

**MINUTES OF WORKSHOP MEETING OF THE TOWN BOARD OF THE TOWN OF HUNTER AND PUBLIC HEARING FOR CONDEMNATION OF TWO PROPERTIES HELD ON TUESDAY, SEPTEMBER 13, 2022, AT 6:00 PM AT THE TOWN HALL LOCATED ON RTE. 23A IN TANNERSVILLE, NEW YORK.TOWN OF HUNTER**

Present:	Sean Mahoney Dolph Semenza David Kukle Ernest Reale Raymond Legg	Supervisor Councilman Councilman Councilman Councilman
Others Present:	Lara Hamrah-Poladian7-8 (Zoom 8-8:30) Marc Czermerys Sarah Pellizzari Sgt. Robert Haines John Farrell	Secretary to the Supervisor Planning Board Chairman Code Enforcement Officer Hunter Police Department Superintendent of Highways
Absent:	Corina Pascucci	Town Clerk
Zoom:	Christine Arleo	

Supervisor Mahoney opens the meetings with the Pledge of Allegiance to the Flag at 6:00 PM

**PUBLIC HEARINGS**

Supervisor Mahoney opens the Public Hearing for Unsafe Buildings in the matter of proceedings to remove unsafe buildings and/or collapsed structures on premises reputedly owned by Dimitria Ann Zaharatos and John Zaharatos Jr. SBL 216.00-3-16 and Daniel and Theresa Demarco SBL 207.00-3-1.12 at 6:00 PM.

Patrick ? states he is here representing 2050 Rte. 214 on behalf of his mother to gather information as to what will become of the property as they are a neighboring landowner. He states the roof is collapsed, there is debris everywhere and he believes it to be inhabitable and favors condemnation.

Supervisor Mahoney states the Code Enforcement Officer has determined that there is an unsafe structure on this property and the board is holding this public hearing to consider condemnation. Condemnation would allow for the removal of the unsafe structure. Should the property owner choose not to remove the structure, there are avenues the Town can take to have the structure removed and levy the charges on the property owner's property tax bill.

S. Pellizzari states that the property owner called yesterday and believes that Town is incorrect, and this isn't an unsafe structure. She informed him of the process and no building permits are on file to rectify the issues with the structure. She adds that the Public Hearing can be left open to allow the landowner time to rectify the problems.

Supervisor Mahoney makes a MOTION to keep the Public Hearing for 2066 Rte. 214 SBL 216.00-3-16 open for one month. Seconded by Councilman Reale.

NO VOTE

Councilman Kukle asks what would be needed from the owners if they state that they will be fixing the structure?

Discussion on the layers of what would be needed to move forward.

Supervisor Mahoney makes a MOTION to keep the Public Hearing for 2066 Rte. 214 SBL 216.00-3-16 open for one month and the Town Board will vote on potential condemnation unless the landowner has initiated the process of getting a building permit, a demolition permit, or some other remediation factor. Seconded by Councilman Reale.

Ayes -5-

Noes -0-

The owners of 76 Notch Inn Rd. SBL 207.00-3-1.12 are present.

Daniel Demarco states they got some estimates on demolishing the structure and have had dumpsters there to clean out contents inside of the structure and the Code Enforcement Officer has documentation for this.

S. Pellizzari suggests keeping the Public Hearing open for another month. Discussion on asbestos testing and removal, contractor versus property owner. She adds that a Demolition Permit is needed.

Councilman Legg suggests that the asbestos testing needs to be done.

Supervisor Mahoney makes a MOTION to keep the Public Hearing for 76 Notch Inn Rd. SBL 207.00-3-1.12 open for another 30 days pending a successful demolition permit being filed with the Code Enforcement Officer. Seconded by Councilman Reale.

Ayes -5-

Noes -0-

Supervisor Mahoney makes a MOTION to close the Public Hearing at 6:26 PM. Seconded by Councilman Reale.

Ayes -5-

Noes -0-

### **WORKSHOP MEETING**

Supervisor Mahoney makes a MOTION to open the Workshop Meeting at 6:27 PM. Seconded by Councilman Semenza.

