

**TOWN OF BARTON  
MONTHLY MEETING MINUTES  
June 8, 2020 – 6:30 PM**

**Board Members Present:** Supervisor Leon Cary, Donald Foster, Kevin Everly, David Shipman, and John Tryon

**Staff Present:** Fred Schweiger, Highway Superintendent; Arrah Richards, Town Clerk

**Guests:** Dan Eiklor, Kelly Schweiger

**Pledge of Allegiance**

**Motion** to open public hearing at 6:30pm to discuss Local Law No. 01-2020- Increase Town Clerk Salary to Compensate for Additional Duties made by **Board Member Kevin Everly** and seconded by **Board Member Dave Shipman**.

Supervisor Cary asked if there was any discussion on this local law.

**Motion** to close public hearing at 6:31pm to discuss Local Law No. 01-2020- Increase Town Clerk Salary to Compensate for Additional Duties made by **Board Member Dave Shipman** and seconded by **Board Member Don Foster**.

**Board Member Kevin Everly** would like to pass Resolution 15-2020 prior to approving Resolution 16-2020.

- a. Resolution 15-2020 – Additional Town Clerk Duties

RESOLUTION NO 15-2020

ADDITIONAL TOWN CLERK DUTIES

**WHEREAS**, the Town of Barton Town Board wishes to add additional duties to the position of Town Clerk which includes the billing and record maintenance related to water and sewer services; and

**NOW THEREFORE** upon a motion by Board Member Kevin Everly seconded by Board Member John Tryon and carried; therefore, be it

**RESOLVED**, in accordance to Town Law Section 30(11) the Town of Barton Town Board, County of Tioga, State of New York hereby adds billing and record maintenance related to water and sewer services to the Town Clerk's duties.

**Roll Call Vote:**

Leon Cary	Aye
John Tryon	Aye

David Shipman      Aye  
Kevin Everly        Aye  
Don Foster            Aye

- b. Resolution 16-2020 – Local Law No. 1 of 2020 Increase Town Clerk Salary to Compensate for Additional Duties

RESOLUTION NO 16-2020

LOCAL LAW NO. 1 OF 2020 – INCREASE TOWN CLERK SALARY TO COMPENSATE FOR ADDITIONAL DUTIES

**WHEREAS**, the Town of Barton Town Board wishes to add additional duties to the position of Town Clerk which includes billing and record maintenance related to water and sewer services; and

**WHEREAS**, in consideration for these additional duties the Town of Barton Town Board wishes to increase the salary of the Town Clerk for the remainder of the 2020 fiscal year; and

**WHEREAS**, the approved budget for the Town of Barton included the amount that is to be allocated to the Town Clerk for these duties to be performed; therefore, this salary increase does not impact the approved budget; and

**WHEREAS**, a local law is required to increase the salary of a Town elective officer during an elected term in accordance to Municipal Home Rule Law § 24 (2) (h); and

**WHEREAS**, Local Law No. 1 of 2020 To Increase Town Clerk Salary To Compensate for Additional Duties, thereof in its final form having been upon the desks of members of the Town Board for at least seven (7) calendar days, exclusive of Sunday, prior to this day, and a public hearing having been held on June 8, 2020 at 6:30 p.m. before the Town of Barton Town Board upon public notice provided by law, and the said proposed local law having been read in its final form at this meeting; and

**NOW THEREFORE** upon a motion by Board Member Don Foster seconded by Board Member Kevin Everly and carried; therefore, be it

**RESOLVED**, that the Town Board of the Town of Barton, County of Tioga, State of New York, hereby adopts and enacts, to wit:

**LOCAL LAW NO. 1 OF 2020 TO INCREASE TOWN CLERK SALARY TO COMPENSATE FOR ADDITIONAL DUTIES**

**Section 1.** Legislative Intent.

It is the intent of this local law to allow the Town of Barton to increase the salary of the Town Clerk for the remainder of the 2020 fiscal year due to the delegation of

additional duties involving billing and record maintenance related to water and sewer services.

**Section 2.** Authority.

This local law is adopted pursuant to Municipal Home Rule Law § 24 (2) (h) for increasing the salary of an elected officer.

**Section 3.** Town Clerk Salary Increase.

The Town Board of the Town of Barton, County of Tioga, State of New York is hereby authorized to increase the salary of the Town Clerk in the amount of \$2,640 for the remainder of the 2020 fiscal year.

**Section 4.** Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

**Roll Call Vote:**

Leon Cary	Aye
John Tryon	Aye
David Shipman	Aye
Kevin Everly	Aye
Don Foster	Aye

Board Member Don Foster wanted to clarify that the Bookkeeper is taking a pay decrease so the budget will be a wash.

