

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

PRESENT: Supervisor Edward Fairbrother
Council Andy Gillette
Bob Adams
Lee Giammichele
Mike Saglibene
Attorney Thomas Reilly
Clerk Linda Cross

Supervisor Fairbrother opened the Town Board meeting at 7:00 p.m., and requested those present to participate in the Pledge of Allegiance.

CONCERNS OF THE PEOPLE- None

MINUTES

Councilperson Gillette made a motion, seconded by Councilperson Giammichele to approve the Town Board minutes of August 24, 2016, as presented. All in favor, motion carried.

Councilperson Gillette made a motion, seconded by Councilperson Giammichele to approve the Town Board minutes of September 14, 2016, as presented. All in favor, motion carried.

NEW BUSINESS

RESOLUTION NO. 221-16

ABSTRACT OF AUDITED VOUCHERS FOR SEPTEMBER 28, 2016 APPROVED

Resolution by: Giammichele

Seconded by: Adams

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for September 28, 2016, and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 25,113.30
HIGHWAY FUND	\$ 130,530.85
WATER DISTRICT #4	\$ 111.44
WATER DISTRICT #5	\$ 12,457.60
LIGHTING DISTRICT	\$ 594.12
TRUST FUND	\$ 2,700.00

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

RESOLUTION NO. 222-16
WINTER TAFFY EMPLOYEES FOR 2016-2017 APPOINTED

Resolution by: Adams
Seconded by: Saglibene

WHEREAS the Big Flats Youth Services Department will be hosting the Winter TAFFY Program from September 23, 2016 through April 7, 2017, and

WHEREAS a memo from the Youth Program Coordinator dated September 9, 2016, recommends the Town Board appoint the employees listed below, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board appoints the following Winter TAFFY employees:

	<u>2016</u>	<u>2017</u>
*Emily Austin	\$9.00/hr	\$9.70/hr
Logan Carpenter	\$9.00/hr	\$9.70/hr
Elizabeth Rich	\$9.00/hr	\$9.70/hr
*Juliana Rich	\$9.00/hr	\$9.70/hr
Jordan Yorio	\$9.00/hr	\$9.70/hr
Henry Farr	\$9.00/hr	\$9.70/hr
Chase Doner	\$9.00/hr	\$9.70/hr
Brett Jaynes	\$9.00/hr	\$9.70/hr
Grace Seeley	\$9.00/hr	\$9.70/hr
Felicia LaLomia	\$9.00/hr	\$9.70/hr

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

RESOLUTION NO. 223-16
COMMUNICATION LOG FOR SEPTEMBER 28, 2016 APPROVED

Resolution by: Saglibene
Seconded by: Gillette

BE IT RESOLVED that the following communications were received, accepted and filed by the Town Clerk of the Town of Big Flats and referred to the appropriate Department Head for information and/or action:

September 21, 2016

Charter Communications– RE: September 21, 2016 Programming Notice Changes. *Referred to: Town Board, and filed with Town Clerk*

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 224-16
AUTHORIZATION OF THE TOWN SUPERVISOR TO APPROVE LEASE OF VEHICLES
APPROVED

Resolution by: Gillette
Seconded by: Giammichele

WHEREAS it has been determined that leasing of vehicles can be a fiscally responsible alternative to purchasing, and

WHEREAS one lease has been identified that will provide a higher surplus return value at the end of the lease term, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c)(20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to approve the leasing of vehicles.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 225-16
LEASE OF A 2017 FORD F-150 XLT 4X4 SUPERCAB WITH SURPLUS OF
2008 FORD F-250 SD XL PICK-UP APPROVED

Resolution by: Giammichele
Seconded by: Adams

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

RESOLUTION NO. 225-16, LEASE OF A 2017 FORD F-150 XLT 4X4 SUPERCAB WITH SURPLUS OF 2008 FORD F-250 SD XL PICK-UP APPROVED continued

WHEREAS the Town Supervisor was authorized to approve the lease of equipment per resolution # 224-16, and

