

Town of Butternuts
Organizational Meeting

January 11, 2023

Meeting was called to order at 7:19 PM by Town Supervisor Bruce Giuda. The pledge was said by all.
Minutes by Town Clerk, Lucy Richards.

Board Members present: Supervisor Bruce Giuda, Councilman Keith Lilley, Councilman Paul Irwin, Councilman Teresa Winchester, and Councilman John Hill. Cory Wilber Highway Superintendent was also present.

Appointments and wages document is attached.

John Hill made the motion to accept Resolutions #1 through # 14, Teresa Winchester seconded the motion, all agree motion carried.

Bruce Giuda made the motion to adjourn organizational meeting, Teresa Winchester seconded the motion, all agree motion carried.

Respectfully submitted,

Lucy Richards

Resolution # 1-2023 APPOINTMENTS AND WAGES

Elected or Appointed Officials :

Supervisor Bruce Giuda - \$9,000 per year paid monthly

Councilman Keith Lilley, Paul Irwin, John Hill, Teresa Winchester - \$1200 per year paid quarterly

Highway Superintendent Cory Wilber - \$48,000 per year paid biweekly

Town Clerk Lucy Richards – \$9,000 per year paid monthly

Tax Collector Doris Moennich - \$3,900 per year paid monthly

Town Justice Claudette Newman - \$5,500 per year paid monthly

Tax Assessor Matthew Lippitt - \$12,400 per year paid monthly

Town Hall Building Cleaner Marna Dunham - \$1,200 per year paid monthly

Town Historian Leigh Eckmair - \$275 per year paid once annually

Custodian of Election Machines – Kathy Maxam - \$75 per election

Board of Assessment Review – Chairman \$250.00 paid once per year

2 Regular members - \$75.00 each paid once per year

Highway Crew – paid biweekly - \$22.13 per hour regular time / \$33.20 per hour overtime

No Compensation :

Deputy Supervisor, Deputy Town Clerk, Deputy Tax Assessor, Deputy Highway Superintendent,

Planning Board : Chairman or Members

Hourly Employees :

Court Clerk - \$17.00 per hour

Dog Control Officer - \$15.00 per hour plus mileage

Development Administrator - \$15.00 per hour plus mileage

*All other part time or seasonal employees will be paid NY minimum wage of \$14.20 per hour unless otherwise agreed to by Town Board

All mileage reimbursements will be paid at the rate of \$.58 per mile

Resolution # 2-2023 SCHEDULE OF OFFICIAL TOWN MEETINGS

Regular Town Board Meetings will be held on the second Wednesday of each Month at 6:45 pm in the Town Hall located at 1234 State Highway 51, Gilbertsville NY

Planning Board meetings will be held the second Tuesday of each month at 7 pm in the Town Hall

The Ethics Board meets at the Town Hall at least once annually and more often if necessary. For specific dates and times please contact the Town Clerk

*Any special meetings will be posted on the Town website : townofbutternuts.org

*All meetings are open to the public

Resolution # 3-2023 AUTHORIZATION OF SUPERVISOR TO ADMINISTER DAY TO DAY BUSINESS

The Town board authorizes and delegates to the Town Supervisor the powers and duties of day to day administration of Town business and supervision of all Town facilities. This administration shall be consistent with all local, County, State and Federal laws applicable thereto, and with any collective bargaining agreements, resolutions, contracts, and policies approved by the Town Board.

Resolution # 4-2023 OFFICIAL BANKS AND DEPOSITORIES FOR THE TOWN OF BUTTERNUTS

Official Banks and Depositories are designated as follows :

- Community Bank NA
- Wayne bank (Bank of Cooperstown)
- NBT Bank

Resolution # 5-2023 SCHEDULE OF FEES

Site Plan and Subdivision Fees are listed on the Town website. Fees will vary according to which actions are planned.

Copying : Fee of \$.25 per single page for copies made under FOIL requests only. The Town does not provide copying services for any other circumstance.

Dog License : Spayed or neutered - \$7.00 per dog per year

Un-spayed or un-neutered - \$15.00 per dog per year

Late fees apply for late registration or non – registration

Check Town website for details : townofbutternuts.org

Resolution # 6-2023 DESIGNATION OF OFFICIAL NEWSPAPER

The official newspaper for posting legal notices is The Daily Star (Oneonta)

Other notices of Town Board events will be posted on the Town website, the Butternuts News, and in the Gilbertsville Post Office if possible.

Resolution # 7-2023 PAYMENT OF ADVANCE CLAIMS

The Town Board authorizes the Town Supervisor to pay certain claims before Board audit. These claims are : utilities, postage, freight, payroll, emergency expenditures at Copes Corners Park, and any contractual obligations previously authorized by the Town Board in effect for three (3) years or longer.

Resolution # 8 INSURANCE CARRIERS FOR 2023

As required by law the Town Board names Gates-Cole Insurance Agency, and Tokio Marine HCC as designated insurers for the Town. The supervisor shall secure full and adequate insurance for the protection against theft, fire and liability and shall update said insurance as needed. The supervisor shall bring recommendations and concerns from Town insurers to the Town Board and Highway Superintendent to minimize risks, liabilities and losses. The Supervisor shall strive to implement best practices to minimize risks of personal injury or death to Town employees, elected officials, and appointees, to eliminate liability for the Town, and to eliminate preventable physical damages to Town properties, trucks, and equipment.

