

Meeting Minutes
Town of Morristown
April 12, 2016

Present: Harvey Bender, Shawn Macaulay, David Stout III, Chris Coffin

Absent: Gary Turner

Also Present: Dean Hoffman, Chris Sherwin, Joe Lightfoot

Approval of Minutes: A motion was made by Councilman Macaulay, seconded by Councilman Stout to approve the minutes of March 18th and March 21st as presented.

Vote: Harvey Bender-Aye, Shawn Macaulay-aye, David Stout-Aye, Chris Coffin-Aye

Correspondence: Supervisor Coffin read the below letter, received from Mark Blanchard, into the minutes. March 21, 2016

Dear Chris,

I am writing in regards to a couple of issues that come to mind with the recent events with our town government. My first issue is that we have had at various times three town board members who were not officially members of the board due to lack of a proper oath being administered. One member since sometime in July 2015, one since November 2015 and the third one since January 2016. I want to know if these former board members have been receiving their monthly stipends during the times that they were not official members. If in fact they have then I see that as a misappropriation of town funds which I would assume be illegal. If in fact they should not have been receiving compensation will they be made to return to the town any monies paid to them when they were not official members of the town board? Seems like there might be a legal and ethics issue here. Who will make the determination on the legality of this and when will that be determined? When have or will their stipends be suspended? I hope we are not paying these former members at the same time that we are paying you and the two appointed members. When will we as taxpayers be made aware of the above and what steps are being taken to possibly rectify these three situations. It is interesting how this issue has not been addressed to date.

My second concern is in regards to appointments to the Board at the special meeting on March 20, 2016. First it seems it would have been prudent in light of the scrutiny the town board is under that you as supervisor would have taken the steps to seek out people who might have interest in serving in one of the vacancies by making the public aware that the board was looking for people to fulfill the two vacancies. Had I been aware that you seeking people to fulfill one of the vacancies I would have indicated interest. Again what it appears is that a back room decision was made and you went along with it. When David Stout was last on the board you may remember that he got off the board for two reasons. The first was that he would no longer have town sponsored/free health insurance for himself and his family. Secondly he got off so he could again sell sand and other materials to the town otherwise the town would have to continue with purchasing those materials from other vendors. In fact one of the last vendors I recall was Cook's Sand/Gravel from the Gouverneur area. How can he serve now on the board when he has been doing and will continue doing business with the town? This seems to constitute a huge conflict of interest. Because it may save the town money to purchase from David does not override the

fact that is possibly illegal for him to sit on the board and also do business with the town. Have you or anyone else researched this matter to see if there is a conflict? I would like under FOIL a copy of the contract that the Town of Morristown has with David Stout's business to provide sand and any other materials to the town. I assume such a document must exist. Further has the town put out to bid for the purchasing of sand and other materials as they should be doing? I might further add under ordinary circumstances where David would not be doing business with the town, he would be a good choice. Why would the town board appoint him now though and possibly create another possible controversy for the town? It seems the town should be engaged in preventing any more conflict. It is becoming more clear and more clear that an audit by the comptroller's office is in order.

Any information you can provide on the above circumstances would be greatly appreciated.

Thank you,

Mark C. Blanchard

Public Comment

In response to Mr. Blanchard's letter the following comment was received:

David Stout III- Mr. Stout stated that he did not leave the Board because of the loss of health insurance. Stated that he led the move to remove health insurance from the Board and paid for his family plan for 3 years after losing the insurance as a town paid benefit. He also stated that there is no contract for sand.

Chris Coffin: Supervisor Coffin stated that he is directing the Ethics Review Board to review the situation with Mr. Stout sitting on the Board and would like to develop a plan of action to deal with any potential conflicts of interest.

Frank Putman: Mr. Putman stated that he wanted it put on the record that while he was serving on the Town Board Mark Blanchard was receiving the health insurance benefit from the Town while also receiving the health benefit from Morristown Central School.

Chris Coffin: In the matter of possible duplicate payrolls the pay for the three previous board members ceased at the end of February 2016. Only the current seated Board members are being paid. Mr. Coffin also stated that the recovery of pay is currently being researched and the Town is looking into the process and requirements for doing so.

In other public comment:

Joe Lightfoot: County Legislator Joe Lightfoot spoke to the Board on county budget issues including community services, sheriff's office over time and a highway equipment upgrade.

Rick Johnson: Asked how long St. Lawrence County had been self-insured. Mr. Lightfoot stated that he wasn't sure.

Howard Warren: Mr. Warren stated that he didn't resign to draw retirement. He resigned to remove himself from the retirement system in order to stop paying in to it.

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Ratification of Motions and Resolutions

A motion was made by Councilman Harvey Bender and seconded by Councilman David Stout to ratify all previous motions and resolutions from July 21, 2015 through February 29, 2016.

Motion to ratify all motions and resolutions moved and approved by the Town Board of the Town of Morristown. This ratification will cover all motions and resolutions from July 21, 2015 through February 26, 2016.

