

Town of Venice Board Meeting February 9, 2023

The regular scheduled board meeting was called to order on February 9, 2023, at 7:00 pm by Town Supervisor, Stefan McGonagle. All stood for the Pledge of Allegiance.

Roll call found the following present: Supervisor Stefan McGonagle; Councilors Brian Sheils, Edward Denton, Cynthia Whitten and Terri Denman; Highway Superintendent Stephen Fedrizzi and Town Clerk Andrew Simkin. Assessor Heather Garner participated in a portion of the meeting via speakerphone.

Guests in Attendance: Colleen Rejman, Nancy Abbott. Additional guests Mohammad Elbeitam, Justin Vanderputte, and Mark Gardner participated in a portion of the meeting via remote videoconference.

Resolution 8-2023 ~ Approval of Minutes from January 12, 2022:

The Clerk read the minutes, copies of which had also been distributed to the board. One correction was noted. Motion made by Councilor Denman and seconded by Councilor Denton to approve the minutes from January 12, 2022, as corrected. Voted: All in favor.

Supervisor McGonagle introduced guests representing Bluebird biogas firm, participating via videoconference. The company is developing a project to gather and process methane from manure digesters at two large dairy farms. Regulatory approval by the NY Public Service Commission requires that the company guarantee the project's eventual decommissioning costs via irrevocable letters of credit. The Town governments of Venice and Ledyard have the right to decide whether to hold these letters of credit themselves, or to have a third-party fiduciary hold them. Supervisor outlined for board members some of the details of how this would work. An extensive conversation followed, with input from the Bluebird representatives. The board decided to consult the Town Attorney for further information on legal aspects of holding a letter of credit for the decommissioning of the part of the project that would lie within the Town of Venice.

Resolution 9-2023 ~ To consult further with Town Attorney

Motion made by Supervisor McGonagle and seconded by Councilor Denton to arrange a briefing by the Town Attorney concerning legal aspects of the biogas project decommissioning arrangements. Voted: All in favor.

Report(s) of Town Officials:

Clerk/Collector's report: Clerk circulated a written report showing the following services performed during the month of January:

10 dog licenses issued

Two handicapped parking permits

One certificate of residency

5 death certificates issued for funeral directors.

Total fee revenue collected: \$199, of which \$175.00 paid to Supervisor for general fund, and \$24.00 paid to NYS Ag and Markets.

Other activity since January board meeting:

Tax collection: total payments collected as of 2/8/23 \$1,164,915.64, 70% of the total 2023 town and county tax warrant. Town of Venice portion total of \$685,160.10 (includes fire districts and Poplar Ridge light district) has been fully paid over to Town. First payment to Cayuga County toward its portion of the tax warrant was delivered by Collector on 2/9/23, in the amount of \$450,000.

Dog Control: Clerk called Finger Lakes Dog Protection Agency to follow up after not receiving a contract from them for 2023 service. Carl Collier confirmed on Feb. 8 that no contract had been sent. They are not ready to commit to provide service for the full year, but are continuing to provide the same service as last year, and are willing to operate on a holdover basis, with quarterly payments instead of the usual payment of a full year in advance.

Code Officer's Report: copied to board members shows one building permit issued for January 2023. Code officer completed 24 hours of Code Enforcement training in Buffalo, and held office hours on Monday mornings and by appointment.

Justice's report: January report shows receipt numbers 3852-3865 issued for court fees and fines totaling \$1,883, which sum has been paid over to the Town of Venice.

Assessor's Report: Assessor Heather Garner submitted a written handout explaining how the "Equalization Rate" for property tax assessments is used in the State of New York. This was to help the Board consider whether to go forward with the planned revaluation of real property. In discussion, it was noted that a revaluation would affect individual properties but does not necessarily have any impact on the aggregate tax revenue collected for the Town. The Board has the ability as part of its budget process to control the overall amount of taxes levied for the Town, thereby offsetting the impact of increases in assessed value.

Resolution 10-2023 ~ To go forward with revaluation by Assessor.

Motion made by Councilor Denton and seconded by Councilor Whitten to continue revaluation of properties. Voted: All in favor.

Supervisor mentioned a recent NYS law that creates a framework for local governments to provide partial property tax exemptions for volunteer firefighters and ambulance workers. Individual volunteers would be able to elect whether to claim the property tax exemption or claim the existing \$200 credit on NYS income tax. During the discussion that ensued, Councilors telephoned Assessor Garner, who clarified some of the details of this exemption, which would require adoption of a local law. The exemption can cover up to 10% of the property tax on the volunteer's primary residence, and can include a ceiling on the value subject to the exemption. This exemption would not take effect until the 2024 tax year. For maximum benefit to the volunteer, the exemption would need to be approved by County and School authorities as well as at the Town level.

