

**REGULAR MONTHLY MEETING
MINUTES VAN ETTEN TOWN BOARD
OCTOBER 12, 2023**

RESOLUTIONS THIS MEETING
BEGIN **61-23** THRU **69-23**

REGULAR MONTHLY MEETING OF TOWN OF VAN ETTEN WAS CALLED TO ORDER BY DEPUTY TOWN SUPERVISOR HAROLD SHOEMAKER AT 7:10 PM. IMMEDIATELY FOLLOWING PUBLIC HEARING FOR LOCAL LAW 4 OF 2023.

ROLL CALL OF TOWN BOARD

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

TOWN OFFICERS

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

OTHERS PRESENT: JEFF STONE, CATHY LECLAIRE, SEAN PRESHER, JAMES WHITMARSH, MICHAEL HUDAK, COUNTY LEGISLATOR JOE DONOVAN AND LAURA LARISON.

A MOTION WAS MADE BY LARISON AND SECONDED BY SWAYZE, JR. TO ACCEPT THE MEETING MINUTES FOR SPECIAL WORKSHOP FOR 2024 BUDGETS HELD ON SEPTEMBER 7, 2023; COMMUNITY WATCH MEETING HELD ON SEPTEMBER 9, 2023 AND REGULAR TOWN BOARD MEETING HELD ON SEPTEMBER 14, 2023. ALL AYE. CARRIED

CORRESPONDENCE READ AND ON FILE WITH THE TOWN CLERK

- BOARD OF ELECTIONS ANNOUNCEMENT; GENERAL ELECTION TUESDAY, NOVEMBER 7 FROM 6A -9P.

REPORTS FROM TOWN OFFICERS:

-TOWN JUSTICE-NO REPORT

- CHECK FOR \$346. PRESENTED TO G. KETURI/TOWN SUPV.

-ASSESSOR-SALLY WHITSON-REPORT FILED
-BUDGET OFFICER-GEORGE KETURI- REPORT FILED AND SHOEMAKER READ FIRST PAGE OF SEPTEMBER 2023 BUDGET REPORT.
-TOWN CLERK-DAWN ROSE-REPORT FILED

- CHECK FOR \$1,769.94 PRESENTED TO KETURI/TOWN SUPERVISOR.

-TOWN HISTORIAN-VACANT
-PARK COMMISSION-NO REPORT-HAROLD SHOEMAKER
-DOG CONTROL-DUSTIN ROSE-REPORT FILED

- ROSE DISTRIBUTED NYS AG AND MARKET REPORTS (SEE FILE)

-CODE OFFICER-RICH LECLAIRE-VERBAL REPORT

- PRESENTED CERTIFICATION FOR 2023 TRAINING COMPLETION FOR CODE ENFORCEMENT.

-BUILDINGS & GROUNDS-HAROLD SHOEMAKER-NO REPORT
-CF&R FIRE CO-NO REPORT FILED

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-HIGHWAY SUPERINTENDENT-BOB EASTWOOD-REPORT FILED

- EASTWOOD STATED PURCHASING LARGE TRUCK SOONER THAN LATER; PRICE IS GOING UP AND DELIVERY IS GOING OUT FURTHER.

-TOWN SUPERVISOR-GEORGE KETURI-VERBAL REPORT BY SHOEMAKER

- SHOEMAKER REPORTED KETURI IS HEALING FROM KNEE SURGERY.
- CHECK #1462 IN AMOUNT OF \$386.15 FROM CF&R FOR FUEL JULY – SEPT.
- CHEMUNG COUNTY SHERIFF’S OFFICE SEPTEMBER 2023 STATISTIC REPORT.

-WATER OPERATOR-HEATHER GABLE-REPORT FILED

-WATER DIRECTOR-HAROLD SHOEMAKER- REPORT FILED AND SHOEMAKER READ FIRST PAGE OF SEPTEMBER 2023 WATER BUDGET REPORT.

