

TOWN OF SCHUYLER FALLS
TOWN BOARD
REGULAR MEETING JANUARY 26, 2021

Supervisor Randall called the Regular Meeting of the Town of Schuyler Falls Town Board to order at 6:00 p.m.

Present

MEMBER

Howard Newton	X
Martin Perrotte	X (by Zoom)
Vernon Bruno	X
Reginald Facteau	X
Kevin Randall	X
Donna Hamel	X
Michael McCormick	X
Michael Snider	X

PUBLIC RECOGNITION Mary Sorrell, Larry and Ann Whalen, Richard Donah, Sam Campbell, Ricky White

All Board Members were provided with a copy of the Minutes of the Regular Meeting that was held on December 15, 2020.

Mr. Newton made a motion to approve and accept the Minutes as presented; Seconded by Mr. Randall.
AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

All Board Members were provided with a copy of the Minutes of the Organizational Meeting that was held on January 5, 2021. Mr. Facteau Mentioned that the Organizational meeting minutes has Deputy Supervisor's Appointment through December 31, 2022. He thought it was a two- year appointment that would expire in 2021. The Town Clerk said that it was a typographical error. The motion was moved to accept minutes as amended.

Mr. Newton made a motion to approve and accept the Minutes as presented; Seconded by Mr. Facteau.
AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

COMMUNICATIONS 1. Mr. Randall attended a Zoom meeting presented by the County on Shared Services. A letter will be composed to the Governor and signed by elected officials regarding their displeasure in the proposed closing of the Annex at the Dannemora Correctional Facility as well as the other Correctional facilities that are on the list to be closed.

2. Received several memos from Charter Communications regarding channel changes.

3. Received an update regarding the COVID vaccinations from the CC Health Dept.

4. Received registration information for the Virtual 2021 Association of Towns Annual Meeting and Training School that will be held February 14-17.

5. A denial was received from the NYSDOT regarding the request for a lower speed limit on LaDue Street. Study showed that the existing 30 mile an hour was appropriate and suggested added additional appropriate signage to that area.

6. Received an additional check from the CC Treasurer's Office in the amount of \$16,712.59 for the extra sales tax revenue owed to the Town. Mr. Randall said that he was told that additional internet sales helped.

7. Mr. Randall read an informational opinion from the Attorney General's Office regarding obligation to replace mailboxes that are knocked down by the snow plow. There is no liability on the part of the Municipality.

8. Mr. Randall will meet Mr. LaFave and do a final inspection of the River Street Park as it is in process of a turnover to the Town.

9. Mr. Randall and Mr. Facteau attended a web seminar on the CDBG 2020 Application. Mr. Randall explained that this application was due on February 4th. He did speak with several local engineering firms that Mr. Facteau suggested. Mr. Facteau said that the application was due on March 5th, not in February, so there still was plenty of time to get the application in. Mr. Facteau suggested contacting the Friends of the North Country who is a not-for-profit organization that could possibly help with the application. Mr. Randall mentioned that on a check point of the application, there is a question that asks if the USDA loan was applied for. This has not been done to date as the income study was just completed. From what his understanding is, the USDA loan should be applied for first before the CDBG application for the grant is submitted.

Mr. Facteau stated that there was never a request for proposals for this project. He said that there is a Clinton County firm that has no problem meeting the application deadline. Their proposal was \$2,000 and the LaBerge group was \$8,000 plus costs and the environmental study of \$5,000. He does not understand why a local firm cannot be used.

Mr. Randall said that he was aware of the firm that was willing to do it for \$2,000, but the check marks have not been achieved to apply. Mr. Randall stated that the LaBerge Group worked with the Town of Plattsburgh and the Town of Schuyler Falls on our municipal water systems and they are up to speed on the engineering and other key points that other firms would have to research before completing the project. The Board decided to go with the Laberge Group because of their knowledge with the Town's water system and because they have done the two previous grants. He said that one engineering firm questioned why the Town would want to change mid- stream to another firm. When asked by Mr. Facteau if Mr. Randall does not want to apply for the 2020 CDBG grant, Mr. Randall said it would be his suggestion, along with the recommendation of several key people, to apply for the USDA Grant and then apply for the 2021 CDBG Grant that would be coming out in April or May. The funding for the 2021 grant has not been allocated by the State at this time. He stressed how important the USDA grant/loan is and why this should come before the CDBG grant as it would mean how much the water district would receive in money. Mr. Facteau said that he still thinks that the 2020 grant should be applied for by AES. Mr. Randall said that AES sent the Town a packet that the Town would have to research and fill out which is about 10% to 20% of the paperwork that would be involved. Mr.