WHEREAS a lease opportunity was identified and approved for a 2017 Ford F-150 XLT 4x4 Supercab, and

WHEREAS we would surplus an existing vehicle to be applied toward the lease price, and

WHEREAS the 2008 Ford F-250 SD XL Pick-up will be surplussed, and

WHEREAS for environmental review purposes, administration and purchasing are Type II actions in accordance with SEQRA 6NYCRR, Part 617.5(c)(20, 25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the surplus of the 2008 Ford F-250 SD XL Pick-up toward the lease of the 2017 Ford F-150 XLT 4x4 Supercab.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 226-16

INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF CHEMUNG AND THE TOWN OF BIG FLATS REGARDING SHARING OF FINANCIAL ACCOUNTING, BOOKKEEPING AND PAYROLL SERVICES APPROVED

Resolution by: Adams
Seconded by: Saglibene

WHEREAS, the Town recognizes the need to share services within Chemung County to more efficiently utilize the tax dollars of our residents and the County recognizes the same need; and

WHEREAS, Chemung County has begun a process to seek out opportunities for shared services; and

WHEREAS, the Town of Big Flats recognizes that there is now an opportunity for the Town to transfer to the County of Chemung its functions regarding financial accounting, bookkeeping and payroll services; and

WHEREAS, said transfer will result in significant monetary savings and reduce costs to the Town, all while retaining the Town Supervisors duties and obligations as the chief financial officer of the Town of Big Flats; and

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

RESOLUTION NO. 226-16, INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF CHEMUNG AND THE TOWN OF BIG FLATS REGARDING SHARING OF FINANCIAL ACCOUNTING, BOOKKEEPING AND PAYROLL SERVICES APPROVED, continued

WHEREAS, the General Municipal Law authorizes municipalities to enter into inter-municipal agreements, and

WHEREAS, the Chemung County Treasurer, in response to a request from the Town of Big Flats (the "Town"), has proposed that the County of Chemung enter into an inter-municipal shared services agreement with the Town, cancellable on ninety-days written notice, authorizing the Chemung County Treasurer's Office ("CCTO") to provide certain financial services, including, but not limited to accounting, bookkeeping, payroll, and accounts payable services (collectively the "Financial Services"), to the Town at an annual cost to the Town of \$48,000 for those services during the period October 1, 2016 through December 31, 2017; and

WHEREAS, the County Executive and the Budget Committee have recommended that the Chemung County Legislature approve this inter-municipal agreement; and

WHEREAS, the County Legislature on September 12, 2016 approved the following contract which has been signed by the County Executive with the Town of Big Flats, now

THEREFORE, BE IT RESOLVED that the Town of Big Flats Supervisor is hereby authorized and directed to execute an inter-municipal shared services agreement as set forth below with the County for the CCTO to provide Financial Services to the Town commencing October 1, 2016 through December 31, 2017 for a fee of that 15 month period of \$60,000 with further payments on an annual basis of \$48,000 with payments made on a quarterly basis at \$12,000/quarter and first payment due on last day of month at end of each quarter so that payment in December shall encompass the period from October through December of 2016 for \$12,000 so that the remainder of the \$48,000 annual fee will commence being paid on last day of March 2017 and thereafter quarterly as set forth in the agreement as set forth below and, be it further, now

BE IT FURTHER RESOLVED this agreement shall not be renewed, the initial term thereof extended, or the agreement amended without the express consent by Resolution of the County Legislature and the Board of the Town of Big Flats.

CARRIED: AYES: Gillette, Adams, Saglibene, Fairbrother
NAYS: Giammichele

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

TOWN OF BIG FLATS FINANCIAL SERVICES
INTERMUNICIPAL AGREEMENT

This Agreement, is made this ____ day of _____, 2016 by and between the County of Chemung, 203 Lake Street, P.O. Box 588, Elmira, New York 14902 (hereinafter referred to as “County”), and the Town of Big Flats, 476 Maple Street, Big Flats, New York 14814, (hereinafter referred to as “Town”).