Ayes -5-

Noes -0-

### **AUDIT**

The following vouchers were audited and approved for payment by the Town Board:

General Fund (TW) Voucher #324 through #365 in the amount of \$91,504.15

General Fund (TOS) Voucher #1064 through #1065 in the amount of \$3,305.98

Highway Fund (TW) Voucher #106 through #115 in the amount of \$9,688.81

Highway Fund (TOS) Voucher #1078 through #1091 in the amount of \$183,188.46

Landfill Closure Fund Voucher #60 through #65 in the amount of \$3,672.17

**NEW HIRE** – Cleaner

Supervisor Mahoney makes a MOTION to hire Tammy Dibbell as the Cleaner, effective 8/26/22 at the rate of \$16.00 per hour. Seconded by Councilman Legg.

Ayes -5-

Noes -0-

**HANDBOOK**-Discussion

Supervisor Mahoney states that the notes and minutes need to be sent to E. Gold so she can update the draft. The Town Board can go over the notes from 2016 forward again to make sure that they still agree and then ask H. Walsh to put into a usable format to forward to E. Gold.

Supervisor Mahoney itemizes the following:

Change date on cover of draft handbook

Background checks for all town employees who have access to sensitive data, IT security policies that are reviewed by the Town Board.

Ability to edit amendments made at the Organizational meeting each year.

Sgt. Haines does not recall ever seeing this page that discusses roles and job descriptions of employees.

Supervisor Mahoney states that only some job descriptions were received.

Section 2: No comments noted.

Section 3:

The employee handbook is not a contract of employment express or implied, it was discussed to remove this line.

Councilman Reale asks if there is a problem with an employee signing this without a contract.

Supervisor Mahoney states that the Town does have an employment contract.

Page 3 and 4 – no changes noted

Pg. 5:

Prohibited conduct: Employees will be subject to disciplinary action for engaging in misconduct including but not limited to the following.

Intimidation, coercion, threatening, fighting, or interfering with other employees, defer to police manual as long as lawful.

Leaving work early or doing personal business while clocked in.

Dress Code

Professional demeanor- uniforms as applicable

Pg. 7:

Distribution of Code of Ethics – What Code of Ethics and can this be amended or incorporated?

Personnel File – Bob Haines ?

Sgt. Haines states he keeps separate personnel files from the files in the Town Clerk's office.

Pg. 8: Employee access to employee records.

Department Head should take the request and be present with the employee and only on the Town Board approval would the employee be able to take or add anything to their employee file.

Sgt. Haines asks for clarification if this includes photocopying.

Supervisor Mahoney states photocopying would be allowed with the Department Head present and the original would be placed back in the file with the Department Head present.

Supervisor Mahoney states he wishes to change Supervisor to Town Board

Sgt. Haines speaks for his office, and nothing can ever legally be removed from his police files due to recent legislation as the files are open to the public. He adds that he has medical and substance testing records for his staff.

J. Farrell states he has files for his staff as well for CDL holders. He adds that medical notes to return to work for his staff are on file in the Town Clerk's office.

**\*\*Town Clerk Note\*\*** All medical files in her office for personnel are kept separately from the personnel files in locked file cabinets.

Supervisor Mahoney states that the draft handbook states kept by the Department Heads.

Sgt. Haines feels that we should avoid duplication of records in multiple offices.

Pg. 9:

Final paycheck – needs more detail.

Meal breaks – Highway, Police and Ambulance will take breaks as available at direction.

Sgt. Haines states that breaks aren't taken, if an Officer is eating a meal and a call comes in, they leave the meal and respond to the call, and it is the same for ambulance.

J. Farrell states this is the same for his department.

Two 15 minutes breaks and lunch need to be spelled out. Lunch breaks must be staggered for office personnel and breaks should be staggered and may not accrue and can't be take consecutively.

Normal hours of operation:

S. Pellizzari states office staff are a 35-hour work week, she asks for a definition of what happens when an employee works over those 35 hours?

