

Town of Corning Town Council
Organizational Meeting Meeting Minutes
January 3, 2024 @ 7pm [Zoom Link](#)

Welcome

1. Call meeting to order called to order by Supervisor Mullen
2. Roll call of board members present: Councilman Brenning, Councilman Fiscus, Supervisor Mullen, Councilman Sammis
3. Pledge of Allegiance led by Supervisor Mullen

Appointments

4. Resignation of Jenniffer Mullen from Town Council to accept Town Supervisor position (submitted to the Town Clerk and effective 12/31/2023).
5. Motion to review potential candidates for open Town Council position to be effective January 3, 2024 – December 31, 2024 by Councilman Sammis and seconded by Councilman Brenning. All in favor. Motion carried.
 - Donna Gridley
 - Joan Rosen
6. Motion to appoint Donna Gridley to Town Council from January 3, 2024 until December 31, 2024 by Councilman Sammis and seconded by Councilman Fiscus. All in favor. Motion carried.
7. Motion to allow the Honorable Wendalyn Vanzile to swear in Donna Gridley for the appointed Town Councilmember from January 3, 2024 until December 31, 2024 by Councilman Brenning and seconded by Councilman Sammis. All in favor. Motion carried.
8. Town Supervisor appointment of R. Michael Brenning as Deputy Town Supervisor.
9. Town Supervisor appointment of Linda Vandergrinten as the Corning Town Bookkeeper.
10. Town Supervisor noted need for Town Historian. Posting to be created for possible candidates to apply.
11. Motion to appoint Kathleen Morrow-Olmstead as Vital Statistics Registrar by Councilman Brenning and seconded by Councilman Sammis. All in favor. Motion carried.
12. Motion to appoint Ciara Force as Deputy Town Clerk and Vital Statistics Registrar by Councilman Sammis and seconded by Councilman Brenning. All in favor. Motion carried.
13. Motion to allow hiring of additional court officer per Court request by Councilman Brenning and seconded by Councilwoman Gridley. All in favor. Motion carried.
 - Per Theresa and Dale will not affect budget as Court Officers are used on “per diem” basis. One officer has decreased hours and two other officers resigned over the past year. The court has only been able to fill one position but needs permission to hire an additional officer.

Annual Resolutions

14. Motion to approve **Resolution 1 of 2024** authorizing the Town Board and the Highway Superintendent to enter into a 284-agreement for 2024 relative to the expenditure of highway monies for repair and improvement of town highways. This agreement must be prepared in duplicate, signed by a majority of the town board members, and the Highway Superintendent, and filed with the Town Clerk's office, (Highway Law, § 284) by Councilman Sammis and seconded by Councilman Brenning. All in favor. Motion carried.
15. Motion to approve **Resolution 2 of 2024** delegating the Town Supervisor to perform administrative and day-to-day duties on behalf of the Town of Corning (§ 29 [16]) by Councilman Sammis and seconded by Councilman Fiscus. All in favor. Motion carried.
16. Motion to approve **Resolution 3 of 2024** establishing "The Leader" as the Town of Corning official newspaper (Town Law, § 64 [11]) by Councilman Brenning and seconded by Councilwoman Gridley. All in favor. Motion carried.
17. Motion to approve **Resolution 4 of 2024** establishing scheduled Town Board meetings to be held on the third (3rd) Tuesday of each month at 7:00pm at the Corning Town Hall by Councilman Sammis and seconded by Councilman Fiscus. All in favor. Motion carries.
18. Motion to approve **Resolution 5 of 2024** establishing a rate of \$0.67 per mile (the federal rate) to be allowed for Town Officers and employees for the use of their own automobiles in the performance of their official duties when and if there is no Town vehicle for use, (Town Law, § 116) by Councilman Sammis and seconded by Councilwoman Gridley. All in favor. Motion carries.
19. Motion to approve **Resolution 6 of 2024** authorizing the Town Superintendent of Highways to purchase equipment, tools, and implement during the 2024 year without prior approval of the Town Board for an amount up to and fixed by the Town Council of \$30,000 (Highway Law, § 142) by Councilman Sammis and seconded by Councilman Fiscus. All in favor. Motion carries.
20. A. Motion to increase Deputy Town Clerk Ciara Force's hours to 22 hours which she will remain part time without benefits for the 2024 year by Councilman Brenning and seconded by Councilman Sammis. All in favor. Motion carries.
- 20 B. Motion to approve **Resolution 7 of 2024** to adopt the fixing of the 2024 salaries of all elective and appointive officers (and the rate of wages of hourly employees, including overtimes and regular pay rates) and determine whether salaries shall be paid annually, semi-annually, quarterly, monthly, semi-monthly, or weekly. In fixing such salaries, the Town Council is subject to certain limitations. The Town Law prohibits the Town Council from fixing the salaries of members of the town board, elected town clerk, and elected town superintendent of highways at amounts, in excess of the amounts respect specified in the notice of hearing upon the preliminary budget, unless the Town Council adopts a local law (subject to permissive referendum(s)) increasing the salary for one year only (Town Law §27). The Town Council also cannot fix the salary of any elective or

appointive town officer or employee at an amount larger than the appropriation made (Town Law §27, 117). In addition, the Town Council cannot decrease the salary of a sitting elected town officer in the middle of his or her term of office except for the adoption of a local law subject to a mandatory referendum. The Registrar/Deputy of Vital Statistics salary is also fixed by Councilman Sammis and seconded by Councilman Brenning. All in favor. Motion carries.

