



DATE: January 5, 2011
TIME: 6:00PM
MEETING: Organizational Meeting, Town Board, Town of Portville, New York
LOCATION: Westons Mills Community Center, 1310 Olean Portville Road, Westons Mills, New York
PRESENT: Bill Stern, Town Supervisor
Terri Batt, Deputy Town Supervisor
Charlene Van Dusen, Councilperson
Gary Woodhead, Councilperson
Terri Wilber, Councilperson
James Parks, Town Clerk

Appointees and Members the Public and Media

Pledge of Allegiance

Supervisor Stern welcomed everyone. The purpose of the annual organization meeting is to appoint and swear in officials to government functions, define compensation of each paid position in the town, set forth any policy changes, outline when meetings will occur, specify official newspaper and financial institutions, and define various spending limits or constraints.

Unlike all other public meetings, the organization meeting is basically a set of motions on which the town board will vote. There will not be any public comment opportunity during this meeting.

Appointments & Compensation

The following appointments are occurring because of vacancies or end of term of office.

Supervisor Stern made a motion to appoint Terri Wilber to the elected position of councilperson with a term expiring December 31, 2011. Motion seconded by Councilperson Van Dusen. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES). MOTION CARRIED 4-YES 0-NO 0-ABSTAIN

Town Clerk Parks administered the oath of office to Terri Wilber.

Congratulations and welcome Terri.

At the recommendation of the highway superintendent, supervisor Stern made a motion to appoint and employ Timothy Griffin to the position of Deputy Highway Superintendent with a term expiring December 31, 2011 and a monthly compensation of \$100. This \$100 per month supercedes and discontinues the \$0.41 per hour he received for this appointment in past years. Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES). MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion to appoint and employ Ginger Moser to the position of Court Clerk and Deputy Town Clerk with terms expiring December 31, 2011, hourly rate of pay at \$12.50 and weekly hours not to exceed 24. Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion to appoint and employ Steffanie Bell as webmaster with a term expiring December 31, 2011, hourly rate of pay at \$15 and weekly hours not to exceed 5. Motion seconded by Councilperson Woodhead. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN



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Supervisor Stern made a motion to appoint and employ Holly Fischer as planning board secretary with a term expiring December 31, 2011, hourly rate of pay at \$10 and monthly hours not to exceed 10. Motion seconded by Councilperson Woodhead. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion to appoint and contract Ed Bysiek as bookkeeper with a term expiring December 31, 2011, hourly rate of pay at \$40. Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion to appoint and employ Walt Putt as code enforcement officer, building inspector and flood control officer, hereinafter referred to as "building inspector" with a term expiring December 31, 2011 and monthly rate of pay at \$666. Motion seconded by Councilperson Van Dusen. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion to appoint and employ Cindy Nupp as dog control officer with a term expiring December 31, 2011 and monthly rate of pay at \$356. Motion seconded by Councilperson Woodhead. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion to appoint Robert Nupp as deputy dog control officer with a term expiring December 31, 2011 and no compensation. Motion seconded by Councilperson Van Dusen. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion to appoint and employ Jim Parks as town historian with a term expiring December 31, 2011 and compensation of \$1 per year. Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion to appoint Joann McAndrew as a member of the planning board with a term expiring December 31, 2015 and no compensation. Motion seconded by Councilperson Van Dusen. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion to appoint Liz Augostini as chair of the Board of Assessment Review with a term expiring September 30, 2011 and no compensation. Motion seconded by Councilperson Woodhead. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion to appoint Mike Batt as deputy chair of the Board of Assessment Review with a term expiring September 30, 2011 and no compensation. Motion seconded by Councilperson Woodhead. VOTE: Stern (YES), Batt (ABSTAIN), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 4-YES 0-NO 1-ABSTAIN. Terri Batt is the wife of Mike Batt.

Deputy Supervisor Batt made a motion that the annual compensation of the elected position of town supervisor continues at \$9,434 and that it is paid out in 4 equal payments at the end of each quarter. Since this is an elected position, compensation cannot be reduced without voter referendum. Motion seconded by Councilperson Wilber. VOTE: Stern (ABSTAIN), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 4-YES 0-NO 1-ABSTAIN.

Supervisor Stern has chosen to appoint Terri Batt as the deputy town supervisor and as such would like to make a motion that the annual compensation of that appointed position of deputy town supervisor continue at \$5,000 and that it be paid out in 4 equal payments at the end of each quarter. Motion seconded by Councilperson Wilber. VOTE: Stern (YES), Batt (ABSTAIN), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 1-ABSTAIN.



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Supervisor Stern made a motion that the annual compensation of the elected position of councilperson continue at \$1,320 and that it be paid out in 4 equal payments at the end of each quarter. Since these are elected positions, compensation cannot be reduced without voter referendum. Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN.

Supervisor Stern made a motion that the annual compensation of the elected position of highway superintendent continue at \$43,208 and that it be paid out in 24 equal payments on the 1st and 15th of each month. Since this is an elected position, compensation cannot be reduced without voter referendum. Motion seconded by Councilperson Woodhead. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN.

