

**TOWN OF WAYNE  
BOARD MEETING MINUTES  
November 10, 2020**

The November Board meeting held on November 10th commenced at 6:32 PM with the Pledge of Allegiance. The meeting was via Zoom conferencing only.

Present:      Supervisor Dunbar  
                  Councilperson Kenyon  
                  Councilperson Haff  
                  Councilperson Freeman  
                  Councilperson Walton  
                  Town Clerk Mahr

Also identified on the Zoom conference call were: Doug & Megan Howard, Kyle Dencenburg, Nate Cook, Cody Kenney, Jodie and Arthur Greene, Peter Schnor, Scott Hendershott, Mary Starkweather, Local 18 union, Donald and Marilyn Robbins.

**Approval of Minutes**

The October 13<sup>th</sup> Board Minutes were reviewed. Supervisor Dunbar stated that in the September meeting he did not suggest putting a special board committee but appointed one for the union negotiations. Motion to approve the minutes subject to the change stated by Supervisor Dunbar was made by Councilperson Freeman, seconded by Councilperson Kenyon with all in favor.

A motion to approve the minutes from the October 22<sup>nd</sup> Board Budget workshop was made by Councilperson Haff, seconded by Councilperson Kenyon with all in favor.

**Supervisors Report**

Supervisor Dunbar briefly discussed the planning board request for removal of LUR language. The town attorneys are working on the appropriate modification to the LUR to enable landowners to request repair and construction with the town road right of ways. Supervisor Dunbar also referenced a letter received from Jodie and Arthur Greene addressed to the Town Board not received from the Town Clerk. Clerk Mahr to research the facts on this accusation.

Union call held last week. The next union negotiation call with the appointed Board committee is scheduled for November 13<sup>th</sup>. Councilperson Walton said they are still working on the language and some progress has been made.

Supervisor Dunbar made a motion, based upon the public hearing input on the preliminary budget, that \$48.810.59 in the Highway fund be moved from the contingency line item DA1990.4 back to line items DA 5110.1 and DA5142.1 and then vote to approve the budget. No second to the motion was made. Councilpersons Freeman and Kenyon voiced a concern that the Board was seeing this for the first time

and needed time to discuss since it was not part of the original package sent out. Councilperson Walton recommended another Budget board workshop be set up to discuss this proposal. Supervisor Dunbar stated the requested change was straight forward and shouldn't require extra time and that the Board has an obligation to approve the 2021 budget in a timely fashion. Councilperson Walton countered that the Board had until November 20<sup>th</sup> to adopt the budget and reiterated his request for another meeting. Councilperson Kenyon stated she was not comfortable acting on a motion that was sprung on the Board without any warning. She also stated that Councilperson Walton had missed (2) workshops due to illness and should be allowed time to review the preliminary budget. It was decided to hold a special Board meeting on Thursday, November 19<sup>th</sup> at 6:00PM to complete the budget.

Councilperson Haff voiced a concern that the board packet was sent out on Thursday and this proposal was not brought to the Board's attention until now. Supervisor Dunbar stated this was a motion and didn't need to be brought up earlier. Councilperson Haff responded then the Board is tabling the motion and also voiced a concern over why Supervisor Dunbar did not vote for the preliminary budget. Supervisor Dunbar responded he didn't agree with reducing the highway department staff in the budget process. Supervisor Dunbar also stated that budgeting was done in the past by understating expected revenues and overstating expenses. This has led to an accumulation of cash in a false way that he is attempting to correct.

Supervisor Dunbar presented a budget modification resolution:

Debiting A599 Appropriated Fund Balance \$ 8,811.79

Crediting the following:

A1620.13 Town Clean-Up	\$ 45.00
A1420.4 Attorney	\$ 7,000.50
A1410.46 Clerk Travel	\$ 66.98
A1620.42 Contractual Barn	\$ 1,684.69
A3620.45 Code Enforcement Phone	\$ 14.62

A motion to approve the budget modification was made by Councilperson Kenyon and seconded by Councilperson Freeman with the voting as follows:

Councilperson Kenyon	Yes
Councilperson Freeman	Yes
Supervisor Dunbar	Yes
Councilperson Walton	Yes
Councilperson Haff	No

Councilperson Freeman asked that Supervisor Dunbar run a detailed year to date expenditure report for the board to review.

Supervisor Dunbar presented a motion to appoint Mr. Jeff Martin to the vacant planning board seat from his position as alternate and appoint Mr. Scott Hendershott to the alternate position. Councilperson Kenyon asked for Mr. Martin to give a letter of interest. Councilperson Freeman was uncertain as to whether Jon Serdula was remaining on the Planning Board and also serving as an alternate on the Zoning Board. Until this is clarified the board should table any motion.

Supervisor Dunbar stated that NYS Town Law stipulates that one new member should be appointed to the zoning and planning boards each year. A reappointment of a member whose term is expiring should only take place if there are no alternative candidates. Supervisor Dunbar indicated that since this has not been the case in the Town going forward the board member with the most seniority term should rotate off at the end of 2020. Supervisor Dunbar prepared a list of positions that should be advertised for Town Board appointments at the January organizational meeting. Councilperson Freeman asked Supervisor Dunbar to provide a copy of the Town law he was referencing so the Board could review before taking any action.

