

TOWN OF SCHUYLER FALLS
TOWN BOARD
REGULAR MEETING MARCH 26, 2019

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

<u>MEMBER</u>	<u>Present</u>	<u>Absent</u>
George Seymour		X
Barry White	X	
Howard Newton	X	
Martin Perrotte	X	
Richard Potiker	X	
Donna Hamel	X	
John Rock		X
Michael McCormick	X	

ATTENDEES Reg Facticeau, Kevin Randall, William LaCount, Kurt Gervich, Michael Coon, Phil VonBargen, Justin Doner

All Board Members were provided with a copy of the Minutes of the Regular Meeting that was held on February 26, 2019 before this meeting.

Mr. Newton made a motion to approve and accept the Minutes as presented, Seconded by Mr. White.

AYES: Mr. Potiker, Mr. White, Mr. Newton, Mr. Perrotte

ABSENT: Mr. Seymour

ADDRESSES Curt Gervich presented the Town Board with the draft Comprehensive Plan. He mentioned that there were two resolutions that would have to be acted on tonight. He said that the Comprehensive Plan would have to be distributed to the Town Of Saranac, Town of Plattsburgh, Town of Peru and the County for their review and comments. They will have thirty days to submit any comments before the Comprehensive Plan can be adopted. A tentative date for the Public Hearing was set for April 23rd before this meeting. After some discussion, it was decided that by the time the draft plan could be given to the neighboring Towns for review, the date would not meet the thirty day requirement. Mr. Newton made a motion to reschedule the Public Hearing scheduled for 5:30 p.m. on April 23rd and the Regular meeting scheduled for 6:00 p.m. on April 23rd to the date of April 30th prevailing times. This motion was seconded by Mr. Perrotte and was Unanimously Approved.

Mr. Newton asked that the Resolutions pertaining to the Comprehensive Plan be presented at this time so Mr. Gervich can leave.

RESOLUTION #19-35

DRAFT Resolution to Authorize Distribution of Comprehensive Plan to Neighboring Jurisdictions for Review and Comment

MOTION BY: Mr. Perrotte

WHEREAS, the Town of Schuyler Falls has undertaken and completed the process of developing a DRAFT Comprehensive Plan titled “Town of Schuyler Falls DRAFT Comprehensive Plan” or “DRAFT Plan”; and, WHEREAS the Town of Schuyler Falls recognizes the value of adopting a comprehensive plan including providing a vision for the Town’s future, aiding decision making through the establishment of Town objectives and goals, supporting grant writing and funding opportunities by establishing Town priorities, providing guidance to builders and developers and others undertaking improvements to the Town, integrating Town needs with those of neighboring jurisdictions, and building regional continuity and cohesion of development practices and initiatives; and,

WHEREAS the Town of Schuyler Falls established a committee of committed residents known as the “Town of Schuyler Falls Comprehensive Planning Committee” to assist and guide the planning process; and,

WHEREAS the Town of Schuyler Falls has undertaken development of the DRAFT Plan with consulting services from SUNY Plattsburgh; and,

WHEREAS the Town of Schuyler Falls recognizes the value of obtaining review and comment from neighboring jurisdictions as a method of strengthening the plan and collaboration among jurisdictions;

BE IT RESOLVED THAT the Town Board of Schuyler Falls hereby receives and places on file the Town of Schuyler Falls Draft Comprehensive Plan; and it be further

RESOLVED THAT the Town Board of Schuyler Falls hereby directs the Town Clerk and/or Supervisor to distribute the Town of Schuyler Falls DRAFT Comprehensive Plan to appropriate personnel and offices at Clinton County, the Town of Plattsburgh, Town of Peru and Town of Saranac, and to execute the administration and collection of comments from these jurisdictions as appropriate.