Resolution 11-2023 ~ To prepare a draft local law

Motion made by Councilor Sheils and seconded by Councilor Whitten to work with Town Attorney to prepare a draft local law providing a partial property tax exemption for volunteer firefighters and ambulance workers. Voted: All in favor.

Highway Superintendent: Superintendent Fedrizzi reported that the Highway Dept. performed a lot of repairs on vehicles in the past month. The north overhead door of the Morton building is not functioning properly, and needs to be replaced. He obtained a quote for a new door for \$9,200. Superintendent further reported that he had made a selection to fill the upcoming vacancy on the highway crew, and would

like to hire the selected candidate to start by the end of February, providing a partial overlap for training purposes. Councilors expressed support for this plan, and noted that this would be a good opportunity to establish a more formal onboarding process for Town personnel. OSC auditors have commented that the Town's personnel practices in recent years have omitted some important steps, such as, for example, having the employee sign a document spelling out pay and benefits.

Resolution 12-2023 ~ Approval of new door for Highway building

Motion made by Councilor Denton and seconded by Councilor Denman to approve contracting with Genson Overhead Door for installation of a new overhead door at the quoted price of \$9,200. Voted: All in favor

Supervisor's Report: Supervisor McGonagle reported that he has been working with Finance Director Stevens and with Ted from the Williamson Law Books company to correct the financial accounts. Significant progress has been made on sorting out the accounting for the Tile Kiln road bridge project, the new snowplow truck acquisition, and payroll records. 1099s for contractors are nearly complete. He circulated a Supervisor's report document, generated from Williamson Law Books software, that needs some corrections, but he expects to be able soon to generate accurate reports.

Supervisor referred to a written update on the ongoing OSC audit that he had circulated, briefing councilors. The auditors have identified several areas of improvement and passed along sample policies that the Town may wish to consider adopting. They are well aware that the Town is working to clean up financial records and processes following significant turnover in staff over the past 3 years. The Town's policy manual needs updating. Councilors decided on a team effort to update the policy manual. Clerk will look for the documents in electronic files and post them on a shared drive folder.

Supervisor brought up a sample Fund Balance Policy for discussion. This policy would aim to ensure that the General Fund and Highway Fund retain sufficient balances at all times, in a range from 15% to 50% of the annual appropriation amounts for those funds. Councilors decided on some edits to the template document.

Resolution 13-2023 ~ Adoption of Fund Balance Policy

Motion made by Councilor Denman and seconded by Councilor Sheils to adopt Town of Venice Fund Balance Policy, as edited. Voted: All in favor

Supervisor next brought up a sample Policy for Credit Card Usage. The Town does not currently use credit cards, but the auditors suggested that it would be beneficial to have a policy in place, in the event that the Town decides to use credit cards in the future. Councilors reviewed the document and had no changes, other than to insert the Town's name.

Resolution 14-2023 ~ Adoption of Policy for Credit Card Usage

Motion made by Councilor Denton and seconded by Councilor Whitten to adopt the sample policy for use by the Town of Venice. Voted: All in favor.

Supervisor next described the need to declare a standard work day, for purposes of the NY State retirement system. The system calculates retirement benefits in units of days, not hours. Each covered employer has the option of declaring that its standard work day is either 8 hours, or 6 hours. Periods of work time lower than or greater than a standard work day can then be converted into fractional days, for reporting purposes. Supervisor proposed opting for an 8 hour day, which would likely be less costly for the Town.

Resolution 15-2023 ~ Adoption of 8-hour Standard Work Day

Motion made by Councilor Denton and seconded by Councilor Denman to adopt an 8-hour Standard Work Day, for purposes of the NYS Retirement System. Voted: All in favor.

Supervisor next mentioned the need for a policy that the same person can not both write and sign any given Town check. Having two persons involved with any check has been his standard practice, but it has not been codified in writing. The discussion of this topic broadened to include procedures for reconciling bank statements. Clerk noted that there are other internal controls that could be integrated into a comprehensive policy on the Town's internal control practices. Clerk agreed to work on preparing a draft internal controls policy, with input from other town offices, for the Board to consider.

Supervisor noted that there is a need to consider a local law concerning holding public meetings with some officials attending via remote video conferencing. There had been a NYS law in place authorizing this, because of the Covid pandemic, but that law expired. Supervisor mentioned the possibility of using a sample local law prepared by the NY Association of Towns, and indicated that he is awaiting another sample from Town Attorney Blair.

Supervisor brought up some amendments needed to supplement the Organizational Resolution that was passed at the January 2023 meeting. These provisions are consistent with practice in prior years, but had not been included in the draft considered and adopted at the previous meeting. The provisions to be added are as follows:

- Board Meetings remain on second Thursday of each month at 7pm
- Supervisor authorized to invest tax money, pay contractual expenses and utilities.
- Highway Superintendent authorized to spend up to \$1,500 monthly
- County Office for the Aging/Meals on Wheels donation \$500
- Switch to paying the Animal control officer on a quarterly basis as long as they continue to offer the services
- Salary of \$1,000 paid annually for Town Historian.