- 21 Motion to approve **Resolution 8 of 2024** authorizing payment of claims for public utility services, postage, freight, and express charges prior to audit (Town Law § 118 [2]). All claims paid in advance must be presented at the next regular board meeting for audit by Councilman Sammis and seconded by Councilwoman Gridley. All in favor. Motion carries.
- 22 Motion to approve **Resolution 9 of 2024** to approve Chemung Canal Trust Company as the official Depository for the Town of Corning. This Resolution 9 of 2024 assures that all money coming into the Town shall be deposited solely into this bank (Town Law, §64(1)) by Councilman Brenning and seconded by Councilman Fiscus. All in favor. Motion carries.
- 23 Motion to approve **Resolution 10 of 2024** that the Supervisor shall, within 60 days after the close of the fiscal year, submit the 2023 fiscal report to the NYS Comptroller and a copy to the Town Clerk. This motion will require the Town Clerk to ensure that a summary and copy of such report is on file, available for inspection and copied and published within 10 days in the official Town Newspaper (Town Law, §64(11)) by Councilman Brenning and seconded by Councilman Sammis. All in favor. Motion carries.
- 24 Motion to approve **Resolution 11 of 2024** to impose a \$25.00 charge on all checks returned for insufficient funds, (General Municipal Law, §85) by Councilwoman Gridley and seconded by Councilman Sammis. All in favor. Motion carries.
- 25 Motion to approve **Resolution 12 of 2024** to establish petty cash funds as follows (Town Law, §64 (1-a)) by Councilman Sammis and seconded by Councilwoman Gridley. All in favor. Motion carries.
 - a. Town Clerk \$50.00
 - b. Water Receivable \$30.00
 - c. Tax Collector \$50.00
 - d. Code Enforcement \$50.00
- 26 Motion to approve **Resolution 13 of 2024** to set Sprague Insurer as the official insurance for the Town of Corning against fire, theft, and liability exposure by Councilman Sammis and seconded by Councilman Brenning. All in favor. Motion carries.
- 27 Motion to approve **Resolution 14 of 2024** to approve setting the Standard Hour Workday for appointed employees in the Building & Grounds Department, Court, and Highway Departments at 8-hour workdays/5 days or by contract or stipulation to include (4) 10-hour work days per week, (2

NYCRR 315.4) by Councilman Brenning and seconded by Councilwoman Gridley. All in favor. Motion carries.

- 28 Motion to approve **Resolution 15 of 2024** authorizing Kathleen Morrow-Olmstead and Ciara Force as designated Tax Collectors for 2024 (Town Law, Sections 35, 36, and 37). By Councilman Brenning and seconded by Councilwoman Gridley. All in favor. Motion carries.

Town Clerk Authorizations

- 29 Motion to approve Kathleen Morrow-Olmstead and Ciara Force to accept credit and debit card payments for transactions related to the Town of Corning, (General Municipal Law, §5) by Councilman Sammis and seconded by Councilman Fiscus. All in favor. Motion carries.
- 30 Motion to approve Kathleen Morrow-Olmstead and Ciara Force to issue handicap parking permits, (Vehicle and Traffic Law, §1203-a (1)) by Councilwoman Gridley and seconded by Councilman Fiscus. All in favor. Motion carries.
- 31 Motion to authorize Kathleen Morrow-Olmstead and Ciara Force as designated agents to receive notices of claims filed with the NYS Secretary of State (General Municipal Law, §53). This designation must be filed with the New York Secretary of State by Councilman Sammis and seconded by Councilwoman Gridley. All in favor. Motion carries.

Ambulance Provider

- 32 Motion to confirm the ambulance service provider, American Medical Response (AMR) as the primary ambulance service for the Town of Corning based on the previous authorized contract. AMR must remain properly certified with the State of New York and/or that the Town of Corning may itself become properly certified to provide ambulance services. The Town of Corning must receive written confirmation of authorizations from AMR to hold on file (Public Health Law, article 30) by Councilman Fiscus. Seconded by Councilman Sammis. Councilman Brenning opposed. All other council members in favor. Motion carries.

Town Attorney

- 33 Motion to appoint John Ryan as the Town attorney for 2024 by Councilman Brenning and seconded by Councilman Sammis. All in favor. Motion carries.

Bond Council & Financial Advisors

- 34 Motion to approve Bob Smith and Hodgeson Russ as Bond Council Attorney for 2024 by Councilman Sammis. Seconded by Councilman Sammis. Seconded by Councilman Brenning. All in favor. Motion carries.

- 35 Motion to authorize Jeff Smith and Municipal Solution as financial advisor for the Town of Corning by Councilman Brenning and seconded by Councilman Sammis. All in favor. Motion carries.