SECONDED BY: Mr. White

AYES: Mr. White, Mr. Newton, Mr. Perrotte, Mr. Potiker

ABSENT: Mr. Seymour

RESOLUTION #19-36

DRAFT Resolution for Type 1 SEQR Action and Public Hearing for Comprehensive Plan

MOTION BY: Mr. Newton

WHEREAS, the Town of Schuyler Falls has undertaken and completed the process of developing a DRAFT Comprehensive Plan titled “Town of Schuyler Falls DRAFT Comprehensive Plan” or “DRAFT Plan”; and,

WHEREAS the Town of Schuyler Falls recognizes the value of adopting a comprehensive plan including providing a vision for the Town’s future, aiding decision making through the establishment of Town objectives and goals, supporting grant writing and funding opportunities by establishing Town priorities, providing guidance to builders and developers and others undertaking improvements to the Town, integrating Town needs with those of neighboring jurisdictions, and building regional continuity and cohesion of development practices and initiatives; and,

WHEREAS the Town of Schuyler Falls established a committee of committed residents known as the “Town of Schuyler Falls Comprehensive Planning Committee” to assist and guide the planning process; and, WHEREAS the Town of Schuyler Falls has undertaken development of the DRAFT Plan with consulting services from SUNY Plattsburgh; and,

WHEREAS Part 617 “State Environmental Quality Review” section 8-0113 of the Environmental Conservation Law provides for review of projects which constitute and “action” with respect to the effect of such projects on the environment; and,

WHEREAS a determination of the effect of said project or action on the environment is necessary to determine whether a draft “Environmental Impact Statement” is required; and,

WHEREAS the effects of the project or action on the environment are to be examined by all “involved agencies; and,

WHEREAS the Town Board of Schuyler Falls has before it the project or action known as the Town of Schuyler Falls Draft Comprehensive Plan; and,

WHEREAS the Town Board of Schuyler Falls values community input and therefore intends to hold a public hearing with adequate and required public notice regarding the Town of Schuyler Falls Draft Comprehensive Plan prior to adopting the plan, and in accordance with New York State Municipal Home Rule Law Section 20; and,

BE IT RESOLVED THAT the Town Board of Schuyler Falls hereby finds the Town of Schuyler Falls Draft Comprehensive Plan to be a Type 1 SEQR action; and be it further

RESOLVED THAT the Town Board of Schuyler Falls authorizes the Town Board of Schuyler Falls to serve as “lead agency” for the Type 1 SEQR review of the Town of Schuyler Falls Draft Comprehensive Plan; and be it further

RESOLVED THAT the Town Board of Schuyler Falls will hold a public hearing and comment session regarding the Town of Schuyler Falls Draft Comprehensive Plan and Type 1 SEQR review on April 30th at 5:30pm prevailing time.

SECONDED BY: Mr. White

AYES: Mr. White, Mr. Newton, Mr. Perrotte, Mr. Potiker

ABSENT: Mr. Seymour

Justin Doner, Friends of the North Country, was on hand to answer any questions that the Board would have regarding the two resolutions that were on the table tonight for review and action. Mr. Newton requested that the two resolutions be presented at this time so Mr. Doner would be able to leave.

RESOLUTION #19-32

MOTION BY: Mr. Newton

RESOLVED, that the Town Board of the Town of Schuyler Falls authorizes the capital expenditure of \$14,850.00 (leaving a total of \$18,100.00) plus administrative, project delivery, and other soft costs in accordance with the Town of Schuyler Falls Housing Rehabilitation Program for Project #SF-17-05.

SECONDED BY: Mr. Perrotte

AYES: Mr. White, Mr. Newton, Mr. Perrotte, Mr. Potiker

ABSENT: Mr. Seymour

RESOLUTION #19-33

MOTION BY: Mr. Perrotte

RESOLVED, that the Town Board of the Town of Schuyler Falls authorizes the capital expenditure of \$7,450.00 plus administrative, project delivery, and other soft costs in accordance with the Town of Schuyler Falls Housing Rehabilitation Program for Project #SF-17-03.

SECONDED BY: Mr. White

AYES: Mr. White, Mr. Newton, Mr. Perrotte, Mr. Potiker

ABSENT: Mr. Seymour

COMMUNICATIONS

1. Received an invitation to the Annual Inspection Dinner for the South Plattsburgh Fire Department that will be held on March 29th.

