

The regular meeting of the Marilla Town Board was held on Thursday, May 13, 2010 at 7:30 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. Officials present were:

George Gertz, Supervisor  
Barbara Spanitz, Councilman  
Warren Handley, Councilman  
Elizabeth Ackerman, Councilman  
Donald Darrow, Councilman

Supervisor Gertz called the meeting to order and the Pledge of Allegiance to the Flag was given.

### **Communications**

Communications were received and read from:

- a. Judith Farmer informed the Town Board that she would have to decline the position as alternate on the CAB due to other conflicts.

### **Committee Reports**

Highway Superintendent Ronald Unverdorben reported that they picked up 116 ton of rubbish for last week's big pickup. They average 40 ton during a regular week, he said they collected 4200 lbs of steel. They use to collect over 40,000 pounds of steel but due to the fact that people are picking trash and getting there before the Town which has really reduced the Town's portion. He reported the Town recycled 2140 lbs of plastic and tin cans for the month of April and received \$10.50 before expenses. He also stated they purchased a new mower for the Town Park and they will be starting road work next week.

Councilman Spanitz reported that she had attended Houghton College on May 5, they had very informative seminars and a record number of Town employees attended. She also stated the next Planning Board Meeting will be held on May 20th at 7:00 pm, and the Friends of the Library will be having another book sale in September and are looking for book donations.

Councilman Ackerman reported that the next Historical Society Meeting will be on Monday, May 24<sup>th</sup>.

Councilman Handley reported that there were some changes in the Memorial Day Parade. The Celebration will begin at Maplewood Cemetery on East Avenue at 11:00 am and continue to the Evergreen Cemetery on Two Rod Road at 11:20 am. The Parade will begin on Tomarsue at 11:30 am and proceed down to the Veterans Memorial. He said there will be over 80 WWII Veterans. He explained the changes to the program were only for this year to Honor our WWII Veterans. There will be free hot dogs and the Veterans will be serving chicken dinners; pre-sale chicken dinners are \$7 and \$8 the day of the Celebration. There will be a Dixieland Band in the Pavilion after the parade. He stated there will be a display of WWII pictures and letters from Earl Gingrich Jr's Grandfather during WWII. He added the first summer concert will be June 3<sup>rd</sup> at 5:30 pm the Iroquois Select Chorus and Orchestra.

Councilman Darrow reported that he attended a CAB Meeting which is now being held on the first Thursday of every month. They are looking into recycling and the Town's Comprehensive Plan. He said he attended a Car Show Meeting and the Marilla Car Show is now receiving National Recognition. Sox and Martins usually only appear at National Events have agreed to come to the Marilla Car Show. The Car Show Committee is still looking for sponsors or donations. He said anyone needing information can contact Vinney Biesiegel at 716-440-8723 and all proceeds benefit Mercy Flight.

Supervisor Gertz stated that the Car Show will be a two day event, the first day, Saturday will be on the Firemens Grounds with a flea market and Sunday will be the Car Show with road closings. He reported that Town Assessor Kandace Wittmeyer has hired a part time clerk and hours for the public will be now extended to Mondays and Thursdays 10

am to 2 pm and Tuesdays 7-9 pm. They are rearranging and organizing the office to be much more functional. He said Grievance Day will be May 27<sup>th</sup> from 2-4 pm and from 7-9 pm.

**Open Board Presentations From the Public**

Resident Earl Gingerich Jr stated that Pete Reader contributed some WWII memorabilia for display but they would like more Memorial Day pictures or items. He said they will be serving the chicken barbeque themselves and Marion Whiting will be looking for help serving. The public can purchase presale dinners for \$7 at the Marilla Grill and the Marilla Town Hall.

CAB Alternated Shirley Limpinsel thanked the Town Board for her appointment.

**Old Business**

Motion: Councilman Spanitz moved, seconded by Councilman Ackerman to approve the minutes of the Bid Opening on 4/5/2010, the Public Hearings held on 4/8/2010 and the Regular Board Meeting held on 4/8/2010.  
Motion Carried.

**New Business**

Motion: Councilman Handley moved, seconded by Councilman Darrow to approve the following resolution for the standard workday;

WHEREAS, the Town Board has been advised by the State of New York that the Town of Marilla has to establish standard work days for elected and appointed officials and will report the days worked to the New York State and Local Employees Retirement System; and

WHEREAS, the Town Board has discussed the issues presented and what other municipalities have adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. The Town Board does hereby adopt the following standard work day for elected and appointed officials.

a. Town Supervisor	6 hrs
b. Town Board Member	6 hrs
c. Town Justice	6 hrs
d. Town Clerk	6 hrs
e. Deputy Town Clerk	8 hrs
f. Code Enforcement Officer	6 hrs
g. Asst. Code Enforcement Officer	6 hrs
h. Dog Control Officer	6 hrs
i. Assessor	6 hrs
j. Highway Superintendent	6 hrs
k. Mechanic	8 hrs
l. Motor Equipment Operator	8 hrs
m. Laborer	8 hrs
n. Part Time Laborer	8 hrs
o. Part Time Clerk	8 hrs
  
2. This resolution shall be effective immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board held on May 13, 2010, the results of which were as follows:

Councilman Spanitz ó Aye	Councilman Ackerman ó Aye
Councilman Handley ó Aye	Councilman Darrow ó Aye
Supervisor Gertz ó Aye	

Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Ackerman to approve the low bidder EDC Systems, located at 3455 Golden Gate Way, Lafayette, California 94549, telephone 925-283-1700 for the new Server for the Town Hall at a cost of \$3,213. Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Darrow to authorize ACP to conduct the installation of the new server. Motion Carried.