Resolution 16-2023 ~ Amendments to Organizational Resolution

Motion made by Councilor Denman and seconded by Councilor Whitten to adopt the proposed amendments to the 2023 Organizational Resolution. Voted: All in favor.

The full text of the appointments and authorizations for 2023 now reads as follows:

1) Positions:

- a. Supervisor: Stefan McGonagle
- b. Deputy Supervisor: Brian Sheils
- c. Town Clerk/Collector: Andrew Simkin
- d. Deputy Clerk/Collector: Megan Konyk / Barb Stevens / Kim Franklin
- e. Highway Superintendent: Stephen Fedrizzi
- f. Deputy Highway Superintendent: David Earl
- g. Registrar: Andrew Simkin
- h. Code Officer: Patrick Doyle
- i. Historian: Phyllis Stanton
- j. Attorney: Thomas Blair
- k. Official Newspaper: The Citizen

I. Official Depositories: Cayuga Lake National Bank, First National Bank of Groton

2) Salaries Per Budget:

a. Elected Officials

- i. Supervisor: \$6,500 pd quarterly (W2)
- ii. Deputy Supervisor: \$500 pd quarterly (W2)
- iii. Councilor: 4 @ \$1,400 pd quarterly (W2)
- iv. Clerk: \$9,300 pd quarterly (W2)
- v. Collector/Registrar: \$2,000 pd quarterly (W2)
- vi. Justice: \$7,500 pd every 2 weeks (W2)
- vii. Highway Superintendent: \$67,000 pd every two weeks (W2)

b. Appointed Officials

- i. Assessor: \$14,650 pd every 2 weeks (W2)
 - ii. Code Officer: \$6,800 pd every 2 weeks (W2)
 - iii. Finance Director: \$6,000 pd quarterly (W2)
 - iv. Court Clerk: \$6,100 pd every 2 weeks (W2)
 - v. Assistants/Deputies (Clerk, Collector, etc.): \$17.00 Per hour pd on the following abstract cycle (1099)
 - vi. Tax Grievance Board paid annually (1099)
 - 1. Lead: \$200 per year
 - 2. 2 Others: \$175 per year
 - vii. Historian: \$1,000 paid annually (1099)
- c. Highway Employees
- i. Full Time: \$23.25 per hour plus overtime pd every two weeks (W2)
 - ii. Part Time: \$20.00 per hour pd every two weeks (w2)

3) Other

- a. Mileage \$0.65.5 per mile (2023 IRS rate). Not authorized for home to office travel.
- b. Jurors: \$10 per day
- c. SCIA: \$29,227 paid once per year in January
- d. Scat Van: \$500 paid once per year in January
- e. Finger Lakes Dog Protection: \$450 paid quarterly as long as they continue to offer the service
- f. Board Meetings remain on second Thursday of each month at 7pm
- g. Supervisor authorized to invest tax money, pay contractual expenses and utilities.
- h. Highway Superintendent authorized to spend up to \$1,500 monthly
- i. County Office for the Aging/Meals on Wheels donation \$500

Supervisor noted that the New York State Local Retirement System (NYSLRS) requires that each salaried person participating in the system submit a detailed timesheet of hours worked for a 90-day period. Persons covered by this requirement will turn in their timesheet to the Town Clerk.

After reviewing the monthly vouchers, Councilor Sheils noted that one voucher for mileage reimbursement covered a full year of trips throughout 2022. After discussion, Councilors settled on 45 days as a time limit for future vouchers for reimbursement of expenses.

Resolution 17-2023 ~ Time limit for reimbursement of expenses

Motion made by Councilor Denton and seconded by Councilor Whitten to require that Town officers and employees submit any vouchers for expenses within 45 days after incurring the expense. Voted: All in

favor.

Resolution 18-2023 ~ Audit of Claims

Motion made by Councilor Whitten and seconded by Councilor Denton to accept General and Fire District vouchers 22-43, in the amount of \$148,474.81, Highway vouchers 15-35 in the amount of \$57,069.42, and Poplar Ridge Lighting District voucher 2 in the amount of \$37.26. Voted: All in favor.

At this point in the meeting, Supervisor McGonagle moved to open an executive session to discuss personnel benefits topics. The motion was seconded by Councilor Denton. Voted: All in favor. The remaining guests departed the meeting.

The Executive session opened at 10:03pm. No substantive decisions were made. At 10:17, on motion by Supervisor McGonagle, seconded by Councilor Sheils and approved by all, the Executive session was closed.

Supervisor McGonagle moved to adjourn and hold the next regular board meeting March 9, 2023, at 7:00 pm at 2479 State Route 34 in Venice Center. The motion was seconded by Councilors Denman and Whitten. Voted: All in favor. The meeting adjourned at 10:18 PM.

Respectfully submitted,

Andrew T. Simkin, Town Clerk