2. Received a letter from the Clinton County Health Department regarding emergency planning for Constituents requiring oxygen assistance during power outages.

3. Received an email from a resident who lives on the Hardscrabble Road requesting help in getting internet service in their area. Mr. Potiker gave them some information that might be of some help.

4. Received a note from Cliff Christon, Dog Control Officer, regarding his unpaid mileage.

5. Received a proposal to conduct a Median Household Income Survey from the Municipal Consulting.

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

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

AYES: Mr. White, Mr. Newton, Mr. Perrotte, Mr. Potiker

ABSENT: Mr. Seymour

RECEIPTS Town Clerk/\$275.00, Judge Van Nortwick/\$ 4,186.00, Judge Barber/\$1,565.00, Morrisonville Water/\$483.60, Woods Mills Water/\$1,429.30, Macey Lane Water/\$670.94, Tax Collector/\$53,497.00, Charter Communication–Franchise Fees 2018 4th quarter/\$19,575.97, Stewarts Shop-Youth Department/\$500.00

Mr. Perrotte made a motion to file the receipts; Seconded by Mr. Newton.

AYES: Mr. White, Mr. Newton, Mr. Perrotte, Mr. Potiker

ABSENT: Mr. Seymour

Mr. Perrotte made a motion to file the Minutes of the Zoning Board of Appeals dated January 28, 2019. This motion was seconded by Mr. White and was Unanimously Approved.

DEPARTMENT REPORTS

Councilman/ Mr. Newton asked Mr. Randall, who was at the meeting, if the water pressure at the Fire Station was any better. Mr. Randall said it was not. Mr. Randall said he thought that the problem started with the construction of the new bridge. At that time, Mr. Randall said that the water was rerouted. He told the Board members that the fire hydrant that is across the road to the fire department has plenty of water pressure. A discussion followed on what the problem could be and ways to rectify it.

Highway/ Mr. Potiker told the Board members that he wanted to commend the Highway Department on the great job that John Rock and the Highway crew has done this winter in keeping up with the snowstorms.

Supervisor/ Mr. Potiker told the Board members that he had a meeting with the LaBerge Group regarding the Morrisonville water district expansion for the outside users. He attended a Clinton County Supervisor's Meeting on March 13th. A Board work session was held on March 18th with the Comprehensive Plan Committee giving a presentation on the draft plan. On March 29th, Mr. Potiker attended a NYS Solid Waste Plan meeting. On March 26th, Mr. Potiker attended a County Shared Services Meeting.

RESOLUTIONS

Resolutions 19-32-19-33 and Resolutions 19-35-19-36 were done earlier in the meeting.

RESOLUTION #19-34

MOTION BY: Mr. Newton

RESOLVED, that the Town Board re-appoints Frank Dorrance to the Zoning Board of Appeals, appointment effective immediately and to expire on December 31, 2023.

SECONDED BY: Mr. Perrotte

DISCUSSION: It was asked if Mr. Dorrance wanted another term on the Board. He was in attendance at the last Zoning Board Meeting. This resolution had to be repeated as he had not come in to take his oath of office within the thirty day requirement.

AYES: Mr. Newton, Mr. Perrotte, Mr. Potiker

ABSTAIN: Mr. White

ABSENT: Mr. Seymour

RESOLUTION #19-37

MOTION BY: Mr. Newton

WHEREAS, PERMA is holding their annual 2019 conference in Bolton Landing on May 23 – May 24,

WHEREAS, the Secretary, Mary Sorrell, would like to attend as she handles the Worker's Comp Claims for the Town, be it therefore

RESOLVED, that the Town Board authorizes the attendance of said conference and expenses will be chargeable to the General Fund as provided for in the 2019 budget.

SECONDED BY: Mr. Perrotte

DISCUSSION: Perma pays for the first registrant so the only cost would be mileage. It was asked if John Rock or Jason Rock from the Highway Department were planning on going. To date, they have not turned in a request for the conference.