- SHOEMAKER REPORTED TWO (2) SECTIONS OF FOUR (4) OF HYDRANT FLUSHING HAS BEEN COMPLETED.
- SHOEMAKER REPORTED INSPECTION WAS COMPLETED BY CHEMUNG COUNTY HEALTH DEPARTMENT (SEE FILE).

-CEMETERY-DUSTIN ROSE-REPORT FILED

- CHECK #1607 FROM MR. PETER BROCK FOR BURIAL IN MT. HOPE IN AMOUNT OF \$100.00

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: \$24,333.39
FIRE: \$63,634.67

HIGHWAY/WATER-H. SHOEMAKER

DA ACCTS: \$18,882.18
FX (WATER): \$3,369.13

-SWAYZE, JR. NOTED LARGE AMOUNT FOR FIRE IS LAST FIRE TRUCK PAYMENT.

BUDGET ADJUSTMENT

RESOLUTION 61-23

TOWN BOARD OF VAN ETTEN AUTHORIZES TRANSFER OF \$12,000. FROM A8810.4 TO A5410.4. SPONSOR-SHOEMAKER. SECONDED-LARISON. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI-EXCUSED. 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:

- MR. DONOVAN STATED \$250,000 HAS BEEN APPROVED FROM COUNTY TO AID IN PAYMENT FOR BROADBAND PLAN FOR VAN ETTEN. MR. DONOVAN WILL UPDATE TOWN AT NEXT BOARD MEETING.

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- SHOEMAKER STATED TOWN IS WAITING ON OUTCOME OF BALDWIN'S ATV LAW VOTE IN NOVEMBER.

COMMUNICATION FROM THE AUDIENCE:

- MR. WHITMARSH NOTED HE WOULD LIKE ATV LAW IN VAN ETTEN. MR. WHITMARSH STATED HIS DISSATISFACTION WITH BUILDING CODE ENFORCEMENT OFFICER WHEN HE WAS ISSUING VIOLATIONS ON HIS PROPERTY. RECOMMENDED BODY CAMS FOR BUILDING CODE ENFORCEMENT OFFICERS.
- MS. LARISON ASKED WHY DITCHING STOPPED ON HER ROAD-EASTWOOD STATED THEY WILL BE BACK.
- MR. MIKE HUDAK (VILLAGE OF SPENCER BOARD MEMBER) HANDED OUT INFORMATION (SEE FILE) FOR PANTHER PAK AND REQUESTED FINANCIAL ASSISTANCE FROM VAN ETTEN TOWN BOARD.
- MR. PRESHER ASKED WHY WATER DISTRICT WAS NOT MARKING OUT "811" REQUEST FOR 7 WARNER STREET (WATER DISTRICT EASEMENT); SHOEMAKER RESPONDED WE ARE WORKING WITH TOWN ATTORNEY AND HIS ATTORNEY TO COMPLETE REQUEST. SWAYZE, JR. INFORMED MR. PRESHER THAT OUR TOWN ATTORNEY WILL CONTACT HIS ATTORNEY AND WE WILL MOVE FORWARD.
- MS. LECLAIRE ASKED ABOUT VAN ETTEN WOODEN SIGNS; ROSE WILL ASK SCHOOL FOR ASSISTANCE.

NEW BUSINESS:

- SHOEMAKER PRESENTED 2024 PRELIMINARY WATER AND TOWN BUDGETS.
- SHOEMAKER OPENED BID(S) FOR 2022 580 SUPER N WT BACKHOE (POSTED IN SEPTEMBER 14, 2023 EDITION OF MORNING TIMES AND SEPTEMBER 20, 2023 ISSUE OF NEWS CHRONICLE) FROM SAL STALTERI (SEE FILE) IN AMOUNT OF \$114,000.
 - SHOEMAKER NOTED BIDS FROM MILTON CAT AND MONROE TRACTORS DID NOT HAVE NON-COLLUSION FORM AND DID NOT OPEN.
- SHOEMAKER OPENED BID (ONLY RECEIVED ONE) FROM FRANK'S DISPOSAL (SEE FILE):
 - \$1,500/MONTH FOR ONE YEAR (1/2024 – 12/2024)
 - \$1,300/MONTH FOR TWO YEARS (1/2024 – 12/31/2025)