The monthly Supervisor Report was reviewed. Councilperson Haff asked why the Keuka Lighting line item was not reduced based on the vouchers approved in September and expressed concern over what line items in the budget were being debited. Councilperson Haff questioned whether the book keeping was properly taking the monies out of the correct line items. Supervisor Dunbar stated he took over a ridiculous accounting mess and that for years the Town would get out of financial control. Supervisor Dunbar also stated to remedy this condition the Town had to hire Carol Golden at the end of each year to straighten out the books so that they could be closed.

### **Clerks Report**

The Clerk's monthly report for October was presented with minimal discussion. Clerk Mahr stated the fees received year to date have exceeded last year's total fees. Motion to approve the Clerk's Report was made by Councilperson Kenyon and seconded by Councilperson Freeman with all in favor.

Abstract 11 Vouchers submitted were broken down by:

• General Account	Vouchers 227 - 246	\$11,965.22
• Highway Account	Vouchers 114 - 122	\$137,911.00

Councilperson Freeman asked about Voucher 246. Supervisor Dunbar said this invoice was for an estimate of half of the workman's compensation bill. Following the audit another bill will be issued. Councilperson Haff asked about water well easement Harter Secrest bill. Supervisor Dunbar stated the bill was for research performed by Harter Secrest to see if the Town could grant an easement for a property in Sylvania Beach which was being sold. Councilperson Walton made a motion to approve the vouchers seconded by Councilperson Kenyon with all in favor.

### **Justice Report**

The yearly justice audit needs to be performed. Supervisor Dunbar will work with Judge Freeman on it. Councilperson Kenyon asked if names could be redacted on the Judge's monthly report. Though it is public information Clerk Mahr will address.

### **Assessor Report**

Assessor Oliver included in the Board packet a memo updating status of the recently completed revaluation. The town has been subpoenaed for another law suit regarding the revaluation. The proposed action will not take place in small claims court so the Town will need to contact Harter Secrest to engage. Supervisor Dunbar stated the Town's insurance policy can cover law suit legal expenses.

### **Highway Superintendent**

Superintendent Howard reported that 517.6 gallons of fuel was used in October. roadside mowing should be finished for the year. East Lake Road had pipe repair work and patching. The department is now preparing for winter. The sanders are ready and the Kyle's Western Star is having its plow hydraulic system undergoing maintenance. There was sign vandalism amounting to \$205 in damages. There is also an issue with a water line which has been sticking up at the boat launch. The DEC needs to address and Superintendent Howard has contacted them.

Superintendent Howard stated he has received complaints about the Compost Site not being opened on time on October 30<sup>th</sup>. The plan is to close the site after the 21<sup>st</sup> of the November. Superintendent Howard also reviewed the final costs and revenues for the Town Clean Up.

Supervisor Dunbar questioned what are the issues regarding Coryell Road stating he has been fielding many complaints. Superintendent Howard explained unlike the other town road repairs that required oil and stone resurfacing Coryell is a project. The road needs to be completely rebuilt from the base up. Supervisor Dunbar also asked for Superintendent Howard's opinion on how many workers should the department staff citing concerns with the proposed budget cuts when work is not getting completed. Superintendent Howard responded that (3) employees sometimes is too many and other times it is not enough.

Superintendent Howard asked why there was only 15,000 left in the winter payroll for the remainder of the year. Supervisor Dunbar responded that more monies can be transferred from contingency funds if need be.

### **Code Enforcement Officer**

The monthly code enforcement was reviewed with no discussion. CEO Harrop expressed his concern with freezing of salaries in the 2021 budget. The zoning and board minutes were presented with no discussions. The draft planning board minutes had some minor updates. The final minutes with these changes have been posted on the website.

### **Watershed**

The monthly watershed report was presented with no discussion.

### **Dog Control Officer**

The monthly dog license report was reviewed with no discussion. No detail DCO report was presented. DCO Howard reminded the board that in her role she deals with dogs only.

### **History**

A history department update was provided with no discussion.

### **Web Statistics**

Report reviewed with no discussion.

### **New Business**

New York State Mandatory Emergency Planning Contract proposal has been received. The Board tabled this review while the potential consultant is further researched. The annual Town volunteer dinner recognition event has been cancelled due to the Covid 19 crisis. Alternative forms of recognition are being reviewed.

### **Public Comments**

Ms. Jodie Greene asked for clarification regarding updating the Land Use Regulation to allow for fixing the right of way at her residence at 14755 Keuka Village Road. Supervisor Dunbar stated that the Town is awaiting input from Harter Secrest regarding the process for amending the LUR to proceed. The Town is also waiting on engineering input for remedying the situation.

Mr. Kyle Dencenburg expressed concern about the ability to ask public questions of the Highway Superintendent regarding his direction for the Highway Department. Supervisor Dunbar responded that public comments do not necessarily mean public questions requiring a response. He suggested emailing the town website with the questions.

### **Announcements**

The next board meeting is Tuesday, December 8<sup>th</sup>.

### **Adjourn**

Motion to adjourn was made by Councilperson Walton and seconded by Councilperson Kenyon with all in favor. The meeting adjourned at 8:25 PM.

Respectfully Submitted

William Mahr  
Town Clerk  
November 10, 2020

