**Present**: Supervisor David Fuller, Mike Crandall, Pete Majestic & Garrett Dupree

Callie Perry, Town Clerk

**Attendees:** Kevin Putman, Kathi Plumley, Crystal & Kevin McCannon, Roger Reep, Lynda Reep, Linda Swan, Patricia Smith & Gerry Gross

**Reports**: Code Enforcement, Highway Superintendent & Court.

**7pm:** Dave Fuller called the meeting to order with the Pledge of Allegiance.

**Business:** County Budget

Bob Nichols, County Legislature, here to give a report. Increase of taxes by 1.02%.

38% Welfare

13% Public Safety

14% Highway Department

8% Public Health

23% General Government

4% Education – half tuition costs are paid for Steuben County residents.

0% Landfill pays for itself.

Major Projects – WADKA turning gas into green natural gas selling to Corning Natural Gas. Corning Inc., is buying it and paying a premium for it. When the State comes out with Carbon Tax in one to two years, Corning inc., will not have to pay the Carbon Tax because they will be buying green gas.

On the news, a disagreement between the Sheriff and the Legislatures. With sexual harassment policies, the Sheriff refuses to comply with the policies because they do their own internal investigations. The risk with that is that judges award these cases very large settlements. In compliance with the State, we have an independent outfit come in and investigates which protects us all financially.

The Sheriff is an elected official. He is protected. We can’t let him go, can’t take his pay and we can’t tell him what to do. What we can do though is take his identification away and his liability coverage. All deputies and jail employees are protected.

We are in the process of taking it away from him on December 21, 2023, in court. If we win, he will need to get in compliance. If he wins, we have a court order that protects us.

The County was going to put up the collateral for the Bond. He then sued us, so we rescinded. Now he has to furnish his own collateral; his house on Keuka, his car, his home, his checkbook. If he gets a sexual harassment suit, he himself will have to pay for whatever lawsuit might happen. He pays for the accused of wrong doing, not the County.

This all could have been done behind the public eye, but he chooses to go to the papers and the news.

The only applies to sexual harassment policies. He is covered with everything else. We will know more on December 21.

He now wants the County to pay lawyer fees. The Bond costs $10,000.00-$20,000.00. They will go after his things if he won’t turn cases over to the personnel office. He is not Union and this doesn’t affect union workers. Just the Sheriff himself.

Each individual case is protected against FOIL requests.

Community Bank is in attendance. The Town Clerk and Tax Collector switched their bank accounts from Five Star Bank to Community Bank and they would like the Town of Lindley to switch all accounts to Community Bank. They presented the benefits of using Community Bank as the Town’s preferred bank and also gave us a check deposit machine at no cost for as long as we have our account with Community.

The Town Clerk arraigned a zoom meeting with two Attorney’s from Harter, Secrets & Emery. Their firm specializes in Municipal Law, Solar Law, Planning Boards and General Service with several groups of Attorneys able to handle various areas of Law. They represent municipalities such as the Town of Wayland, Southport, towns in the Southern Tier and the Town of Erwin.

**Motion By: Garrett Dupree**to retain Attorney Allison Bartlett, Attorney Matthew Eldred and Harter, Secrets & Emery as the Town of Lindley’s Attorneys.

**2nd by: Michael Crandall**

**All in Favor.**

The Town Clerk will take care of the particulars. Their invoices are generated monthly. They will be retained on an as needed basis. Retainer is $300 per hour. Their engagement letter will be revised to focus on general municipal guidance and sent to the Town Clerk for signatures from the Town Supervisor.

Code – Robert Blackman in attendance. He is fully certified and the Code Enforcement Officer

In Tuscarora and the Village of Addison. He will not hold office hours. Contact information is on townoflindley.com. He works a fulltime job during the day.

**Motion by:** Garrett Dupree

to pay Robert Blackman $1734 for November and December’s work he has done for The Town of Lindley.

**2nd by**: Michael Crandall

**All in favor.**

Pat Clark has a final report from the Covid Committee.

Solar – It was asked if there was information withheld from the Planning Board regarding the project and the answer was no, The Planning board is asking for additional information, but they aren’t letting the Developer know what that information is. They did not make a decision. They have forty-five days to review information. We have nothing on the books for Solar Law. The application is to put panels on the property. Nothing else. If they want to go ahead with the project and come back with lawyers they will.

Just because twenty people in a Town of 1900 residents come to a Board meeting and are against the project doesn’t mean it’s not good for the Town.

Garrett stated that at some point, in this town, in the very, very near future, people are going to have to stop throwing a fit about every little thing because there is going to be nobody here, The few of us that are paying taxes on 1,000-acres a piece are getting ran right out of town. No one wants to see a billboard. No one wants to see a solar panel. No one wants to see a gas station, but it is going to happen. What is going to hurt us is the money that goes to the Highway Department, CHIPS money that we get handed to us, the State will say, “Why are we handing money to a Town that won’t pay ball with us? That won’t allow any revenue come to their town?” If this Board left and quit tonight, do you think NYS is going to send someone down here to replace us? No – they will not. They do not care. Residents are going to have to get it through their heads that something needs to progress in this Town or it’s going to become the Town of Erwin or just a wooded lot. We need revenue or this Town is not going to be here. There are no milking farms. This Town has had a lot of businesses and now there’s nothing.

Budget – There are questions regarding the Town Clerk’s pay. The previous Bookkeeper was underpaying the Town Clerk. It has since been corrected. Everyone received a two percent raise although on paper it appears to be more. Michael Crandall did the figures and the Town Clerk is actually receiving a pay decrease from what it should have been.

Every Town employee is getting underpaid compared to other towns. It is hard to keep employees because of it. The Highway Superintendent is also underpaid and if something were to happen to him, the next person is not going to want the position for only $55k.

The key factor is where do we get the money to pay salaries. We do not have the Revenue.

The Court issues the third most tickets in the County. They aren’t bringing in what they spend. They submitted a request for an increase which was given, but we didn’t allow for a third clerk. We are looking for way to bring in additional money. Code will be writing tickets.

There were no reconciliations done by the previous clerk so there are no real numbers to look at. The current Bookkeeper is working to get these issues corrected and save the Town money anywhere she can.

Ambulance – AMR has never provided the contract we voted on to sign. Garrett has reached out to Jim Neary several times. We budgeted $10,000.00 for the contract. Mr. Neary comes every year in January asking for us to sign.

**Resolution made by** Garrett Dupree.

to transfer funds for the Highway Department. $15,000.00 from DA5110.4 to DA5130.4.

**2nd by:** Michael Crandall

**All in favor.**

Motion made by Garrett Dupree

To approve amended budget.

2nd by: Michael Crandall

All in favor.

Bills:

General total: $74,594.00

**Motion By: Mike Crandall**to pay the bills from the General Fund Account.

**2nd by: Garrett Dupree**

**All in Favor.**

Highway total: $24,745.43

**Motion By: Garrett Dupree**to pay the bills from the Highway Fund Account.

**2nd by: Mike Crandall**

**All in Favor.**

**Motioned By:** Garrett Dupree

To have year-end close out on December 28, 2023 at 9am. **2nd by:** Mike Crandall

**All in Favor.**

**Motion for Adjournment  
Motioned By:** Garrett Dupree **2nd by:** Mike Crandall

**All in Favor.**

RESPECTFULLY SUBMITTED: Callie Perry, Lindley Town Clerk\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_