RESOLUTION 62-23

TOWN BOARD OF VAN ETTEN ACCEPTS FRANK'S DISPOSAL BID FOR REFUSE AND RECYCLING COLLECTION FOR TWO YEARS (1/2024 – 12/2025) AT \$1,300 PER MONTH. SPONSOR- SWAYZE, JR. SECONDED-SHOEMAKER. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI-EXCUSED. ALL AYE. CARRIED

RESOLUTION 63-23

TOWN BOARD OF VAN ETTEN ACCEPTS LOCAL LAW 3 OF 2023-REVISION OF LOCAL LAW 2 OF 2022. SPONSOR- SWAYZE, JR. SECONDED-FLORA. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI-EXCUSED. ALL AYE. CARRIED

RESOLUTION 64-23

TOWN BOARD OF VAN ETTEN ACCEPTS LOCAL LAW 4 OF 2023- EXCEEDING NYS TAX CAP 2024.

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RESOLUTION 65-23

TOWN BOARD OF VAN ETTEN APPROVES ADVERTISING FOR 2024 TOWN AND WATER BUDGET PUBLIC HEARING AT 7:00 PM ON NOVEMBER 9, 2023. SPONSOR- LARISON. SECONDED-SHOEMAKER. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI-EXCUSED. ALL AYE. CARRIED

RESOLUTION 66-23

TOWN BOARD OF VAN ETTEN ACCEPTS BID FROM SAL STALTERI FOR 2022 BACKHOE AND AUTHORIZES BOND FOR \$114,000 AT 4.95% INTEREST FOR 3 YEARS WITH TIOGA STATE BANK. SPONSOR- SHOEMAKER. SECONDED-SWAYZE, JR. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI-EXCUSED. ALL AYE. CARRIED

RESOLUTION 67-23

TOWN BOARD OF VAN ETTEN ADOPTS VAN ETTEN WATER DISTRICT EMERGENCY RESPONSE PLAN. SPONSOR- LARISON. SECONDED-FLORA. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI-EXCUSED. ALL AYE. CARRIED

RESOLUTION 68-23

TOWN BOARD OF VAN ETTEN AUTHORIZES HIGHWAY SUPERINTENDENT EASTWOOD TO ORDER 2025 TENCO HX 520 SFA TRUCK (CURRENT PRICE \$319,175.13 PER QUOTE DATED SEPTEMBER 13, 2023). SPONSOR- SWAYZE, JR. SECONDED-SHOEMAKER. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI-EXCUSED. ALL AYE. CARRIED

RESOLUTION 69-23

TOWN BOARD OF VAN ETTEN DEEMS VAN ETTEN HIGHWAY 2001 VOLVO EXCAVATOR AS SURPLUS. SPONSOR- SHOEMAKER. SECONDED-SWAYZE, JR. ROLL CALL VOTE-SHOEMAKER, FLORA, SWAYZE, JR., LARISON AND KETURI-EXCUSED. ALL AYE. CARRIED

A MOTION WAS MADE BY SWAYZE, JR. AND SECONDED BY SHOEMAKER TO ENTER INTO EXECUTIVE SESSION AT 8:17 PM TO INCLUDE BOB EASTWOOD. ALL AYE. CARRIED

A MOTION WAS MADE BY LARISON AND SECONDED BY FLORA TO ADJOURN FROM EXECUTIVE SESSION AT 8:28 PM. ALL AYE. CARRIED

SHOEMAKER STATED PERSONNEL WAS DISCUSSED.

REGULAR TOWN BOARD WILL BE HELD ON NOVEMBER 9, 2023, AT 7:00 PM.

ADJOURNED AT 8:29 PM MOTION BY SWAYZE, JR. SECONDED BY FLORA. ALL AYE. CARRIED.