**Privilege of the Floor:**

Resident Dan Eiklor noted the Wilcox Estates does not have a posted speed limit sign and was wondering what the speed limit was. Supervisor Cary stated the speed limit should be decided by the State Police. Board Member Foster added the speed limit should be posted in our Code Book.

Resident Dan Eiklor would also like to say thank you to the Highway Department for mowing by Circle Drive (which they do anyway) but also for picking up the brush that was alongside the road that someone dumped. It looks great.

**Approval of Minutes:** A **motion** to approve May 11, 2020 minutes made by **Board Member Don Foster** and seconded by **Board Member Dave Shipman**.

5-Ayes, 0-Noes

**Vouchers:** A **motion** to approve the vouchers made by **Board Member John Tryon** and seconded by **Board Member Kevin Everly** and carried.

- General Fund \$35,885.84
- Water\Sewer \$522.11
- Highway \$202,043.71

5-Ayes 0-Noes.

## **Personnel:**

### **Town Clerk, Arrah Richards**

The Dog Control Officer has a new cell phone and number. His new number is (607) 237-1370 and is also listed on our website.

The Court has a new email, [Court@TownofBarton.org](mailto:Court@TownofBarton.org) as well as a new fax number, (607) 223-7080. Those are also updated on our website.

I contacted Andy Bennett, from Spectrum, to get an update on the site survey over near the highway barn. There is nothing new to report. This site survey is to see if Spectrum would run cables near the Highway Department to allow for better internet connectivity as well as providing for an inexpensive phone service.

The County ported our phone lines on May 27, 2020 so we will not be receiving any more phone bills from Teledair. The extensions will remain the same so the public will not see any changes resulting from the new provider.

The credit card system is up and running. We will accept credit/debit card payments onsite, online and through the telephone. In the near future, I will be updating our website to allow residents easy access to the online payment site. There are a limited number of options for the residents to be able to pay online. Certain duties require the customer to come into our office so those items will not be listed online. We do need a resolution to approve credit card payments to pay taxes which is our third resolution tonight. Other options that are available to be paid online are: property taxes (starting 2021) sewer/water payments, dog licensing renewals (only if rabies certificates are still valid), court/traffic fines and fees, mobile home park renewals. Credit card payments are allowed for all types when the customer comes into the office. The credit card system currently called, GovPayNet allows for recurring monthly payments. This is not setup yet. Once GovPayNet updates to its new website, called AllPaid, I was told that I may have the option to allow for quarterly recurring payments. The interest rate across the board is 2.25% with a minimum charge of \$1.00. Supervisor Cary said this is going to be very useful for residents who go to Florida in the winter.

I encourage the residents to visit the Town of Barton website ([www.TownOfBarton.org](http://www.TownOfBarton.org)) for information. The website is getting updated frequently with agendas/minutes, COVID-19 updates, etc.

Stray Haven sent a reimbursement check of \$550 for an overcharge which will go back into our Stray Have account.

A new retention schedule will be coming August 2020. The Town Board will need to adopt the schedule by resolution between August 1, 2020 and January 1, 2021. This new schedule will replace all four schedules, including the towns, MU-1.

Tax season is done. We will no longer accept tax payments unless they were mailed to our office with a postmarked date of May 31, 2020 or before. The unpaid file will be sent to the county and any residents that didn't pay their 2020 taxes will now have to go to the county to pay them.

Highway Superintendent Schweiger asked if the Board knew how much sales tax was lost. Supervisor Cary said it was down to 28-29% in the first quarter. Board Member Everly added two out of those three months the economy was still open. This next quarter will be even worse as it encompasses April, May, and June. Supervisor Cary said the CHIPS money should still be safe. Highway Superintendent Schweiger said they still haven't released any of it. It was supposed to be released a couple of weeks ago in the amount of \$229,000. Supervisor Cary said the Town could be looking at a 20% decrease in funding from the state, the CHIPS funding is on the federal level. Board Member Everly inserted, that 20% decrease in funding from the state is if the state cuts from the school and Medicaid/Medicare. If they don't cut from the schools and Medicaid/Medicare, we could be looking at a 30-40% decrease in funding.

### **Highway Superintendent, Fred Schweiger**

Started working the dirt roads today.

Loaned a truck for a shared service for Nichols for pug milling. Lewis Cary has been mowing out here that last couple of weeks.

Patch truck has been holding up and has been used pretty steady. They used it on Edgecomb.

The Hadlock property is being demolished. There will be roll-offs there tomorrow and we'll get it cleaned up. The property will be dozed and ready to be mowed so the property can get back on the tax rolls.