Randall said that he is not knowledgeable enough to complete the questions of what they are asking him to complete while spending taxpayer's money on something that is not known to him.

When asked by Mr. Facteau if he would agree to ask for RFPs for the next round of the grant, Mr. Randall replied that he thought it would not be a good idea as that one firm would have completed all but one portion of the grant, but he reminded Mr. Facteau that he is just one on the Board. He said that he could have hired LaBerge himself as it is professional services and only \$1,500.00, but did not and would not without the Board's approval.

Further discussion occurred on this subject.

10. Mr. Randall received the final invoice for the new truck that was ordered.

Mr. Randall thanked Sam Campbell for going around the Town and composing a list of street lights that were out. There were 24 lights that needed to be replaced. He contacted Troy Trombley at NYSEG and a list was forwarded to him.

MONTHLY REPORTS Town Clerk, Supervisor, Woods Mills Water, Morrisonville Water, Macey Lane Ambulance, Historian, Dog Control, Tax Collector, Codes Enforcement

Mr. Newton made a motion to file the reports; Seconded by Mr. Randall.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

RECEIPTS Town Clerk/\$466.00, Morrisonville Water/\$19,977.86, Woods Mills Water/\$683.43, Macey Lane Water/\$910.01, Judge Van Nortwick/\$1,037.00 Judge Barber/\$3,723, Tax Collector/\$907,091.05, NYS AIM Program/\$35,440.00, NYS Chips Program/\$138,427.02, CC Treasurer-Mtg Tax-4/1/2020-09/30/2020/\$41,294.05, Earth Waste Scrap Metal/\$173/18, Casella Waste Systems Host Fees-4th Quarter/\$87,608.41, CC Treasurer-Snow Payment/\$54,234.50, CC Treasurer-4th Quarter Sales Tax/\$16,712.59

Mr. Bruno made a motion to file the receipts; Seconded by Mr. Facteau.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

DEPARTMENT REPORTS Councilman/ Mr. Facteau asked if there was any updated information on the installation of street lights for Hilltop Estates. Mr. Randall mentioned that it was the wrong time of year to perform the work, but he did speak to NYSEG regarding the lights. As they are underground wiring, a design can be ongoing as to where the lights should be installed. He mentioned that there should be some lighting installed at the Salmon River Park as well due to vandalism. Mr. Randall added that he thought the lighting would be done when NYSEG converts the other lighting in Town to LED.

Mr. Facteau stated that as far as the Whalen situation (Pine Tree Drive), it is his opinion that the Town owns the property. He thinks that the situation should be looked into. Mr. Randall replied that he is not a lawyer, but he did read the file. He reviewed the Judge's decision and it was in favor for the Town. There was a thirty-day window for the petitioners to appeal, but that was not done. There was mentioned of Highway law 205 and 210. The Judge's decision was that the road was never declared a Town road. He said that in 1964, it was not deeded as a road to the Town but as a 50- foot strip of land. If the Town did declare it as a road, the residents on that road would be the only people responsible for the cost of expending money to bring it up to the specifications to consider it a Town road as they would be the only persons benefitted by it. This would include all expenses to the landowners as it could not be a Town-wide expense. It was told to him a while back that the residents only wanted the Town to plow the road, which they cannot do.

Mr. McCormick said that the file was just given to him but at the court ruling, it was determined that it was not a Town road. He does not see the appellate division's decision in the file. He would need to obtain a copy. He read a paraphrase that appeared in the Press Republican regarding the decision. After further discussion, Mr. McCormick will review the matter further and will report back to the Town Board.

Highway/ Mr. Snider reported that his crew has been busy doing some plowing, sanding and moving snowbanks. They have been working on repairs to the trucks. He mentioned that it is time to start thinking about purchasing a new truck. Since a purchase is a lengthy process, it needs to be started months ahead of time.

Water/ Mr. Randall explained that the Town of Plattsburgh has increased their water rates to \$2.78 a gallon. Water rates need to be increased because of this. Mr. Randall had figures from each water district of what was expended for the year for a comparison of the revenues for the year. There are resolutions to be voted on tonight on the new rates.

RESOLUTIONS

RESOLUTION #21-18

MOTION BY Mr. Facteau

RESOLVED, that the renewal agreement between the Emergency Medical Transport of CVPH, Inc. and the Town of Schuyler Falls be and the same hereby is approved for the period of January 1, 2021 through December 31, 2021; and it is further,

RESOLVED, that the Town of Schuyler Falls Town Board authorizes the Supervisor to sign said agreement for the Town.

