

**REGULAR MONTHLY MEETING
MINUTES VAN ETTEN TOWN BOARD
OCTOBER 13, 2022**

RESOLUTIONS THIS MEETING
BEGIN **68-22** THRU **74-22**

REGULAR MONTHLY MEETING OF TOWN OF VAN ETTEN WAS CALLED TO ORDER BY TOWN SUPERVISOR GEORGE KETURI AT 7:21 PM IMMEDIATELY FOLLOWING PUBLIC HEARINGS FOR LL 2 AND 3 OF 2022.

ROLL CALL OF TOWN BOARD

HAROLD SHOEMAKER-COUNCILPERSON/DEPUTY SUPV.
FRED SWAYZE, JR.-COUNCILPERSON
PENNY FLORA-COUNCILPERSON
ANDREW LARISON-COUNCILPERSON
GEORGE KETURI-SUPERVISOR

TOWN OFFICERS

BOB EASTWOOD-H'WAY SUPT.-EXC
SALLY WHITSON-ASSESSOR-EXC
DAWN ROSE-TOWN CLERK
RICH LECLAIRE-CODE ENF
BONNIE MALLEN- TOWN HISTORIAN
HEATHER GABLE- WATER OPERATOR
DUSTIN ROSE-CEMETERY CURATOR AND
DOG CONTROL OFFCR.
BRENDA QUICK-WATER CLERK
LEON TUTTLE-TOWN JUSTICE-EXC

OTHERS PRESENT: LLOYD QUICK, JANET SAYRE, CATHY LECLAIRE, RONALD PRESHER AND KAREN FRICK.

A MOTION WAS MADE BY SHOEMAKER AND SECONDED BY SWAYZE, JR. TO ACCEPT THE MEETING MINUTES FOR REGULAR TOWN BOARD MEETING HELD ON SEPTEMBER 8 AND 22, 2022. ALL AYE. CARRIED

CORRESPONDENCE READ AND ON FILE WITH THE TOWN CLERK

- NYSEG VEGETATION MAINTENANCE BEING CONDUCTED BY IRONWOOD HEAVY MACHINERY.
- GENERAL ELECTION DAY NOVEMBER 8 FROM 6A – 9P.
- EARLY VOTING DATES POSTED ON TOWN BULLETIN BOARD.

REPORTS FROM TOWN OFFICERS:

-TOWN JUSTICE-NO REPORT

- CHECK FOR \$867.00 PRESENTED TO G. KETURI/TOWN SUPV.

-ASSESSOR-SALLY WHITSON-NO REPORT FILED

-BUDGET OFFICER-GEORGE KETURI- REPORT FILED AND KETURI READ FIRST PAGE OF SEPTEMBER 2022 BUDGET REPORT.

-TOWN CLERK-DAWN ROSE-REPORT FILED

- CHECK FOR \$1,522.39 PRESENTED TO G. KETURI/TOWN SUPV.

-TOWN HISTORIAN-BONNIE MALLEN-REPORT FILED

-PARK COMMISSION-NO REPORT

- KETURI NOTED SIDEWALK REPAIRED IN BANFIELD SQUARE.

-DOG CONTROL-DUSTIN ROSE-REPORT FILED

- RECEIVED NYS AG AND MARKETS SHELTER REPORT
- ROSE NOTED VAN ETTEN RABIES CLINIC ON NOVEMBER 7-MORE DETAILS TO BE POSTED WHEN RECEIVED.

-CODE OFFICER-RICH LECLAIRE-VERBAL REPORT

- LECLAIRE STILL WORKING ON BACK LOG FOR REPORTING TO ALBANY.

-BUILDINGS & GROUNDS-HAROLD SHOEMAKER-VERBAL REPORT

-CF&R FIRE CO-NO REPORT

-HIGHWAY SUPERINTENDENT-BOB EASTWOOD-REPORTS FILED

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- EASTWOOD STATED RECEIVED ABANDONMENT REQUEST FROM MR. RON PRESHER (SEE FILE) AND WILL AGREE WITH REQUEST. SHOEMAKER STATED PRESHER ROAD HAS NOT BEEN PASSABLE IN YEARS AND AGREES WITH REQUEST.
 - EASTWOOD DISTRIBUTED 2024 INTERNATIONAL TRUCK INFORMATION FOR FUTURE REFERENCE.
- TOWN SUPERVISOR-GEORGE KETURI-VERBAL REPORT
- CHEMUNG COUNTY SHERIFF MONTHLY REPORT PRESENTED (SEE FILE).
 - KETURI RECEIVED CHECK #662 FROM S. SHERWOOD IN AMOUNT OF \$238.28 FOR DRIVEWAY PIPE ON VENNEL ROAD.
- WATER OPERATOR-HEATHER GABLE-REPORT FILED
- WATER DIRECTOR-HAROLD SHOEMAKER- REPORT FILED AND SHOEMAKER READ FIRST PAGE OF SEPTEMBER 2022 WATER BUDGET REPORT.
- SHOEMAKER STATED USED \$60,000 FROM WATER RESERVE TO PAY OFF LAST BOND HOWEVER, MONTHLY CONTRIBUTIONS TO RESERVE WILL REPLENISH.
 - SHOEMAKER INDICATED ONE WATER BOND LEFT TO PAY OFF AND IT'S NO INTEREST WITH PAYMENT OF \$67,000 PER YEAR.
- CEMETERY-DUSTIN ROSE-REPORT FILED

