGN RENEWAL AGREEMENT TIME WARNER FOR THE CABLE FRANCHISE

WHEREAS, pursuant to the provisions of Section 626(h) of the Cable Act a renewal franchise agreement between the Town of Tyrone and Time Warner Cable Northeast LLC must be signed to continue cable service through Time Warner in the Town of Tyrone, and

WHEREAS, Section 9.A of said renewal agreement requires Time Warner to pay the sum of 5% of gross revenues received in the Town of Tyrone.

NOW, THEREFORE, BE IT RESOVED, that the Town Supervisor be, and hereby is authorized to sign said renewal agreement with Time Warner Cable Northeast LLC.

Motion by Allen, second by Grimmke

ROLL CALL VOTE:

Tom Allen -

Pam Grimke -

Christopher Bason -

Donald Desrochers -

Jean Kosty -

RESOLUTION NO. 18, 2014

RE: AUTHORIZE SUPERVISOR TO TRANSFER \$45,000.00 FROM THE  
GENERAL FUND TO THE HIGHWAY FUND AS A LOAN UNTIL CHIPS  
MONEY OR SALES TAX MONEY IS RECEIVED

WHEREAS, the Highway fund is currently having cash flow problems, due to not having the Highway fund until either Chips money or Sales Tax Money is received.  
NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be, and hereby is authorized to transfer \$45,000 from the General Fund to the Highway Fund as a loan until Chips money or Sales Tax Money is received.

Motion by Allen, second by Grimmke

ROLL CALL VOTE:

Tom Allen - aye

Pam Grimke - aye

Christopher Bason - aye

Donald Desrochers - aye

Jean Kosty - aye

RESOLUTION NO. 19, 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: \$20,000 from DA5130.2 to DA5430.1; \$30,000 from DA5142.1 to DA5130.1; and \$50,000 from DA5110.1 to DA5130.1.

GENERAL FUND BUDGET: \$800 from A1410.2 to A1220.4; \$723.84 from A1355.4 to A1330.4; \$10,000 from A1990.4 to A9010.8; and \$1,000 from A1620.4 to A9010.8.

Motion by Desrochers, second by Allen

ROLL CALL VOTE:

Tom Allen – AYE

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Pam Grimke -AYE  
Christopher Bason -AYE  
Donald Desrochers - AYE  
JeanKosty-AYE

**RESOLUTION NO. 20, 2014**

**RE: INTRODUCE LOCAL LAW NO. 1 OF THE YEAR 2014 - A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c AND SETTING A PUBLIC HEARING FOR THE ADOPTION OF SUCH LAW**

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.

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 1 of the Year 2014, as attached hereto be introduced and a Public Hearing on said Local Law No. 1 of the Year 2014, be set for October 7, 2014 at 7:00 p.m.

ROLL CALL VOTE:

Motion by Allen, second by Grimmke

Tom Allen - AYE  
Pam Grimke - AYE  
Christopher Bason - AYE  
Donald Desrochers - AYE  
Jean Kosty - AYE

**RESOLUTION NO. 21, 2014**

**RE: RESOLUTION ORDERING NO OVERTIME FOR THE REMAINDER OF 2014**

WHEREAS, due to the fact that the Highway Budget had an appropriated fund balance of \$73,000 when in fact it should have been \$18,000, we need to implement procedures to decrease spending in the Highway Budget for the remainder of the year.

NOW, THEREFORE BE IT RESOLVED, that there will be no overtime authorized for the remainder of the year 2014. Motion by Bason, second by Allen

ROLL CALL VOTE:

Tom Allen - aye  
Pam Grimke - aye  
Christopher Bason - aye

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Donald Desrochers - aye

Jean Kosty - aye

**RESOLUTION NO. 22, 2014**

**RE: RESOLUTION AUTHORIZING THE SUPERVISOR TO DISCUSS  
LEGALITIES WITH THE TOWN ATTORNEY AND THE OFFICE OF THE  
STATE COMPTROLLER FOR CUTTING THE BUDGET AND CALLING A  
SPECIAL MEETING ON SEPTEMBER 23, 2014 AT 7:00 P.M. TO DISCUSS  
AND/OR TAKE ACTION ON SUCH DISCUSSIONS**

WHEREAS, due to the fact that the Highway Budget had an appropriated fund balance of \$73,000, when in fact it should have \$18,000, and the General Fund Budget did not have enough monies appropriated for the State Retirement Fund, we need to implement procedures to decrease spending in the both the General Fund Budget and Highway Budget for the remainder of the year.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to discuss the budget issues with the Town Attorney and The Office of the State Comptroller in an effort to find ways to cut spending for the fiscal year 2014, and BE IT FURTHER RESOLVED, that a special meeting be scheduled for September 23, 2014 at 7:00 p.m. in the meeting room at the Town Barns to discuss and/or take action on the results of said discussions.