DISCUSSION: \$400.00 INCREASE FROM LAST YEAR

SECONDED BY: Mr. Newton

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

RESOLUTION #21-19

MOTION BY: Mr. Newton

RESOLVED, that the Town of Schuyler Falls authorizes the Supervisor to sign the Professional Services Agreement with the County allocating \$1,303.00 for the Town of Schuyler Falls Recreation Programs.

SECONDED BY: Mr. Perrotte

DISCUSSION: Services commencing January 1, 2020 and terminate December 31, 2020 is paid in the 2021 year.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

RESOLUTION #21-20

MOTION BY: Mr. Bruno

RESOLVED, that the Town of Schuyler Falls enter into an agreement with the Elmore SPCA in the amount of 3,300.00 for the calendar year of 2021.

SECONDED BY: Mr. Facteau

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

RESOLUTION #21-21

MOTION BY: Mr. Newton

RESOLVED, that the Town of Schuyler Falls enter into an agreement with Eagle's Nest Veterinary Hospital, for the year 2021, to harbor and treat all dangerous dogs seized in the Town.

DISCUSSION: This is a requirement that is mandatory for all Towns per NYS Agriculture and Markets Law. Eagle's Nest requires a \$500.00 retainer fee for this contract. All fees that will be charged for the services that will be provided by Eagle's Nest Veterinary Hospital are outlined in the attached contract.

SECONDED BY: Mr. Bruno

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

RESOLUTION #21-22

MOTION BY: Mr. Facteau

WHEREAS, pursuant to the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 (Part B, Subpart D) signed by Governor Cuomo on December 28, 2020, every governing body of an assessing unit and local assessor shall extend to the 2021 assessment roll, the renewal of the exemptions received on the 2020 assessment roll pursuant to sections 467 (senior citizen) and 459-c (limited income disability) of the real property tax law; and

WHEREAS, no renewal application shall be required of any eligible property owner who received either exemption on the 2020 assessment roll in order for such eligible property owner to continue receiving the exemption at the same amount received on the 2020 assessment roll unless the eligible property owner determines their income has changed in a manner that would grant them a greater exemption than was present on the 2020 assessment roll; and

WHEREAS, notwithstanding the foregoing, if the assessor has reason to believe that a potentially eligible property owner has since (after the 3/1/2020 taxable status date and prior to the 3/1/2021 taxable status date) changed their primary residence, added another owner to the deed, sold the property, or is now deceased, the assessor may require a renewal application in his/her sole discretion.

NOW THEREFORE BE IT RESOLVED the Town Board of the Town of SCHUYLER FALLS hereby authorizes the exemptions referenced above (senior citizen & limited income disability) for the 2021 assessment roll without submission of a renewal application unless otherwise required by the assessor.

Seconded By: Mr. Perrotte

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

RESOLUTION #21-23

MOTION BY: Mr. Newton

RESOLVED, that the Town Board of the Town of Schuyler Falls authorizes the Town Supervisor to sin the Four-year Shared Service Agreement between the NYSDOT and the Town of Schuyler Falls

SECONDED BY: Mr. Perrotte

DISCUSSION: Old Contract expires this year.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Facteau

RESOLUTION #21-24

MOTION BY: Mr. Newton

RESOLVED, that the records of the records of the following Town officials who receive or disburse any money of the Town will be accepted and approved as presented:

Mary Sorrell, Secretary to the Supervisor

SECONDED BY: Mr. Bruno

DISCUSSION: Year end for 2020 is now complete

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

RESOLUTION #21-25

MOTION BY: Mr. Newton

RESOLVED, that the Town Board of the Town of Schuyler Falls authorizes the hiring of the LaBerge Group to provide grant development services for the USDA Preliminary Eligibility Determination request for the Morrisonville Water Improvement Project for the fee of \$1,500.00 plus expenses.

SECONDED BY: Mr. Perrotte

DISCUSSION Needs to be submitted prior to the CDBG

Mr. Facteau told the Board members that he will try to go along with this if the additional expenses stated in the contract can be capped. Mr. Randall said that this could not be done without a new contract.

SECONDED BY: Mr. Perrotte

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

NAYES: Mr. Facteau

RESOLUTION #21-26

MOTION BY: Mr. Perrotte

WHEREAS, in accordance with the water supply agreement between the Town of Plattsburgh and the Town of Schuyler Falls Macey Lane Water District, the Town of Plattsburgh notified the Town that the annual metered water rate for the 2021 calendar year will be raised to \$3.01 per thousand gallons, and

WHEREAS, the Town of Schuyler Falls needs to raise the water rate charge to the customers in that district to reflect the increase, be it therefore

RESOLVED, that the new water rates for the District will be \$ 33.28 for the first 0-7,000 gallons and \$3.33 a thousand for anything over the initial charge.