ALL OFFICERS WRITTEN REPORTS ARE ON FILE WITH TOWN CLERK.

A MOTION WAS MADE BY LARISON AND SECONDED BY SWAYZE, JR. TO ACCEPT THE OFFICER'S REPORTS AS PRESENTED. ALL AYE. CARRIED

AUDIT COMMITTEE-GENERAL-H. SHOEMAKER

A ACCT: \$18,560.27
FIRE: \$538.03 (CF&R PARKING LOT)

HIGHWAY/WATER-H. SHOEMAKER

DA ACCTS: \$96,202.68
FX (WATER): \$69,173.60

- SHOEMAKER STATED \$83,980.02 IN HIGHWAY ACCOUNT APPLIED TO OIL & STONE PROJECTS (CHIPS) AND \$67,000 IN WATER ACCOUNT APPLIED TO NO INTEREST BOND PAYMENT.
- SWAYZE, JR. NOTED NYSEG PRICES CLIMBING.
- LARISON COMMENDED EASTWOOD FOR SHARED SERVICES DURING RUMSEY HILL OIL & STONE PROJECT.

BUDGET ADJUSTMENT

RESOLUTION 68-22

TOWN BOARD OF VAN ETEN AUTHORIZES TRANSFERRING \$5,000. FROM A1620.2 TO A5132.4.

SPONSOR-KETURI. SECONDED-LARISON. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI. ALL AYE. CARRIED

A MOTION WAS MADE BY LARISON AND SECONDED BY FLORA. AND CARRIED TO APPROVE PAYMENT OF AUDITED VOUCHERS AS RECOMMENDED BY AUDIT COMMITTEE OF SWAYZE, JR. AND SHOEMAKER. ALL AYE. CARRIED.

OLD BUSINESS:

- SHOEMAKER NOTED BANFIELD SQUARE SIDEWALK REPAIR HAS BEEN COMPLETED UTILIZING ARPA FUNDS.

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- COMMITTEE UPDATES-
 - STREETLIGHTS-ANDY LARISON-ALL GOOD

COMMUNICATION FROM THE AUDIENCE:

- MS. SAYRE INQUIRED ABOUT AUDITING SPECIFIC OFFICERS OF VAN ETTEN AND SWAYZE, JR. INDICATED BUILDING CODE ENFORCEMENT OFFICER WAS DUE TO NON-CERTIFICATION OF PREVIOUS BUILDING CODE ENFORCEMENT OFFICER.
- MS. FRICK COMMENDED EASTWOOD ON SHARED SERVICES ARRANGEMENT ON RUMSEY HILL. MS. FRICK ASKED WHY WATER DISTRICT NEED DEPUTY WATER OPERATOR. SHOEMAKER REPLIED IF GABLE IS NOT AVAILABLE, WATER DISTRICT NEEDS WATER OPERATOR AVAILABLE (I.E., VACATION, ILLNESS, ETC.). SHOEMAKER STATED MR. DEAN WETZEL IS CURRENTLY LISTED AS DEPUTY WATER OPERATOR AND SHOEMAKER HAS DISCUSSED THIS WITH MR. WETZEL. MR. WETZEL WOULD BE AVAILABLE IN EXTREME EMERGENCY BUT DOES NOT WHAT LONG-TERM ARRANGEMENT. SHOEMAKER STATED MONIES HAVE BEEN INCORPORATED IN 2023 WATER BUDGET FOR DEPUTY WATER OPERATOR AND SWAYZE, JR. STATED TOWN'S NUMBER ONE CONCERN IS SAFETY OF WATER DISTRICT 100% OF TIME. MS. FRICK NOTED WATER COMMITTEE SHOULD BE REINSTATED. MS. FRICK FEELS CONFLICT OF INTEREST EXISTS WITH TOWN BOARD AND WATER DISTRICT. SHOEMAKER STATED TOWN ATTORNEY WILL BE REVIEWING LOCAL LAW 1 OF 2019 (WATER DISTRICT LAW) AND MAKING REVISIONS INCLUDING WATER DIRECTOR POSITION.
- MR. QUICK INFORMED TOWN BOARD OF ISSUES ON MURRAY STREET; BEEBEE SHOTS, THROWING EGGS AT VARIOUS HOMES. TOWN BOARD RECOMMENDED CALLING LAW AUTHORITIES.