The culverts have been getting cleaned out on Talmadge Hill South for a resident whose been trying to get it done for the past couple years. Replaced a couple other culverts on Collins Road for a few residents. A Talmadge Hill West culvert is plugged up that was filled with concrete. Superintendent Schweiger is going to have to cut that

and pull that out, too. It's dropping water down and diverting to one culvert that is catching all the water on the north side of Talmadge Hill West, diverting it onto a resident's property and towards their septic tank. The prior Superintendent had filled a few culverts with concrete and flowable fill on Acme Road and Talmadge Hill West along with a few other places so now they will need to cut into the new road and get those out of there.

The dump truck was hauled last week to Tenco, just south west of Rochester. They are backlogged. It was supposed to be done in April, then pushed back to July but now they hope to get it back to us in August/September.

Mike Jurta, from Soil and Water, came down and checked out some properties. He has a few ideas for Sue Vanderpool's residence. The pipe could be flared in and along with setting some spikes out and angle them upstream. Mr. Jurta's recommendation for Ranch Road on Talmadge Hill West was to call this gentlemen to put in some extra huge riffraff which is beyond our scope with our excavators. He will make up some different pools to help dissipate the energy. He will give us a quote but is looking at around \$10-15,000. Norris Road is bad. The homeowners did come out and talked about enlarging the drywells over there but there is so much water coming off the side hill. Mr. Jurta explained to the residents it's kind of a no-win situation unless the residents are willing to release some of their property to build a bigger retention pond against the side hill. Without some studies, he's not sure how much water is actually coming off there and not sure if the pond would even be big enough. Supervisor Cary said a study was done several years ago. Mr. Jurta is going to be writing up plans for all three locations and give some recommendations for each.

Broad Street Extension and Ellistown are done and striped. The Town has been helping the Village of Waverly with shared services but a big thank you to the Village of Waverly as they paid for the striping on Broad Street Extension and Ellistown. They also paid for the striping at the end of Broad Street from the border down on our property.

The workers have been building up and added some ditches on Van Atta Road. They're trying to get the soft spots fixed and maybe put oil and stone on that the rest of the way. The Highway is trying to phase out the dirt roads because of the maintenance and upkeep of them.

#### **New Business:**

- a. Resolution 15-2020 – Approved above
- b. Resolution 16-2020 – Approved above
- c. Resolution 17-2020 – Authorize Acceptance of Electronic Funds Transfer and Credit/Debit Card Payments for All Fees Collected by the Town of Barton

AUTHORIZE ACCEPTANCE OF ELECTRONIC FUNDS TRANSFER AND CREDIT/DEBIT CARD PAYMENTS FOR ALL FEES COLLECTED BY THE TOWN OF BARTON

**WHEREAS**, a local government may, by resolution, accept credit/debit cards and electronic funds transfer (eCheck) as a method of payment; and

**WHEREAS**, the Town of Barton Board wishes to offer this option to its residents; and

**WHEREAS**, the town has the option to impose a service charge on the taxpayer, so long as it does not exceed the cost incurred by the town in providing for credit/debit card payments or electronic funds transfer;

**NOW THEREFORE** upon a motion by Board Member John Tryon seconded by Board Member Kevin Everly and carried; therefore, be it

**RESOLVED**, the Town of Barton Board authorizes the Town Clerk to execute and deliver all documents necessary to implement and accept electronic funds transfers (eCheck) and credit/debit card payments both in office, online and over the phone for all Town of Barton fees and taxes; and be it further

**RESOLVED**, the Town of Barton Board authorizes the imposition of a fee on persons making payment by credit/debit card and eCheck so that implementation of the credit card and eCheck program is cost neutral.

**Roll Call Vote:**

Leon Cary	Aye
John Tryon	Aye
David Shipman	Aye
Kevin Everly	Aye
Don Foster	Aye

d. List of Approved Contractors for Cemeteries

The Town Clerk and the Highway Superintendent have been talking about getting an approved contractor list to dig graves in our cemeteries. The cost of hiring a contractor is cheaper than paying the employees to dig the graves with their wages and time and a half. Town Clerk Richards will put an article in the paper to have vendors submit to the town some references along with their Certificate of Liability insurance once a fee has been determined. Supervisor Cary stated the Town needs to see some of this money from the cost of opening graves to maintain these cemeteries. The Board is considering a permit fee the contractor would have to pay to be added to the approved contractor list to put towards the cost of the maintenance of these cemeteries.

### **Old Business**

Railroad – Supervisor Cary asked Lance Lee, from the State, to come down on Wednesday, June 24, 2020 at 12:00pm to discuss the railroad. A work session will take place at this date/time at the Town Hall. A notice will be posted in the newspaper.

Board Member Don Foster asked the Supervisor if the Bookkeeper will be coming to any more of the Board meetings. The Supervisor said she probably will once her kids go back to school.

**Motion** to adjourn meeting at 7:27 pm made by **Councilman Kevin Everly** and seconded by **Councilman Don Foster**.

Respectfully submitted,

*Arrah Richards*

Town of Barton Clerk