

## ORGANIZATIONAL MEETING

January 2, 2006 at 7:00pm

The Argyle Town Board met on Wednesday, December 29, 2005, at the Municipal Building. Supervisor Aubrey called the meeting to order at 7:00 p.m.

Present: Gordon Aubrey, Sr., Supervisor  
Melvin McWhorter, Councilman  
Paul Taber, Councilman  
Richard McClenning, Councilman  
Robert Humiston, Highway Superintendent  
Gianna L. Cross, Clerk  
Absent: Robert Henke, Councilman

There were four guests present.

Supervisor Aubrey wished everyone a Happy New Year and thanked them for coming.

### Official Newspapers:

#### RESOLUTION 1-06: DESIGNATION OF OFFICIAL NEWSPAPER

Motion made by Councilman McWhorter and seconded by Councilman Taber

WHEREAS, pursuant to Subdivision 11 of Section 64 of The Town Law

NOW, THEREFORE, BE IT

RESOLVED, The Greenwich Journal is hereby designated the official newspaper for the Town of Argyle for 2006.

Carried – All present voting aye.

### Official Depositories:

#### RESOLUTION 2-06: DESIGNATE OFFICIAL DEPOSITORIES

Motion made by Councilman Taber and seconded by Councilman McClenning

WHEREAS, pursuant to Subdivision 1 of Section 64 of The Town Law,

NOW, THEREFORE, BE IT

RESOLVED, Glens Falls National Bank, Argyle Office, and MBIA CLASS be designated the official depositories for the Town of Argyle for 2006. Supervisor and Finance Committee will invest surplus monies in CD accounts or savings accounts as best serves the Town. The Clerk to the Supervisor is authorized to make such transfers between funds.

Carried – All present voting aye.

Co-Signatures on Checks:

RESOLUTION 3-06: CO-SIGNATURES ON CHECKS

Motion made by Councilman McWhorter and seconded by Councilman McClenning

WHEREAS, pursuant to Town Law Subdivision 9 of Section 30,

NOW, THEREFORE, BE IT

RESOLVED, all checks drawn on accounts of the Town of Argyle be signed with two signatures – the signatures of the Town Supervisor and the Town Clerk or the deputies, serving in their respective capacity.

Carried – All present voting aye.

Director of Youth Commission:

RESOLUTION 4-06: DIRECTOR OF YOUTH COMMISSION

Motion made by Councilman Taber and seconded by Councilman McClenning.

WHEREAS, the term of appointed office for the Youth Director expired on December 31, 2006.

NOW, THEREFORE, BE IT

RESOLVED, Karen Lohret is appointed Youth Director for the term of January 1, 2006 to December 31, 2006.

Carried – All present voting aye.

Deputy Town Clerk/Deputy Tax Collector/Deputy Registrar:

RESOLUTION 5-06: DEPUTY TOWN CLERK/DEPUTY TAX COLLECTOR/DEPUTY REGISTRAR

Pursuant to The Town Law Subdivision 10 of Section 30, Town Clerk Cross so appoints Karen Lohret and Susan Brennan as Deputy Town Clerk, Deputy Tax Collector, and Deputy Registrar for the year 2006.

Deputy Highway Superintendent:

RESOLUTION 6-06: DEPUTY HIGHWAY SUPERINTENDENT:

1. Appoint Deputy Highway Superintendent – Robert Humiston appointed Jason Rozell as Deputy Highway Superintendent.

Supervisor's Appointments:

RESOLUTION 7-06: SUPERVISOR'S APPOINTMENTS

Payroll Clerk/Bookkeeper to the Supervisor	Karen Lohret
Budget Officer	Gordon Aubrey
Historian	Susan Brennan
Deputy Supervisor	Melvin McWhorter

Committees:

Audit	Entire Board
Building, Municipal	McWhorter/Taber
Highway Building/Machinery	McClenning/Taber
Insurance	Henke/McWhorter
Recreation	Henke/McClenning
Emergency Services	Henke/McWhorter
Agriculture	McClenning/Taber
Solid Waste/Environmental	Henke/McWhorter
Local Regulation Compliance	Henke/McWhorter
Finance Committee	McClenning/Taber

Order of Business:

RESOLUTION 8-06: ORDER OF BUSINESS

Motion made by Councilman McWhorter and seconded by Councilman Taber

RESOLVED, pursuant to Subdivision 63 of Section 4 of The Town Law, the following order of business for regular meetings held on the second Wednesday of each month at 7 p.m. at the Town Municipal Building, with option to change from this resolution when necessary:

- A. Transfer of Funds
- B. Audit of Bills and Order for Payment
- C. Minutes Approval
- D. Clerk's Monthly Report
- E. Supervisor's Monthly Report
- F. Committee Reports (All committee's listed)
- G. Correspondence
- H. For Information
- I. Floor Open
- J. Old Business
- K. New Business
- L. Floor Open

Carried – All present voting aye.