NEW BUSINESS:

RESOLUTION 69-22

TOWN BOARD OF VAN ETTEN APPOINTS MICHAEL FERRIER AS DEPUTY WATER OPERATOR AT STARTING RATE OF \$20.00 PER HOUR. SPONSOR-SWAYZE, JR. SECONDED-FLORE. ROLL CALL VOTE-SHOEMAKER-ABSTAIN, FLORA, SWAYZE, JR., LARISON AND KETURI. ALL AYE. CARRIED

- SWAYZE, JR. NOTED MR. MICHAEL FERRIER IS COMMUNITY MEMBER AND TOWN IS EXCITED TO HAVE HIM ACT AS DEPUTY WATER OPERATOR WITH BACKGROUND IN WATER SYSTEMS.
- SHOEMAKER STATED, WITH REGRET, MR. DARRIN JAYNE CAN NO LONGER PERFORM SNOW REMOVING DUTIES DUE TO HEALTH CONCERNS FOR TOWN AND TOWN WILL NEED TO ADVERTISE FOR SNOW REMOVAL BIDS.

RESOLUTION 70-22

TOWN BOARD OF VAN ETTEN AUTHORIZES ADVERTISING FOR SPECIAL TOWN BOARD MEETING TO OPEN SNOW REMOVAL BIDS AND ADVERTISE FOR BUDGET WORKSHOP IMMEDIATELY FOLLOWING SPECIAL MEETING ON OCTOBER 27, 2022 AT 7 PM. SPONSOR-SWAYZE, JR. SECONDED-FLORE. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI. ALL AYE. CARRIED

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RESOLUTION 71-22

TOWN BOARD OF VAN ETTEN AUTHORIZES ADVERTISING FOR SNOW REMOVAL BIDS FOR WINTER 2022-2023 (SPECIFICATIONS LOCATED AT TOWN HALL) DUE ON NOVEMBER 10, 2022 AT 4PM. SPONSOR-LARISON. SECONDED-KETURI. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI. ALL AYE. CARRIED

RESOLUTION 72-22

TOWN BOARD OF VAN ETTEN AUTHORIZES ABANDONMENT OF PRESHER ROAD (SEE FILE FOR OFFICIAL REQUEST RECEIVED FROM MR. RON PRESHER AND APPROVAL BY HIGHWAY SUPERINTENDENT ROBERT EASTWOOD). SPONSOR-SHOEMAKER. SECONDED-SWAYZE, JR. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI. ALL AYE. CARRIED

RESOLUTION 73-22

TOWN BOARD OF VAN ETTEN ADOPTS LOCAL LAW 2 OF 2022-REGULATION OF PROPERTY MAINTENANCE IN TOWN OF VAN ETTEN. SPONSOR-SWAYZE, JR. SECONDED-FLORA. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI. ALL AYE. CARRIED

RESOLUTION 74-22

TOWN BOARD OF VAN ETTEN ADOPTS LOCAL LAW 3 OF 2022-EXCEEDING NYS 2% TAX CAP IN TOWN OF VAN ETTEN. SPONSOR-SWAYZE, JR. SECONDED-FLORA. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI. ALL AYE. CARRIED

RESOLUTION 75-22

TOWN BOARD OF VAN ETTEN AUTHORIZES ADVERTISING FOR PUBLIC HEARING ON 2023 TOWN AND WATER BUDGET ON NOVEMBER 10, 2022 AT 7 PM. SPONSOR-LARISON. SECONDED-FLORA. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI. ALL AYE. CARRIED

A MOTION WAS MADE BY KETURI AND SECONDED BY SWAZYE, JR. TO ENTER INTO EXECUTIVE SESSION AT 8:28 PM. ALL AYE. CARRIED

A MOTION WAS MADE BY LARISON AND SECONDED BY KETURI TO ADJOURN FROM EXECUTIVE SESSION AT 9:05 PM. ALL AYE. CARRIED

- KETURI STATED LEGAL ISSUES WERE DISCUSSED.

REGULAR TOWN BOARD WILL BE HELD ON NOVEMBER 10, 2022 AT 7:00 PM.

ADJOURNED AT 9:05 PM MOTION BY LARISON.. SECONDED BY FLORA. ALL AYE. CARRIED.