Annual Audits

- 36 Motion to appoint Town Council members to conduct annual audits by Councilman Sammis and seconded by Councilwoman Gridley. All in favor. Motion carries. Audits due by January 31, 2024 for:
- a. Town Clerk (Councilman Brenning/Councilwoman Gridley)
 - b. Town Supervisor (Councilman Fiscus)
 - c. Court Justices (Councilman Sammis)

Policy Review

- 37 Motion to schedule review of the following policies for 2024 by Councilwoman Gridley and seconded by Councilman Sammis. All in favor. Motion carries. The following policies will be set up for workshops throughout the year. Schedule to be discussed at next meeting.
- a. Procurement Policy
 - b. Ethics Code/Policy
 - c. Title VI Anti-Discrimination Plan
 - d. Employment Policies:
 - i. Harassment and Discrimination (Title VII of the Civil Rights and New York State Human Rights Law)
 - ii. Workplace Violence
 - iii. Sexual Harassment Prevention Policy
 - iv. Review of Employee Policy Manual including but not limited to:
 1. Sick, Vacation, and Personal Leave
 2. Overtime (Federal Fair Labor Standards)
 3. Expense Reimbursement (travel, food, lodging...)
 4. Required/elective job training.
 - v. Use of Municipal Equipment
 1. Town Owned Vehicles
 2. Computer Use
 3. Cell Phone use and reimbursement policy
 4. Information Technology Policies
 5. Website/social media Posting Policies
 - vi. Use of ARPA fund planning

Purchase Approvals

- 38 Motion to approve training for Bookkeeper and Town Supervisor through Williamson at \$175/hour not to exceed 15 hours by Councilman Sammis and seconded by Councilman Fiscus. All in favor. Motion carries.

- 39 Motion to approve federal contract state bid purchase of a new desk for the Town Supervisor office not to exceed \$2,500 unless free/reduced price desk is available from Corning Inc. (Councilman Brenning to follow up and notify Supervisor if Corning, Inc. has any reduced priced/free desks) by Councilwoman Gridley and seconded by Councilman Fiscus. All in favor. Motion carries.
- 40 Motion to approve federal contract state bid purchase for a new desk and chair for the Town Bookkeeper office not to exceed \$2,500 unless free/reduced price desk is available from Corning Inc. (Councilman Brenning to follow up and notify Supervisor if Corning, Inc. has any reduced priced/free desks) by Councilman Sammis and seconded by Councilwoman Gridley. All in favor. Motion carries.
- 41 Motion to discuss audit from EFPR Group for Town of Corning (see attached) by Councilman Sammis and seconded by Councilman Brenning. All in favor. Motion carries.
 - a. General fund audit \$19,000 to \$21,000
 - b. Agreed-upon procedures \$5,500 to \$6,000.
- 42 Motion to approve audit from EFPR Group for Town of Corning for \$21,000 General fund audit by Councilman Fiscus and seconded by Councilman Sammis. All in favor. Motion carries.
- 43 Motion to approve purchase of Town kitchen items not to exceed \$100 by Councilwoman Gridley and seconded by Councilman Brenning. All in favor. Motion carries.

Community Comment

- 44 Any comments by visitors/community.
 - a. Linda Vandergrinten notes her favorite desk came from a Corning Inc. donation and she is anxious to look.
 - b. Lorriane Dias questioned the amount allowed to the highway supervisor of \$30,000 stating the village only allows \$500. Response given noting Town procurement policy and Supervisor Rose being an elected official with discretion over his budget by Supervisor Mullen.
 - c. Lorraine Dias questioned agenda item #23 asking for clarification of closing of the fiscal year being sent to the NYS Comptroller. Supervisor Mullen clarified wording.
 - d. Lorraine Dias questioned the scheduled workday (item #27) and why this must be addressed. Supervisor Mullen responded this is for employee's retirement and state policy (2 NYCRR 315.4).
 - e. Lorraine Dias questioned what the audit approved in line 41 would cover. Supervisor Mullen responded that this would be a financial audit. Ms. Dias questioned why procedures were not being audited. Supervisor Mullen and Councilman Sammis stated that procedures were being reviewed as noted in agenda item #37 and if there was a

complication in the financials that the Town would look further into the procedures.

- f. Joan Rosen questioned the approved audit and noted concerns from the 2020 audit completed by the State Comptroller. Councilman Brenning responded with points of what occurred during the audit to answer Ms. Rosen's questions
- g. Carol Ferratella noted that Williamson Law training is, "worth every dollar."
- h. Carol Ferratella noted that she would have liked to have seen other quotes for the audit. Councilman Brenning responded that the Corning Joint Fire District has used this company and had excellent success.
- i. Carol Ferratella noted that IDA had great success for Steuben County. She also noted that Amazon has moved into Bath and 17,000 packages a day are being delivered.
- j. Carol Ferratella continued to report that the HALT act has moved to the Senate and any person with over 100 grams of fentanyl can be imprisoned. She encouraged support behind this act.

Adjournment

45 Motion to adjourn at 2014 by Councilman Sammis and seconded by Councilwoman Gridley. All in favor. Motion carried.

Respectfully Submitted;

Kathleen Morrow-Olmstead, Town Clerk Town of Corning