Supervisor Mahoney states that hours between 36 and 40 would be at straight time but the handbook does not state this. He agrees that this should be detailed in the handbook.

Unknown speaker states that usually this is determined on a daily basis, as an example if an employee works 10 hours one day and it is a 7-hour workday, are they paid overtime for that day or is it cumulative for the pay period?

Supervisor Mahoney states it is cumulative for the week, not daily.

S. Pellizzari states that she uses the extra hours as flex time.

Supervisor Mahoney states they will add the following:

35 hours is the work week for office staff and any additional hours over 35 is considered straight time, any hours over 40 is considered overtime.

E. Gold to determine if government agencies follow different rules than private sector.

Pg. 10:

Procedures – Dept. Head to submit hours to Town Clerk- Need policies on early and late punch ins or best practices. Also noted that Ambulance do not punch in.

Councilman Semenza states that they now punch in so no longer applicable.

Pg. 11:

Attendance and payment for training. – All training shall be noticed to the Town Board.

Supervisor Mahoney states training notices should be emailed to his secretary.

Education and Training – discussion on mandatory training such as Sexual Harassment and would like to add De-escalation training and any other training designated by the Town Board.

Councilman Reale feels that there should be some sort of barrier to protect employees.

Bottom pg. 11- response to emergencies – Department Head approval rather than Town Board approval.

No smoking in town vehicles.

Councilman Legg asks if this is enforced?

Supervisor Mahoney states that the policy is known by all employees and the Town Board will act on any complaints received.

Pg. 12 – Use of employees’ vehicle.

Carry insurance coverage on personal vehicle – verify limits.

Pg. 13 – Telephone and cellular phone usage.

One employee in an office at all times to answer telephones. Supervisor Mahoney states this doesn’t really work as some offices are staffed by only one person and this should not be mandated by the Town Board.

Pg. 14 – removed approval for personal long-distance calls – no international calling permitted.

\*\* Tax Collector Note\*\* Tax Collector on rare occasions needs to return calls to property owners in other countries.

Cellular telephones – All billings to be reviewed by the Town Board for payment.

S. Pellizzari has concerns with not having a town owned cellphone.

Supervisor Mahoney states that she should have a town owned cellphone.

Personal social network activities, text messaging section should be reassessed as all employees will receive personal text messages as it is now 2022 and this was written in 2016.

Sgt. Haines adds that the mindset of younger employees is different than older employees.

Supervisor Mahoney states E. Gold probably has an updated social media policy since 2016.

STOPPED HERE Pg. 15 to be continued at next workshop meeting.

### **AED**

Supervisor Mahoney asks if there is an AED in the building.

Sgt. Haines states there is one in the State Police Office.

Supervisor Mahoney states the Town Hall is a public building and there should be one in the lobby. He will ask E. Bain to get a price to add to the budget.

### **SHORT TERM RENTALS**-Discussion

How to differentiate between short-term rental, seasonal rental, yearly rental, and a full time resident and how do you regulate one type of rental and not another.

Supervisor Mahoney states a short-term rental would be anything rented for less than 30 days and possibly write the law as a rental law with a short-term rental subsection.

To be discussed at next workshop meeting.

### **2023 BUDGET**

Supervisor Mahoney makes a MOTION to set 1<sup>st</sup> workshop date for 9/29 @ 7pm. Seconded by Councilman Semenza.

Ayes -5-                      Noes -0-

Sgt. Haines brings up a prescription medicine drop box adding that Wellness RX does presently take expired medications.

Town Board's response is that one already exists in town so one will not be placed at the Town Hall.

Supervisor Mahoney makes a MOTION to go into Executive Session (no time stated) to discuss the employment of an individual. Seconded by Councilman Reale.

Ayes -5-                      Noes -0-

Supervisor Mahoney makes a MOTION to come out of Executive Session at 9:10 PM with no action taken. Seconded by Councilman Semenza.

Ayes -5-                      Noes -0-

Supervisor Mahoney makes a MOTION to adjourn at 9:10 PM. Seconded by Councilman Reale.

Ayes -5-                      Noes -0-