SECONDED BY: Mr. Perrotte

AYES: Mr. Newton, Mr. Perrotte, Mr. Potiker, Mr. White

ABSENT: Mr. Seymour

RESOLUTION #19-38

MOTION BY: Mr. Perrotte

WHEREAS, The Center for Creative Land Recycling /NYS DEC is holding a training seminar in Albany on June 11-12, 2019,

WHEREAS, Howard Newton, Town Councilman, would like to attend the training be it therefore,

RESOLVED, that the Town Board authorizes the attendance of said conference and expenses will be chargeable to the General Fund as provided for in the 2019 budget.

SECONDED BY:

DISCUSSION: Cost to the Town would be approximately \$574.00.

SECONDED BY: Mr. Newton

AYES: Mr. Newton, Mr. Perrotte, Mr. White, Mr. Potiker

ABSENT: Mr. Seymour

RESOLUTION #19-39

MOTION BY: Mr. Newton

WHEREAS, the NYS Association of Tax Receivers and Collectors will hold their annual training seminar in Lake Placid on June 9th- June 12th, 2019, and

WHEREAS, Donna Hamel, Town Clerk/Tax Collector, would like to attend the training be it therefore,

RESOLVED, that the Town Board authorizes the attendance of said conference and expenses will be chargeable to the General Fund as provided for in the 2019 budget.

DISCUSSION: Cost to the Town would be approximately \$450.00.

SECONDED BY: Mr. White

AYES: Mr. Newton, Mr. Perrotte, Mr. White, Mr. Potiker

ABSENT: Mr. Seymour

RESOLUTION #19-40

RESOLUTION AUTHORIZING MID-YEAR HOURLEY ADJUSTMENT TO THE PAY OF THE BUILDINGS AND GROUNDS POSITION

MOTION BY:

WHEREAS, The Town Board authorized the addition of a buildings and grounds position to be shared by the Parks Department and Town at large with an hourly rate set at the current seasonal laborer rate. The Recreation Director and Supervisor have observed that this position with its increased duties, responsibilities as well as a supervisory position should be compensated at a higher hourly rate; and

WHEREAS, the position to which the employees have been assigned have historically thru out the county and other towns have been evaluated at higher rate with increased pay; and

WHEREAS, an increase in the rate, for this employee is necessary due to the increase in the demands and responsibilities in this positions Recreation budget and Town hall buildings and grounds budget currently does have the necessary funds to cover the increase; and the position has reduced the number of part-time employees by 1 from past years for the 2019 season and beyond.

WHEREAS, the cost of said hourly increase is as follows:

NOW, THEREFORE BE IT RESOLVED, by this Schuyler Falls Town Board is authorized to process the salary increases for said position to \$16.00 from the current \$13.91 per hour

BE IT RESOLVED, that the approval of this resolution will not establish a past practice, and

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect immediately upon its adoption starting with the next pay period and the Town Clerk shall distribute a certified copy of this to the appropriate department.

SECONDED BY:

DISCUSSION

After Mr. Potiker read the resolution, Mr. Newton made a motion to table action for further discussion and consideration. This Motion was seconded by Mr. Perrotte. Mr. Perrotte, Mr. Newton and Mr. White voted yes, Mr. Potiker voted no. When asked by Mr. Potiker as to why the Board members voted to table the resolution, Mr. Newton replied that he would like to have the employee at the next work session to discuss this matter further.

RESOLUTION #19-41

MOTION BY: Mr. Perrotte

WHEREAS, the Town Board would like to explore the possibility of a development of a proposed recreational trail area on the vacant land along the Saranac River at the foot of River Street, and

WHEREAS, AES has submitted an amendment to the Owner-Engineer agreement for the total amount of \$14,981.00; to include wetland delineation and a property boundary survey (\$9,681.00), Design Development (\$2,100.00) and permit application for ACOE and DEC (\$3,200.00), be it therefore

RESOLVED, that the Town of Schuyler Falls Town Board authorizes the Supervisor to sign the agreement with AES for the amendment for the professional engineering services for this project.