Town Clerk Duties:

RESOLUTION 9-06: TOWN CLERK DUTIES

Motion made by Councilman McClenning and seconded by Councilman Taber

RESOLVED, the Town Clerk mail copies of the past meeting minutes, copies of the abstracts and an agenda to Board members prior to the present meeting. Clerk will also make available five (5) copies of the minutes of the previous meetings for the public at the current meeting.

Carried – All present voting aye.

Mileage Allowance:

RESOLUTION 10-06: FIX MILEAGE ALLOWANCE

Motion made by Councilman Taber and seconded by Councilman McWhorter

RESOLVED, pursuant to Section 116 of The Town Law, the Assessor, Town Clerk, Maintenance Person, Historian, and Highway employees, Chairman and one other member of the Planning Board, using their own personally owned vehicles to perform Town related duties, and the Dog Control Officer, using his own personally owned vehicle to serve summons and care for dogs held by law, be reimbursed at the rate of thirty cents (\$.32) per mile (to be vouchered and voucher to itemize where travel occurs).

Carried – All present voting aye.

Highway Purchase:

RESOLUTION 11-06: AUTHORIZE THE TOWN SUPERINTENDENT OF HIGHWAYS TO MAKE PURCHASES WITHOUT PRIOR APPROVAL OF TOWN BOARD

Motion made by Councilman McClenning and seconded by Councilman McWhorter

RESOLVED, pursuant to Subdivision 1a of Section 142 of The Town Law, the Highway Superintendent be and hereby is authorized to purchase for the use of the Town equipment, tools, and other implements to be used for highway maintenance, construction or reconstruction, snow plows or other devices for the removal of snow from the highways without prior approval of this Board in the amount not exceeding one thousand dollars (\$1,000) accumulative for the fiscal year 2006. Approval is also given in the amount not exceeding five thousand dollars (\$5,000) for purchase of federal or state surplus equipment accumulative for the fiscal year 2006.

Carried – All present voting aye.

Building Committee Purchases:

RESOLUTION 12-06:           AUTHORIZE THE BUILDING COMMITTEE TO MAKE PURCHASES WITHOUT PRIOR APPROVAL OF TOWN BOARD

Motion made by Councilman McWhorter and seconded by Councilman Taber

RESOLVED, the Building Committee has authority to spend two hundred dollars (\$200) accumulative for the year 2006 without prior approval of this Board in case of an emergency.

Carried – All present voting aye.

Fix Salaries/Compensation:

RESOLUTION 13-06:           TO FIX SALARIES OR OTHER COMPENSATION OF TOWN OFFICERS AND EMPLOYEES AND TO DETERMINE THE TIME OF PAYMENT

Motion made by Councilman McClenning and seconded by Councilman McWhorter

RESOLVED, pursuant to Section 27 of The Town Law, the following be approved:

A.	Supervisor	\$5,800	Monthly
B.	Town Clerk/Tax Collector	24,000	Bi-Weekly
C.	Highway Superintendent	36,771	Bi-Weekly
D.	Sole Assessor	25,000	Bi-Weekly
E.	Justice Buck	8,400	Quarterly
F.	Court Clerk	\$10.00/hr	Quarterly
G.	Bookkeeper/Clerk to Supervisor	5,800	Monthly
H.	Deputy TC/Deputy Tax Collector	8.25/hr	Monthly
I.	Councilpersons 4@	1,000 ea.	Yearly
J.	Historian	1,200	Yearly
K.	Budget Officer	400	Yearly
L.	Youth Program Director	3,100	Monthly
M.	Board of Review	20.00/session	Vouchered
N.	Cleaning Person/Municipal Building	7.50/hr	Monthly
O.	MEO	per Contract	Bi-weekly
P.	Laborer	per Contract	Bi-weekly
Q.	Planning Board Clerk	10.00/hr	Vouchered
R.	Maintenance Person/Municipal Building	6.00/hr	Vouchered
S.	Shoveling/Municipal Building	10.00/per time	Vouchered
T.	Cemetery Caretaker	3,000/annualy	Vouchered
U.	Planning Board Members	20.00/per session	Vouchered

WHEREAS, there is a need to establish a payroll schedule for all Town employees,

NOW, THEREFORE, BE IT

RESOLVED, the pay period for hourly bi-weekly employees shall run from Sunday until Saturday. The amount of pay for bi-weekly salaried employees shall be 1/26<sup>th</sup> of the annual salary. The payday for hourly and salaried bi-weekly employees shall be Wednesday unless a holiday falls on that day in which case payday shall be the preceding day.