WHEREAS, the County and Town recognize the need to share services within Chemung County to more efficiently utilize the tax dollars of our residents; and

WHEREAS, Chemung County has begun a process to seek out opportunities for shared services; and

WHEREAS, the County and the Town have determined that such a shared services opportunity exists; and

WHEREAS, the General Municipal Law Article 5-G authorizes municipalities to enter into inter-municipal agreements, and

WHEREAS, the Town is in need of certain accounting, bookkeeping and payroll services; and

WHEREAS, the Office of the Chemung County Treasurer is able to provide certain bookkeeping, general accounting, and payroll services to municipalities within Chemung County;

NOW, THEREFORE, IT IS AGREED, by the parties hereby as follows:

- A) The Chemung County Legislature has adopted a resolution authorizing the Chemung County Executive to enter into an agreement with the Town of Big Flats to provide financial accounting, bookkeeping and payroll services, as permissible and sanctioned by GML 119-o and 119-n.
- B) The Town of Big Flats has adopted a resolution authorizing the Town Supervisor to enter into an agreement with the County of Chemung to provide financial accounting, bookkeeping and payroll services, as permissible and sanctioned by GML 119-o and 119-n.
- C) The Office of the Chemung County Treasurer shall provide accounting, bookkeeping and payroll services, as described in Attachment A hereto commencing on the 1st day of October, 2016, and ending on December 31, 2017, unless extended in writing. Notwithstanding this end date, it is understood that the Office of the Chemung County Treasurer shall continue to provide the agreed-upon services into Year 2018, until the closing of the 2017 Town books and filing of the 2017 Annual Update Document with the Office of the New York State Comptroller.

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

- D) The Town of Big Flats agrees to pay the County Sixty Thousand Dollars (\$60,000.00) to provide the agreed upon services for a fifteen (15) month period, which amount shall be pro-rated for any portion thereof. It is anticipated that any renewal of this contract shall be for a 12-month period at a cost of Forty-eight Thousand Dollars (\$48,000.00) per year.
- E) The County and Town reserve the right to terminate participation in this Agreement upon ninety (90) days written notice for any and all reasons.
- F) The continuation of service from one year to the next will not occur unless the Chemung County Legislature so extends this agreement by resolution, subject to mutually agreed upon cost amendments.
- G) Payment for such service will be made to the County of Chemung in quarterly installments of \$12,000.00 payable on the last day of the month following the end of each quarter, the first such payment being due on or before January 31, 2017. Failure to pay within 30 days is an incident of default that permits the County to cancel this Agreement upon notice with a 30-day opportunity to cure the default.
- H) The Town of Big Flats agrees to defend, indemnify and save harmless the County of Chemung and their agents and employees against any and all claims, losses, demands, and liabilities to which the County of Chemung may be subjected as a result of a breach of this contract or the negligence of the Town of Big Flats.
- I) The County of Chemung agrees to defend, indemnify and save harmless the Town of Big Flats and their agents and employees against any and all claims, losses, demands, and liabilities to which the Town of Big Flats may be subjected as a result of a breach of this contract or the negligence of the County of Chemung.
- J) No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving such breach.
- K) This Agreement constitutes the complete understanding of the parties. It may only be amended, varied, modified or waived by written agreement executed by authorized signatories of the parties.
- L) This Agreement shall be construed in accordance with the laws of the State of New York.
- M) If any provision of this Agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid and operative, or if it cannot be so modified then severed and the remainder of the agreement shall continue in full force and effect as if the Agreement had been signed with the invalid portion so modified or eliminated.
- N) All notices and payments hereunder shall be in writing, mailed first class or delivered by hand to the address of the other party as set forth below, and shall take effect when mailed or when received if delivered by hand.

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

Town of Big Flats
476 Maple Street
Big Flats, NY 14814

Chemung County
P.O. Box 588
Elmira, NY 14902-0588

- O) County shall create and maintain such records, reports, documents and materials as are required to provide the services to be performed under this Agreement.
- P) The parties agree that they shall periodically share such information with each other, hold such meetings and study such potential cooperative services between them and others as are likely to result in increased efficiencies, better service to the public, and cost savings to the taxpayers.
- Q) This Agreement shall supersede all prior agreements between the parties regarding this subject matter.
- R) This Agreement shall not preclude either or both parties from entering into other cooperation or inter-municipal agreements outside of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first above written.