Motion by Allen, second by Bason

ROLL CALL VOTE:

Tom Allen - AYE

Pam Grimke - AYE

Christopher Bason -AYE

Donald Desrochers -AYE

Jean Kosty - AYE

**RESOLUTION NO. 23, 2014**

**RE: DECLARE ITEMS SURPLUS AND AUTHORIZE MACHINERY &  
EQUIPMENT TO BE SOLD AT AUCTIONS INTERNATIONAL OR  
TEITSWORTH AUCTIONEERS**

WHEREAS, the Board has review list the Highway Superintendent has provided for the following to be declared surplus and be put out for bid at Auctions International or Teitsworth Auctioneers:

1. (1) 1968 D6C Caterpillar Bulldozer
2. (1) 1986 GMC Tandem Tractor
3. (1) Tire Cutter

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4. (1) Assortment of tool boxes
5. (1) Assortment of Hydraulic Cylinders
6. (1) Gas powered Cement Mixer
7. (1) Tailgate Chipper Box
8. (1) V Plow
9. (1) Viking one-way Plow
10. (1) 1964 Osh-Kosh Truck with Plow & Wing
11. (1) Viking Wing Plow
12. (1) Assortment of tires
13. (1) Push Blade for a Grader
14. (1) Alamo Side Mount Mower

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby declares the above mentioned items surplus and authorizes the Highway Superintendent to immediately put them out for bid on Auctions International or Teitsworth Auctioneers.

Motion by Desrochers, second by Allen

ROLL CALL VOTE:

Tom Allen - AYE

Pam Grimke - AYE

Christopher Bason - AYE

Donald Desrochers - AYE

Jean Kosty - AYE

**RESOLUTION NO. 24, 2014**

**RE: RESOLUTION AUTHORIZING AN AMENDMENT TO THE GENERAL FUND**

**BUDGET**

WHEREAS, due to the fact that there was a deficit in the Retirement Fund line item account in the 2014 budget in the General Fund State Retirement account in the amount of \$22,083, and

WHEREAS, the County's prediction for our sales tax receipts for the year were underestimated in our budget by approximately \$22,000.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and hereby is authorized to amend the 2014 General Fund budget by increasing the Sales Tax Revenue Account A1120 by \$8,000 and the Retirement Fund Account A9010.8 by \$8,000.

Motion by Allen, second by Grimmke

ROLL CALL VOTE:

Tom Allen - aye

Pam Grimke - aye

Christopher Bason - aye

Donald Desrochers - aye

Jean Kosty - aye

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(4) Lakes Association: Cartha Conklin things are winding down for the season but they will be meeting on September 20<sup>th</sup> at 10:00 am.

(5) Historian: Paul Reiser spoke with the Board about having our historical records scanned so that they may be viewed on-line. There is a man in Wayne right now that is doing theirs. It was also suggested that they could be sent to the Schuyler County Historical Society for the same purpose.

(6) There was some discussion about the future boar/RV storage building that is being built by the channel between the Lakes. Some expressed concern about fuel/chemicals leaking into the wetland area.

**New Business:**

(1) Supervisor: Jean Kosty updated us on the Audit and says that they tell her it should only a short time more.

Jean also furnished the Board with a copy of the Highway Departments current inventory. Each Board member signed the original stating that they did receive a copy of it.

Motion by Desrochers, second by Bason to approve Jean to contact Carol Golden to help balance the Trust & Agency Account.

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

(3) Justice Clerk: Bobbi Sparling furnished the Board with a copy of their monthly report. She also added that she and Justice Kennedy are still looking into another potential JCAP grant.

(4) Fire Department: Not present.

(5) Correspondence: Supervisor Kosty talked with us about several letters she received in the last several weeks.

(6) Code Enforcement: Not present.

(7) Highway Superintendent: Not present.

(8) Planning Board: Helen Dunlap discussed some of the items they discussed at their monthly meeting including historical and agricultural preservation and beautification projects they would like to do.

She also announced that they have an open seat on the Board as one member resigned.

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(9) County Legislator: Not present.

(10) Environmental Management: Carmine Nicastro updated us on some issues that they continue address (gas storage, hydrofracking, etc..)

Motion by Desrochers, second by Allen to adjourn at 8:57 pm.

**Respectfully submitted,**

**Deborah L. Tyler  
Town Clerk**