Resolution # 9-2023 TOWN ATTORNEY

David S. Merzig of Kehoe and Merzig, Oneonta NY shall be retained as Town Attorney for all legal matters that concern the Town.

In matters related to solar or wind issues, the Town Board additionally will consult with Robert K. McKertich, partner, of Coughlin & Gerhart, Binghamton NY

Resolution # 10-2023 PETTY CASH

The Town Board shall establish petty cash funds for the following positions :

Town Justice.....\$100

Town Clerk.....\$100

Town Tax Collector.....\$50

Copes Corners Park Caretaker...\$100

ALL PETTY CASH ACCOUNTS NEED RECONCILIATION RECORDS THAT ARE UP TO DATE AND ACCURATE.

Resolution # 11-2023 OFFICIAL HOLIDAYS OBSERVED BY TOWN OFFICES

Town offices will be CLOSED on these Designated Official Holidays (observed) for 2023 :

*New Years Day (1/2/2023) * Martin Luther King Day (1/16/2023) *Memorial Day (5/29/2023)

*Juneteenth (6/19/2023) *Independence Day (7/4/2023) *Labor Day (9/4/2023)

*Columbus Day (10/9/2023) *Veteran's Day (11/11/2023) *Thanksgiving Day (11/23/2023)

* Christmas Day (12/25/2023)

Resolution # 12-2023 FINANCIAL RESPONSIBILITY

All funds received by any Town official or Town employee shall be accounted for in the following manner :

Immediately upon receiving any funds due to the Town, a receipt shall be provided to the payer and a copy of the receipt will be kept by the Town official / employee. A written ledger will be kept for any revenues received each month. All monies collected will given to the Town Supervisor on a monthly basis, or more frequently if possible. The Town Supervisor shall provide a receipt to the official / employee for all monies received and keep a copy for his records. The Town Supervisor shall deposit all monies received as soon as possible in the proper Town bank accounts. Records of all transactions will be entered into the town's accounting program for monthly review by the Town Board.

Resolution # 13-2023 DEFINITION OF WORK DAY COMPENSATION FOR HIGHWAY EMPLOYEES

The town of Butternuts will compensate all highway employees at the agreed upon rate as specified in the most current Teamsters contract. All relevant issues have been addressed in the Teamsters contract, and shall be administered by the Highway Superintendent as specified in the contract. Definition of "work day" is meant to include all tasks assigned to highway employees by the Highway Superintendent that are intended to develop, maintain or improve the roads in then Town of Butternuts. Mutually sharing services with other municipalities is considered the same as working on Butternuts town roads.

Pursuant to General Municipal Law, employees may not be legally paid when they are not working in said capacity, unless it is a contract based holiday, sick day, vacation day, or a training day. The Town of Butternuts encourages highway employees to attend all mandatory training at the Town's expense. All non-mandatory training, or any other off site activities must be approved by the Town Board in advance at a legal meeting of the Board in order for highway employees to receive compensation from the Town. Highway employees may use personal days or vacation days to attend activities that are not addressed in the contract or not approved in advance by the Town Board.

Resolution # 14-2023 SALT USE ON THE TOWN OF BUTTERNUTS ROADS AND ENVIRONMENTAL SAFETY

The Town of Butternuts has constructed a new Salt Shed, and a new Salt Shed Addition in conjunction with the NYS DEC. The Salt Shed consists of two bays for salt storage and an overhang over a concrete pad for loading trucks. This project was approved under the NYS Water Quality Improvement Program (WQIP), and a grant for 50% matching funds was approved to fund the project. Strict adherence to proper practices are a condition of this grant, and the intention is to eliminate all of salt contamination of any kind. This includes ground / soil contamination, salt water leaching into waterways, salt water leaching into surrounding wells, and any other type of negative impacts to the environment.

Excavation for a new highway building in 2022 uncovered very significant ground contamination from salt that was mixed with sand and stored outside. This contamination had leached at least two feet down and covered a large area in just one winter season. This violates the terms of the WQIP grant from the NYS DEC.

Pursuant to this WQIP agreement with the DEC, and as matter of good environmental stewardship, the Butternuts Town Board establishes to the following resolution :

BE IT RESOLVED :

- A maximum of 200 tons of salt will be purchased for use on town roads per winter season.
- All salt, or salt mixtures, or salt products will be stored under cover in the Salt shed.
- Trucks should not be overloaded causing salt or salt mixtures to overflow onto the ground.
- Ground water runoff at the highway facility will be monitored and checked for salt contamination.
- The water wells at the highway garage and the campground will be monitored for salt contamination.
- The grounds at the entire highway facility, and especially areas where trucks are loaded with salt will be monitored for salt contamination.
- The Highway Superintendent is directly responsible for maintaining the environmental integrity of the entire highway garage facility through maintaining good practices and training of the crew.
- Any salt contamination of groundwater, grounds at the highway facility, town owned lands, wells, or other areas will result in the Town Board ending purchases of all road salt immediately. Vendors will be notified that the Board will no longer pay for any salt deliveries until further notice.
- The Town Board encourages the Highway Superintendent to set the best environmental standards as the goal for the highway department both at the highway facility and throughout the entire town.