COUNTY OF CHEMUNG

TOWN OF BIG FLATS

THOMAS J. SANTULLI

EDWARD FAIRBROTHER

County Executive
Title

Town Supervisor
Title

Date

Date

**ATTACHMENT A
SERVICES TO BE PROVIDED**

The Town shall provide, in a timely manner, the County Treasurer’s Office with bank statements, payroll records and other documents necessary to enable the County to fulfill its obligations under this Agreement.

The County of Chemung (County) will provide the following services to the Town of Big Flats in fulfillment of the Municipal Services Agreement:

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

1. Reconcile each of the town's ten checking accounts monthly.
2. Prepare monthly financial reports for the board.
3. Prepare and file quarterly Federal and State payroll tax reports for the town, State retirement system reporting.
4. Prepare journal entries, as necessary.
5. Prepare monthly supervisor's report.
6. Prepare and file the Annual Update Document with the NYS Comptroller.
7. Prepare all required annual payroll filings including employee W-2s.
8. Prepare and distribute required 1099 forms to vendors. Make required filing with IRS.
9. Prepare required year end entries including, but not limited to, payroll accrual, pension and health insurance distributions.
10. Prepare year end schedules and adjustments for the annual audit.
11. Prepare and file the annual update document with the New York State Comptroller's Office.
12. Work with independent auditor to complete the audit.
13. Assist the drafting of responses to management letter comments.

SET-UP AND TRAINING SERVICES by the County:

1. Set-up the towns' accounting and payroll records on the New World Accounting system.
 - a) Chart of Accounts
 - b) Vendor Files
 - c) Personnel Files
2. Transfer all 2016 year-to-date financial and payroll data to the New World system.
3. Prepare appropriate prior years' historical data as requested by town for conversion into the New World Accounting System.

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

4. Train departmental staff to use the New World System to
 - a) Enter purchase orders
 - b) Enter accounts payable payment approval
 - c) Process payroll information
 - d) Generate desired reports

RESOLUTION NO. 227-16
SPECIAL WORKSHOP MEETING FOR 2017 TENTATIVE BUDGET SET

Resolution by: Saglibene

Seconded by: Gillette

WHEREAS the Town Clerk submitted the 2017 Tentative Budget, and special workshops meetings will be conducted the week of October 11th and are necessary for the review of said budget,

BE IT THEREFORE RESOLVED the Town Board Sets Special Workshop meetings for October 5, 2016 at 4:30 p.m.; October 19, 2016 at 4:30 p.m., for the purpose of reviewing the proposed 2017 Budget.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother

NAYS: None

Supervisor Fairbrother reports on General Item:

- 2017 Budget set workshop meetings
- Youth programs funding
- New Health Plan Union, meeting Monday, October 3rd
- BAN at 1.27%
- I86 report
- Update on town projects
- Airport Funds
- Leasing of vehicles
- Water line on Daniel Zenker – RFP went out
- Water pump station update – online and working, ribbon cutting
- Update on accounting program
- Parking in Park for Tags Concerts – done for the season
- Historical Society Meeting, Thursday, Oct.27th at 6:00 p.m.

Supervisor Fairbrother made a motion, seconded by Councilperson Giammichele to enter into an executive Session at 7:46 p.m. to discuss a personnel matter that pertains to departments, positions and salaries. All in favor, motion carried.

MINUTES OF THE TOWN BOARD MEETING OF SEPTEMBER 28, 2016

Supervisor Fairbrother reconvened the Town Board Meeting at 8:11 p.m.

Councilperson Giammichele made a motion, seconded by Councilperson Adams to adjourn the Town Board meeting at 8:12 p.m. All in favor, motion carried.

Date approved: _____ Linda Cross
Town Clerk