Motion: Councilman Ackerman moved, seconded by Councilman Handley to authorize the Town Clerk to hire 6 part-time people to conduct a dog census over the summer at pay rate of the current minimum wage plus an incentive per dog. Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Ackerman to approve the following fee schedule for water sales;

Residential Users \$25.00 key ~ fee refundable at end of year.

Rates :

Commercial Users water billed monthly at current water rates.

Residential Users \$25.00 up-front fee.

1. Water billed monthly at current water rates deducted from fee.
2. When up-front fee is reduced to \$5.00 customer must replenish fee.
3. Money remaining in up-front fee refundable at end of year with return of key.

Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilman Handley to authorize the Town Clerk to advertise for bids on Water District #5. Motion Carried.

Motion: Councilman Ackerman moved, seconded by Councilman Darrow to declare the old laptop from the Disaster Coordinator as surplus and donate it to the Marilla Fire Company.

Councilman Handley felt other departments in the Town should be asked if they would have a use for the laptop.

Supervisor Gertz stated it was old and slow with very little value and the Fire Company would be using it for power point presentations.

Roll Call Vote:

Councilman Spanitz ó Aye

Councilman Ackerman ó Aye

Councilman Handley ó Nye

Councilman Darrow ó Aye

Supervisor Gertz ó Aye

Motion Carried.

### **Report of Town Officials**

Town Engineer Marie Nowak reported that they waiting for some final approval letters and then they will be able to advertise for bids on Water District 5.

Building Inspector Scott Rider submitted a written report with 7 building applications received with fees totaling \$842.75, 7 building permits were issued with a total value of \$117,000, 8 inspections were made for the month of April. There were a total of 178 logged activities. He stated that the changes in the flood zone area will take effect next year.

Town Attorney Nathan Neill reported that he had not heard back from the towns of Alden and Bennington to increase the water line size in Water District 5 for their future expansion. They would be required to pay the increased cost due to size increase.

Town Assessor Kandace Wittmeyer reported that the tentative roll was filed with the County and State. She has sent out 136 assessment change notices. She stated she is reorganizing the office to be more productive and professional.

Supervisor Gertz said that for the first time the Town Board received a monthly report from the Assessor's Office.

Supervisor Gertz said that the Planning Board and Conservation Advisory Board minutes were received and posted.

**Open Board Presentations**

Councilman Handley wanted to compliment Town Assessor Kandace Wittmeyer for opening up the communication with the Town Board. He asked Building Inspector Scott Rider if there were many changes in Marilla with the Flood Zone.

Scott responded there are quite a few.

Supervisor Gertz stated that the Town Board is looking at updating the Town's Comprehensive Plan this fall. They are going to be sending out surveys to residents for input. The current plan was last updated in 1998. He said that County Legislature Dino Fudoli will be holding Town Meetings at different locations in his district. He reported that there will be an electronics recycling day in Swormsville on May 22<sup>nd</sup> at Saint Mary's School from 9am to 2pm, a \$10 minimum donation suggested. He said the Town is in good financial shape and they purchased a new tractor for the Town Park. The Cemetery is doing very well with lot sales.

The Vouchers have been audited by all of the Town Board Members.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to approve the claims as follows:

General Fund Claims, Vouchers 179-241	\$ 35,752.83
Highway Fund Claims, Vouchers 65-81	\$ 18,716.56
Special Districts	
Sanitation (SR), Vouchers 32-44	\$ 11,257.02
Special Fire Voucher 4	\$ 13,180.67
Water District #2, Vouchers 10-12	\$ 2,605.28
Water District #3 Vouchers 6-7	\$ 3,599.74
Water District #4 Voucher 5	\$ 817.40
Water District #5 Voucher	\$ 7,214.70
Community Develop. PACE Vouchers	\$ .00
Community Develop. HUD	\$ .00
Cemetery Vouchers 6-7	\$ 248.60

Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Ackerman to adjourn the meeting at 7:57 p.m. Motion Carried.

Respectfully submitted,

\_\_\_\_\_ Town Clerk \_\_\_\_\_ Supervisor  
 \_\_\_\_\_ Councilman \_\_\_\_\_ Councilman  
 \_\_\_\_\_ Councilman \_\_\_\_\_ Councilman