

# **Minutes of the Regular Monthly Meeting and Two Public Hearings of the Town Board of the Town of Fabius**

**Wednesday, January 19, 2022**

**Present:**

Mrs. Melanie Vilardi – Supervisor  
Mr. James Conway – Councilmember  
Mr. Peter Schlicht – Councilmember  
Mrs. Deborah Foster – Councilmember  
Mr. Michael Decker – Zoning/Codes Officer (*Abs*)  
Ms. Sandy Beglinger – Historical Society

Mr. Warren Virgil – Highway Supervisor (*arrv. 6:40 pm*)  
Mrs. Peggy Riker – Town Clerk  
Mr. Thomas Chartrand – Bookkeeper  
Mr. Paul Brown – Councilmember  
Mr. Robert DeMore – Attorney for Town

Mr. John Rybinski addressed the Board requesting consideration of opting out of the holiday hunt in December between Christmas and the New Year. He reports that many towns, and even Madison County, have opted out of this additional week of hunting extended by New York State. It takes away from the enjoyment of snowmobilers, cross country skiers and dog walkers, to name a few. He requested we adopt a memorializing resolution to opt out of this additional week of hunting. The Board would like to discuss this more before further action.

The Regular meeting was called to order by Mrs. Vilardi at 6:44 PM.

## **ORGANIZATIONAL MEETING**

1. Rate of compensation and salary payment schedule for elected and appointed officials per budget.
2. Designate NBT as official bank for Town of Fabius and participation in NYCLASS.
3. Petty cash for Town Clerk/Tax Collector - \$100.00. Petty cash for Justice Court - \$200.00.
4. Highway Superintendent be authorized to purchase equipment and tools for Highway Department up to the sum of \$500.00.
5. Designate voting delegate Robert DeMore to the Association of Towns meeting in February.
6. Allocate .58.5¢ per mile for Town business.
7. Designate Robert DeMore as Attorney for the Town.
8. Designate The Post Standard as our legal newspaper.
9. Set aside monies, per budget, for Item #1 for Primary Work and General Repairs.
10. Approve all bonds as to form and sufficiency.
11. Authorize Supervisor to invest in prudent manner all idle funds.
12. Enter into agreement with Smith Ambulance Service and Tully Ambulance District per budget.
13. Designate James Conway Power of Attorney.
14. Adopt Town Procurement Policy.
15. Adopt Town Harassment Policy.
16. Adopt Town Code of Ethics Policy.
17. Adopt Town Employee Handbook.
18. Adopt Town Investment Policy.
19. Adopt six (6) hours as standard workday for elected and appointed officials for retirement.
20. Authorize Supervisor to enter into agreement with Onondaga County Youth and Recreation.
21. Designate meeting night as third Monday of each month at 7:00 PM.
22. Appointments:

Bookkeeper to the Supervisor and Budget Officer – Tom Chartrand  
Animal Control Officer – Laura Holt  
Historian – Peter Schlicht  
Secretary to Zoning – VACANT

Secretary to Planning – Peggy Riker

Town Engineer – CNS

Code Enforcement/Zoning Officer – Michael Decker

Building Custodian – Shealynn Card

Assessment Board of Review – Anne DeMore

Zoning Board – Jeff Skinner

Planning Board – James Herlihy

23. Authorize Town Supervisor to enter into agreement with Country Acres and SPCA for animal cruelty.

24. Authorize Supervisor to enter into a contract with inspection contractor.

25. Designate Margaret Riker as FOIL Officer.

26. Designate Melanie Vilardi as FOIL Appeals Officer.

Motion by Mr. Schlicht, seconded by Mrs. Foster, to approve the above items. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Schlicht, Foster, Brown.

### **FIRST PUBLIC HEARING open at 6:50 PM**

Motion by Mr. Schlicht, seconded by Mrs. Foster, to open the Public Hearing at 6:50 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Schlicht, Foster, Brown.