SECONDED BY: Mr. Newton

DISCUSSION: This rate is 10% over the cost of what the Town of Plattsburgh is charging the Town. It was discussed that the taxes on the Macey Lane water district is very high due to the water bond.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

RESOLUTION # 21-27

MOTION BY: Mr. Newton

WHEREAS, in accordance with the water supply agreement between the Town of Plattsburgh and the Town of Schuyler Falls Woods Mills Water District, the Town of Plattsburgh sent a letter to notify the Town that the annual metered water rate for the 2021 calendar year will be raised to \$2.78 per thousand, and

WHEREAS, the Town of Schuyler Falls needs to raise the water rate charge to the customers in that district to reflect the increase, be it therefore

RESOLVED, that the new water rates for the District will be \$30.06 for the first 0-7,000 gallons and \$3.01 a thousand for anything over the initial charge.

SECONDED BY: Mr. Randall

DISCUSSION: This rate is 10% over the cost of what the Town of Plattsburgh is charging the Town.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

CLAIMS

General Abstract for the Month of January	\$182,551.24
Highway Abstract for the Month of January	\$65,479.70
Morrisonville Water Abstract for the Month of January	\$ 6,498.90
Woods Mills Water Abstract for the Month of January	\$ 5,153.65
Macey Lane Water Abstract for January	\$ 619.32
Audit only Abstract for the Month of January	\$ 4,238.65
Fire Districts Abstract for the Month of January	\$488,040.20
Ambulance District Abstract for the Month of January	\$114,896.00

Vouchers for Claims (#202100015-202100178)

Vouchers for Audit Only (#202100002-202100014)

Payroll Vouchers (#202001728-202001741)

Mr. Newton made a motion to pay the claims, which was seconded by Mr. Facteau.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

NEXT MEETING

Work Sessions (if Needed)	Monday	February 01 ,2021	
	Tuesday	February 16, 2021	6:00 p.m.
Regular Meeting	Tuesday	February 23, 2021	6:00 p.m.

A delegate is needed for the Association of Towns meeting, **Mr. Newton made a motion to nominate Mr. Randall as Town Delegate. This motion was seconded by Mr. Bruno and Unanimously Approved.**

PUBLIC FORUM Jason Rock asked why the Town would maintain the road leading into the sandpit but will not maintain a road that is owned by the Town. He feels that the Town should plow Pine Tree Drive. He spoke of the issue regarding the right-of-way at the sandpit. He said that the Town does not have an access, only the one that is not owned by the Town legally. Mr. Randall mentioned that the Attorney is still involved and the issue has not been resolved yet. Mr. Rock said that DEC sent paperwork in March of last year for the Town to review. He said that the Town should be trying to own the road instead of exchanging easements. When it was said that they are not following the mining rules and regulations, Mr. Randall replied that they are obligated to follow all the Town and DEC mining rules. He added that if Mr. Rock has knowledge that they are not, come down and discuss it with him and they will look into it further.

Mr. Whalen told Mr. Snider that the post office has regulations on how high a mailbox needs to be installed so as not to get hit by the snow plow. He spoke of options for the lighting of the sand pit. Mr. Whalen stated that he did lose the court case on his road and mentioned that the attorney did not get the appeal paperwork in on a timely manner.

Mr. Dabrowski asked Mr. Randall if there was any progress on receiving the information to possibly rectify the problems with the water pressure on Macey Lane. Mr. Randall said he had not received anything. Mr. Dabrowski asked why the iron levels are not on any reports from the Town of Plattsburgh. Mr. Randall will inquire about this and try to get an answer.

It was again mentioned that the residents on Pine Tree Drive just want the Town to plow the road. Mr. Randall said the Town cannot plow a private road and again gave them the information that the road would have to be brought up to specs at the expense of the residents of that road before the Town can take the road over. It was said that the Town Attorney will look at the paperwork in the file regarding Pine Tree Drive and will give his opinion. This would give the Town and the residents that live on Pine Tree Drive a determination of what can be done.

It was discussed that the Town should purchase their own video recording device, new audio device and look into upgrading the website for the Town. **Mr. Randall made a motion to approve the purchase of a video recording device, an audio recording device and look into upgrading the website site for the Town. This motion was seconded by Mr. Newton and was Unanimously Approved.**

ADJOURNMENT Mr. Newton made a motion to adjourn, which was seconded by Mr. Facteau; and was **UNANIMOUSLY APPROVED. ADJOURNMENT/ 9:15 p.m.**