The pay period for monthly employees shall be from the 1<sup>st</sup> of the month to the last day of the month. Payday shall fall not before the final week of the month except in December when it may be as early as the 15<sup>th</sup>.

The pay period for quarterly employees shall be from the first day of the quarter to the last day of the quarter. Payday shall fall not before the final week of the quarter and not before December for the last quarter of the year.

The pay period for annual employees shall be from the first day of the year to the last day of the year. Payroll for quarterly and annual employees shall be paid during first week of December.

Carried – All present voting aye.

Motion made by Councilman McClenning and seconded by Councilman McWhorter to table the following to next meeting.

Dog Control Officer	1,800	Monthly
Animal Control Officer	500	Yearly
Deputy Dog Control Officer	350	Yearly
Carried – All present voting aye.		

Night Quarantine – Dogs:

RESOLUTION 14-06: NIGHT QUARANTINE – DOGS

Motion made by Councilman McWhorter and seconded by Councilman McClenning

RESOLVED, pursuant to Agriculture & Markets Law, Section 123, all dogs must be securely confined between sunset and one hour after sunrise. Any peace officer could kill on sight any dog at large if not accompanied by and under the full control of the owner.

FURTHER RESOLVED, any owner of a dog who shall neglect to confine his dog shall be subject to a penalty of \$10.00 per violation.

Carried – All present voting aye.

Appoint Animal/Dog Control Officer:

RESOLUTION 15-06: APPOINT ANIMAL/DOG CONTROL OFFICER

Motion made by Councilman Taber and seconded by Councilman McClenning

WHEREAS, the term of appointed office for Dog Control Officer expired on 12/31/06,

NOW, THEREFORE, BE IT

RESOLVED, Edward Holland is appointed Animal/Dog Control Officer for the year 2006.

Carried – All present voting aye.

Appoint Deputy Dog Control Officer:

RESOLUTION 16-06: APPOINT DEPUTY DOG CONTROL OFFICER

Motion made by Councilman McWhorter and seconded by Councilman Taber

WHEREAS, the term of appointed office for Deputy Dog Control Officer expired on 12/31/06,

NOW, THEREFORE, BE IT

RESOLVED, Nancy Quell is appointed Deputy Dog Control Officer for the year 2006, salary set in RESOLUTION 13-06.

Carried – All present voting aye.

Appoint Peace Officer:

RESOLUTION 17-06: APPOINT PEACE OFFICER

Motion made by Councilman McWhorter and seconded by Councilman Taber

WHEREAS, the term of office for Peace Officer expired on 12/31/06,

NOW, THEREFORE, BE IT

RESOLVED, Edward Holland be appointed Peace Officer for the year 2006.

Carried – All present voting aye.

Memorandum of Understanding:

RESOLUTION 18-06: MEMORANDUM OF UNDERSTANDING

Motion made by Councilman McClenning and seconded by Councilman McWhorter

RESOLVED, approval is made for the Supervisor and the Highway Superintendent to sign the Memorandum of Understanding with NYS DEC.

Carried – All present voting aye.

Appoint Attorney:

RESOLUTION 19-06: APPOINT ATTORNEY

Supervisor Aubrey discussed the two bids received. Motion made by Councilman Taber and seconded by Councilman McWhorter

RESOLVED, Mark Lebowitz of the Bartlett, Pontiff, Stewart & Rhodes Law Firm be retained as Town Attorney for 2006 on an annual retainer of \$12,000 to be paid by the Town in monthly installments by voucher. The retainer will cover the day-to-day inquiries, drafting of resolutions and contracts, and other normally anticipated legal services. Retainer will also include attendance at meetings of the Town Board only when necessary – not on a regular basis. Additional legal services beyond the scope of the retainer would be provided on an hourly basis at the rate of seventy-five percent (75%) of the prevailing hourly rate schedule.

Carried – All present voting aye.

Occupation Safety and Health Manager:

RESOLUTION 20-06: OCCUPATION SAFETY AND HEALTH MANAGER

Motion made by Councilman McClenning and seconded by Councilman McWhorter

RESOLVED, Robert Humiston be and hereby is appointed Occupation Safety and Health Manager for the year of 2006.