***Local Law #2 of 2021: Solar Energy System*** – No public comment. Motion by Mr. Schlicht, seconded by Mrs. Foster, to close this Public Hearing at 6:51. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

Motion by Mrs. Foster, seconded by Mr. Schlicht, to approve the minutes of the last meeting. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

**FINANCIAL REPORT:** Court fines are good again this month and franchise fees are very close to budget. General spending is at 66% and revenue at 105%. Highway spending is at 42% and revenue at 113%. There is one budget transfer of \$6,950 from the Assessor's personal Services to Contractual. Motion by Mrs. Foster, seconded by Mr. Brown, to approve the budget transfer. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

### **HIGHWAY REPORT:**

- Two checks were received from the Fire District for \$223.41 and \$247.10 for fuel reimbursement.
- We are in receipt of a “PAD” Agreement (Public Access Defibrillator). Mr. DeMore will look over but not sure we can meet all the requirements listed. Motion by Mrs. Foster, seconded by Mr. Schlicht, to declare defibrillator surplus as it is a very old model. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.
- We received a bid from Beam Mack for \$342,000 for a new plow truck under Onondaga County contract #8996. It is not expected until late next year so it will be a 2024 model. Motion by Mr. Brown, seconded by Mr. Conway, to approve the purchase and send a letter of intent to Beam Mack. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht. Mr. Virgil requested authorization for another \$20,000 for this

purchase in light of rising prices. After some discussion, the request was considered not necessary.

- Motion by Mr. Brown, seconded by Mr. Conway, to declare the 2005 6-wheeler surplus and authorize Mr. Virgil to put it up for auction. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.
- Motion by Mr. Conway, seconded by Mrs. Foster, to authorize Mr. Virgil to sign an agreement to accept drop offs for Earth Day at the Highway garage on April 22<sup>nd</sup> and 23<sup>rd</sup>. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

**ZONING REPORT:**

- No report.

**HISTORIAN:**

- No report.

**HISTORICAL SOCIETY:**

- No report.

**NEW BUSINESS:**

***Holiday Hunting:*** After further discussion, there was a motion by Mr. Brown, seconded by Mrs. Foster, to make a memorializing resolution to opt-out of the extra week of hunting between Christmas and New Year's. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Schlicht, Foster, Brown. Mr. Rybinski will provide us a copy of a memorializing resolution to use.

***Assessor:*** It was reported that our Assessor, Mr. Larry Fitts, suddenly passed away last week. We will enter into a Professional Services Agreement with his son, Brian Fitts, for a 6-month interim. Motion by Mrs. Foster, seconded by Mr. Conway, to authorize the Supervisor to sign such Agreement. Another motion was made by Mrs. Foster, seconded by Mr. Schlicht, to carry 2021 exemptions over into 2022.

***Toggenburg:*** Mrs. Vilardi read a letter from Neil and Judy Januchek expressing their dismay at the sellers of Toggenburg Mountain not allowing it to be run as a ski mountain any longer.

***Dog Control:*** A resident called the Dog Control Officer about a cruelty case and was referred to the CNY-SPCA, who takes care of all cruelty cases in the Town.

**OLD BUSINESS:**

***Fabius Evergreen Cemetery:*** Ms. Beglinger reported their current bank balance is \$6,092.75.

**SECOND PUBLIC HEARING open at 7:13 PM**

Motion by Mr. Schlicht, seconded by Mr. Conway, to open the Public Hearing at 7:13 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Schlicht, Foster, Brown.

**Local Law #1 of 2021: Solar Energy System Overlay Zone District** – No public comment. Motion by Mrs. Foster, seconded by Mr. Brown, to close this Public Hearing at 7:13 PM. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

Regular Town Board Meeting & Organizational Meeting

January 19, 2022

Motion by Mrs. Foster, seconded by Mr. Brown, to ADOPT Local Law #1 of 2021, Solar Overlay. Motion by Mrs. Foster, seconded by Mr. Conway, to ADOPT Local Law #2 of 2021, Solar Energy. Motion by Mrs. Foster, seconded by Mr. Brown, to ADOPT Local Law #3 of 2021, Repeal of Local Law #2 of 2019. All motions PASSED - Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Schlicht, Foster, Brown.

Motion by Mrs. Foster, seconded by Mr. Schlicht, to pay the bills on Abstract #12 in the following amounts:

Highway Fund	Vouchers 128 through 141
\$ 40,156.77	
General Fund	Vouchers 271 through 301
	\$ 12,689.70

Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

The next regular Town Board meeting will be held on **Monday, February 21, 2022**, at the Fabius Area Community Center, Fabius, New York at **7:00 PM**.

Motion to adjourn at 7:16 PM made by Mrs. Foster, seconded by Mr. Schlicht. Motion PASSED – Ayes – 5, Nays – 0. Voting aye – Vilardi, Conway, Foster, Brown, Schlicht.

Respectfully submitted,

Margaret M. Riker  
Town Clerk