Supervisor Stern made a motion that the annual compensation of the elected position of town justice whose term expires on December 31, 2013 continue at \$9,000 and that it be paid out in 12 equal payments on the end of each month. Since this is an elected position, compensation cannot be reduced without voter referendum. Motion seconded by Councilperson Van Dusen. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN.

Supervisor Stern made a motion that the annual compensation of the elected position of town justice whose term expires on December 31, 2014 continue at \$1,200 and that it be paid out in 12 equal payments on the end of each month. Since this is an elected position, compensation cannot be reduced without voter referendum. Motion seconded by Councilperson Woodhead. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion that the hourly rate of pay of the appointed position of town clerk continue at \$11.34 and that the weekly scheduled hours continue at 24 hours per week. Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion, in accordance with the performance agreement between the town and Steffanie Bell wherein annual compensation is set at twelve times \$0.9322 times the number of parcels existing in the town on January 1st which is 2066 and that the annual compensation shall not ever be lower than \$23,100, that the monthly compensation of the appointed position of sole assessor remain the same at \$23,111.10 and that it be paid out in 24 equal payments on the 1st and 15th of each month. Motion seconded by Councilperson Van Dusen. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (NO), Wilber (YES) MOTION CARRIED 4-YES 1-NO 0-ABSTAIN

Supervisor Stern made a motion that the hourly rate of pay for all Commercial Driver Class B workers continue at \$16.75 and that the current incumbents in that job classification are Brian Freaney, Ryan Hatch, Timothy Griffin, and Terry Walden. Please note that we are not in a position to change the hourly rate of pay for this position because it is part of current union contract negotiations. Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion that the business mileage reimbursement for approved town business be set at \$0.50 per mile. Is there a second? Motion seconded by Councilperson Wilber. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Newspaper

Supervisor Stern made a motion that the official town newspaper be the Olean Times Herald. Motion seconded by Councilperson Woodhead. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN



Financial Institutions

Supervisor Stern made a motion that our financial institutions be identified as Cutwater NYClass, Community Bank and Five Star Bank Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Meeting Schedule

Supervisor Stern made a motion that the town board meet monthly on the third Wednesday of each month at 7:00PM at the Westons Mills Community Center located at 1310 Olean Portville Road, Westons Mills, NY 14788. Motion seconded by Councilperson Woodhead. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion that the town planning board meet monthly on the first Wednesday of each month at 7:00PM at the Town Municipal Building located on 1102 Olean Portville Road, Portville, NY 14770. The only exception would be its January meeting which I am recommending be on January 6 at 7:00PM at the Town Municipal Building located on 1102 Olean Portville Road, Portville, NY 14770 Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Supervisor Stern made a motion that the town planning board conduct its comprehensive planning and economic development meeting on the fourth Wednesday of each month at 7:00PM at the Town Municipal Building located at 1102 Olean Portville Road, Portville, NY 14770. Motion seconded by Councilperson Van Dusen. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Meeting Protocol

Supervisor Stern made a motion that our meeting protocol remains the same as defined in the organization meeting minutes of January 5, 2010. Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Investment and Funds Transfer Direction

Councilperson Van Dusen made a motion that the town supervisor continue to have the latitude to make investments and funds transfers as stipulated and empowered by law and that no prior review or approval is required by the town board. Motion seconded by Councilperson Woodhead. VOTE: Stern (ABSTAIN), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 4-YES 0-NO 1-ABSTAIN

Designation of Payroll Services

Supervisor Stern made a motion that the town payroll services be provided by Ed Bysiek who is the appointed bookkeeper for the town. Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN



284 Agreements

In accordance with Highway Law 284, the Highway Superintendent must provide to the town board prior to the acquisition of materials and resources and the commencement of work a completed 284 Agreement detailing the specific road improvements, locations, distances, project description, and cost for each road. These repairs, maintenance and improvements must then be submitted under signature by the highway superintendent to the town board for approval. If a majority of the board approves of the work and costs, then under signature the 284 Agreement is submitted for approval by the County Highway Superintendent. Prior to the commencement of each project, the highway superintendent is required to submit to the County Highway Superintendent detail plans for each maintenance, repair and improvement. For 2011, the amount of money budgeted in the DB Fund for this purpose is \$33,388. Highway Superintendent submits it at the January 19th monthly town board meeting. A decision regarding the 284 Agreement will be made by the town board within 30 days of receipt.

Highway Superintendent Annual Inventory Report

In accordance with Town Law 32, the Highway Superintendent is directed to submit to the town board on January 19, 2011 a complete written inventory of all machinery, tools, implements and equipment and the condition of each within the Highway Department.

Oath of Office

By law, elected and appointed officials must take and sign the oath of office within 30 days of the beginning of his or her term of office. To fail to do so vacates the position and makes it available to the town board for appointment. Town Clerk Parks administered the oath of office to the appointees who are present tonight and to subsequently sign the oath book.

Supervisor Stern direct the town clerk to follow up with any elected or appointed officials to ensure he or she takes the oath of office and signs the oath book within the prescribed time.

Adjournment

Supervisor Stern made a motion to adjourn at 6:40PM. Motion seconded by Councilperson Batt. VOTE: Stern (YES), Batt (YES), Van Dusen (YES), Woodhead (YES), Wilber (YES) MOTION CARRIED 5-YES 0-NO 0-ABSTAIN

Respectfully signed,

Jim Parks
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