Carried – All present voting aye.

Property Control Manager:

RESOLUTION 21-06: APPOINT PROPERTY CONTROL MANAGER

Motion made by Councilman McClenning and seconded by Councilman McWhorter

RESOLVED, Gianna Cross, Town Clerk to be and hereby is appointed Property Control Manager for 2006.

Carried – All present voting aye

Records Access Officer:

RESOLUTION 22-06: APPOINT RECORDS ACCESS OFFICER

Motion made by Councilman McClenning and seconded by Councilman McWhorter

RESOLVED, Gianna Cross, Town Clerk to be and hereby is appointed Records Access Officer for 2006.

Carried – All present voting aye.

Code of Ethics Committee:

RESOLUTION 23-06: CODE OF ETHICS COMMITTEE

Motion made by Councilman McClenning and seconded by Councilman Taber

RESOLVED, Gary Evens, Steven McLean and Melvin McWhorter to be and hereby is appointed to Code of Ethics Committee Board for 2006.

Carried – All present voting aye.

Cemetery Caretaker:

RESOLUTION 24-06: CEMETERY CARETAKER

Motion made by Councilman McWhorter and seconded by Councilman McClenning

WHEREAS, the term of appointed office for Cemetery Caretaker expired on 12/31/06,

NOW, THEREFORE, BE IT

RESOLVED, Brian McWhorter is appointed Cemetery Caretaker for the term of January 1, 2006 to December 31, 2006.

Carried – All present voting aye.

Town Attorney Access:

RESOLUTION 25-06: ACCESS TO TOWN ATTORNEY

Motion made by Councilman McClenning and seconded by Councilman Taber

RESOLVED, approval given to Supervisor, Town Clerk, Assessor, Highway Superintendent, Town Councilman and Chairman of Planning Board to have to the Town Attorney.

Carried – All present voting aye.

Court Clerk:

RESOLUTION 26-06: THE COURT CLERK POSITION

Motion made by Councilman Taber and seconded by Councilman McClenning  
RESOLVED, Gianna L. Cross is appointed Court Clerk for the term January 1, 2006 to  
December 31, 2006.

Carried – All present voting aye.

Engineering Firm:

RESOLUTION 27-06: APPOINT ENGINEERING FIRM

Motion made by Councilman McWhorter and seconded by Councilman McClenning.

RESOLVED, Clough Harbour & Assoc. to be and hereby is appointed Engineering Firm for 2006  
and granting Supervisor Aubrey authorization to sign Consulting Agreement.

Carried – All present voting aye.

Planning Board Clerk:

RESOLUTION 28-06: APPOINT PLANNING BOARD CLERK

Motion made by Councilman McWhorter and seconded by Councilman Taber

RESOLVED, Tracey Lovett is appointed Planning Board Clerk for the term of January 1, 2006  
to December 31, 2006.

Carried – All present voting aye.

Monthly Reports of Justice Records:

RESOLUTION 29-06: MONTHLY REPORTS OF JUSTICE RECORDS.

Motion made by Councilman Taber and seconded by Councilman McClenning to:

RESOLVED, Monthly reports given to Supervisor with monthly check at the beginning of each  
month.

Carried – All present voting aye.

Appoint Supervisor and Town Clerk as Group Benefit Administrators for insurance

RESOLUTION 30-06: GROUP BENEFIT ADMINISTRATORS

RESOLVED, Supervisor Gordon Aubrey, Sr. and Clerk Gianna Cross to act as Group Benefit  
Administrators on behalf of the Town.

Carried – All present voting aye.

Policy Handbook Approval:

Motion made by Councilman McWhorter and seconded by Councilman McClenning to approve Policy handbook as written.

Carried – All present voting aye.

Other business:

1. Flags – Motion made by Councilman McWhorter and seconded by Councilman Taber to donations raised for flags to be incumbent in the 2006 Celebrations fund.

Carried – All present voting aye.

2. Councilman McClenning addressed the Town Board about the Supervisor's Clerk/ Bookkeeper software package and gave an update of the information he received. Karen Lohret is to do additional research and issue was tabled to next meeting.

3. Motion made by Councilman McWhorter to go into executive session at 8:20pm. Councilman McWhorter discussed the Union negotiations. Supervisor Aubrey to contact Union negotiator to get update and proposed request from employees. Motion made by Councilman McWhorter to close executive session at 8:40pm.

Motion made by Councilman McWhorter to adjourn the meeting.

Meeting adjourned at 8:41p.m.

Respectfully submitted,

Gianna L. Cross  
Town Clerk