SECONDED BY: Mr. Newton

DISCUSSION: Agreement attached to resolution

Mr. Newton said that when this project was started with AES, it was said that the total cost to the Town would be \$8,500.00. He said that he is not in favor of putting out any more money when the Town is not sure if the grant would be successful. He said that after reading an e-mail that Mr. Potiker sent to him there is a question on if the Town owns the property that is being identified. It was said if NYSDEC had already done a wet land delineation, why would AES be doing another one. Mr. Potiker said that they would do the delineation where the trails would be constructed. A deed was printed out and given to the Town Clerk by the Assessor last week. This deed was for several properties that were bought out after the flooding. Mr. McCormick reviewed the deed. He said that a tax map of the area before the buyout and then another after the buyout would help identify the boundaries. If a survey was done, it would clearly state who owns the property in question. It was mentioned that the Town should get a few quotes for a survey of the property to ensure that the best price is given. Mr. White made a motion to table Resolution #19-41 so AES could come to a work session to explain the Amendment to the owner-engineer agreement. This motion was Seconded by Mr. Perrotte and was Unanimously Approved.

RESOLUTION #19-42

MOTION BY: Mr. Perrotte

RESOLVED, that the Town of Schuyler Falls Town Board authorizes the fee of \$5,500.00 plus reimbursable expenses to the LaBerge Group for professional services in regards to the matter of modifying the boundary of the Morrisonville Water District to encompass parcels that are not in the district but are connected to the system.

SECONDED BY: Mr. White

DISCUSSION: Copy of proposal attached to resolution. When asked why this would be done, Mr. Potiker said that this needs to be done to be in compliance for all outside users of the district.

AYES: Mr. Newton, Mr. Potiker, Mr. Perrotte, Mr. White

ABSENT: Mr. Seymour

RESOLUTION #19-43

MOTION BY: Mr. Perrotte

RESOLVED, that the Town of Schuyler Falls Town Board authorizes the fee not to exceed \$5,000.00 plus reimbursable expenses to the TRK Law Firm for professional services in regards to the matter of modifying the boundary of the Morrisonville Water District to encompass parcels that are not in the district but are connected to the system.

SECONDED BY: Mr. Newton

DISCUSSION: Copy of proposal attached to resolution

AYES: Mr. Newton, Mr. Potiker, Mr. Perrotte, Mr. White

ABSENT: Mr. Seymour

CLAIMS

General Abstract for the Month of March	\$ 20,703.29
Highway Abstract for the Month of March	\$ 25,944.86
Morrisonville Water Abstract for the Month of March	\$ 5,397.88
Woods Mills Water Abstract for the Month of March	\$ 1,152.92
Macey Lane Water Abstract for March	\$ 327.40
Audit only Abstract for the Month of March	\$ 4,601.21

Vouchers for Claims (#201900351- 201900444)
Vouchers for Audit Only (#201900330--201900344)

Payroll Claims (#201800303-201800329)
(#201900345-201900350)

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

AYES: Mr. Newton, Mr. White, Mr. Potiker, Mr. Perrotte

ABSENT: Mr. Seymour

Mr. Potiker told the Board members that the Highway Department was prepared to change the light bulbs to LED but NYSEG has a program that might save the Town some money. NYSEG will survey the lighting in the Town to see what they can do to convert the existing lights to LED.

NEXT MEETING

Work Sessions (if Needed) Monday April 1, 2019 6:00 p.m.
Monday April 15, 2019

Public Hearing Tuesday April 30, 2019 5:30 p.m.
Regular Meeting Tuesday April 30, 2019 6:00 p.m.

ADJOURNMENT Mr. Newton made a motion to adjourn, which was Seconded by Mr. Perrotte; and was UNANIMOUSLY APPROVED ADJOURNMENT/ 8:15 p.m.

Donna Hamel/Town Clerk