- 07/21/2015 Motion to accept the Resignation of Frank Putman
 Motion to adopt Local Law #3 amending Local Law #4 of 2006

- 09/08/2015 Motion to award cemetery contracts
 Motion to adopt Local Law #4 of 2015 Revised Junk Law
 Motion to authorize Supervisor to sign plow truck lease/purchase agreement

- 10/13/2015 Resolution #8 of 2016 Annual review of justice court records
 Motion to Rebid Fuel Oil Contract

- 11/02/2015 Motion to accept resignation of Howard Warren

- 11/10/2015
 Motion to authorize purchase of highway equipment
 Resolution #9 Adopt County Hazard mitigation Plan
 Motion to award Fuel Contract
 Motion to award Cemetery Contract (Paro)

- 11/20/2015 Motion to adopt 2016 Town Budget

- 12/08/2015 Motion to authorize Supervisor to enter into kennel contract

- 12/29/2015 Motion to transfer funds from SD#1 savings to SD#1 operating fund
 Motion to authorize Supervisor to sign Solar Energy IMA
 Motion to approve Teamsters 3 year contract/Authorize Supervisor
 To sign the contract
 Motion to accept insurance quote from St. Lawrence Agency for 2016

- 12/29/2015 Resolution #1 of 2016 Approve Official Undertaking for Municipal Officials
 Motion to adopt 2016 Procurement Policy

- 02/09/2016 Resolution #2 of 2016 Hold St Lawrence Co. DOT Harmless

- 02/18/2016 Motion to authorize Code Officer to issue letter of violation

Vote: Harvey Bender-Aye, Shawn Macaulay-aye, David Stout-Aye, Chris Coffin-Aye

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Affirm and Re-sign Contracts As Needed

Councilman David Stout moved to adopt resolution #3 of 2016, with a second by Councilman Shawn Macaulay. **Resolution #3 of 2016 - Affirmation and Endorsement of Contracts**

WHEREAS, the Town Board wishes to ensure that contracts authorized and endorsed from July 21, 2015 through February 28, 2016 are appropriately and legally endorsed, and

WHEREAS, that all contracts from July 21, 2015 through February 28, 2016 are only authorized to be re-endorsed by the Supervisor, and that absolutely no alteration of the body of these contracts has been authorized,

NOW, THEREFORE BE IT RESOLVED that we, the Town Board of the Town of Morristown authorize the Supervisor to re-endorse any and all contracts with the Town that were previously endorsed from July 21, 2015 through February 28, 2016

Vote: Harvey Bender-Aye, Shawn Macaulay-aye, David Stout-Aye, Chris Coffin-Aye

Reimbursement of Payroll- There was no action taken at this time.

Old Business

1. **Sewer Districts Update-** Superintendent Dean Hoffman reported that District #2 was quiet last winter. The highway crew has finished a retrofit at the Brigg's residence. He also brought to the Boards attention that it's costing 6-8 hundred dollars per pump when one is rebuilt. There is a supply of new pumps in store and he will start replacing non-working pumps with them for now.
Supervisor Coffin stated that addressing the problems with District #2 is a priority and he is establishing a committee to move that process along. The committee will consist of Shawn Macaulay-chair, Rick Johnson, Darrell Merkel, Dean Hoffman, and Kevin Crosby. Supervisor Coffin directed that all meetings be advertised and noted that all final decisions based on the committee's work would be made by the Town Board.
2. **Pressure Washer Bid Opening** – One bid was received. Supervisor Coffin opened and read the bid, which was from James Whitton. The bid amount was \$1,200, which exceeded the minimum bid set by the Board. A motion was made by Councilman Harvey Bender, and seconded by Councilman David Stout, to accept the bid of 1,200 dollars from James Whitton, for the pressure washer.
3. Vote: Harvey Bender-Aye, Shawn Macaulay-aye, David Stout-Aye, Chris Coffin-Aye
4. **Other Old Business-** There was no other old business brought to the Board.

New Business

1. **Upcoming Local Laws-2** laws will be on the Boards desks by the May meeting. One law to repeal the 2016 Tax Cap Override and one law to exceed the 2017 budget (if necessary).
2. **Board of Assessment Review Vacancy-** A motion was made by Councilman David Stout, and seconded by Councilman Harvey Bender, to appoint James Bogardus III to the balance of the unexpired term of Harvey Bender on the Board of Assessment Review.
Vote: Harvey Bender-Aye, Shawn Macaulay-aye, David Stout-Aye, Chris Coffin-Aye

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4. 2017 Budget Process- Supervisor Coffin informed the Board that he intends to expand the participation of the Board and the public in crafting the 2017 budget. He has asked Jim Kelly to help with the process.

Department Reports

- 1. Highway Department-** A written report was given to the Board. Superintendent Hoffman stated that CHIPS money had been received and that the alternator was being replaced on the tractor.
- 2. Code Enforcement-** A written report was given to the Clerk. Code Officer Chris Sherwin explained that the state will be going to the ICC books in July and there will be a state supplement to it. Since the Edwardsville Grocery inspection showed that the building is unsafe the owner was sent a letter informing him of the condition of the building. Officer Sherwin will look at how to get the cleanup process started. He also stated that he is working on a Junkyard Law.
- 3. DPW-**No report.

Public Comment-No additional public comment

A motion was made by Councilman Shawn Macaulay, and seconded by Councilman David Stout, to enter into executive session to discuss matters relating to the employment history of a particular individual and matters relating to pending or current litigation.

Vote: Harvey Bender-Aye, Shawn Macaulay-aye, David Stout-Aye, Chris Coffin-Aye

The Board entered into executive session at 8:15 PM and left executive session upon motion at 8:45 PM. Supervisor Coffin reported that no action was taken.

The meeting was adjourned upon motion at 8:45 PM

Meeting minutes prepared and respectfully submitted by David Murray, Town Clerk