

TOWN OF SCHUYLER FALLS
TOWN BOARD
REGULAR MEETING NOVEMBER 27, 2018

Supervisor Potiker called the Regular Meeting of the Town of Schuyler Falls Town Board to order at 6:09 p.m.

	<u>Present</u>	<u>Absent</u>
<u>MEMBER</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	

PUBLIC RECOGNITION Barb Benkwitt, Ed Yando, Jim Recore, Todd Yando

All Board Members were provided with a copy of the Minutes of the Regular Meeting that was held on October 23, 2018 before this meeting.

Mr. Newton made a motion to approve and accept the Minutes as presented, Seconded by Mr. Seymour.
AYES: Mr. Potiker, Mr. Seymour, Mr. Newton Mr. White, Mr. Perrotte

All Board Members were provided with a copy of the Minutes of the Public Hearing that was held on November 8, 2018 before this meeting.

Mr. Perrotte made a motion to approve and accept the Minutes as presented, Seconded by Mr. White.
AYES: Mr. Potiker, Mr. Seymour, Mr. White, Mr. Perrotte
ABSTAIN: Mr. Newton

All Board Members were provided with a copy of the Minutes of the Special Meeting that was held on November 8, 2018 before this meeting.

Mr. Perrotte made a motion to approve and accept the Minutes as presented, Seconded by Mr. White.
AYES: Mr. Potiker, Mr. Seymour, Mr. White, Mr. Perrotte
ABSTAIN: Mr. Newton

Mr. Ryan traveled from Albany for tonight's Public Hearing and Regular Meeting. The two resolutions that pertained to the Street Light Consolidation were acted on so Mr. Ryan could leave to travel back to Albany.

RESOLUTION #18-82

**RESOLUTION REGARDING NEGATIVE DECLARATION FOR THE
ESTABLISHMENT OF THE TOWN OF SCHUYLER FALLS
CONSOLIDATED LIGHTING DISTRICT**

MOTION BY: Mr. Newton

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Schuyler Falls, relating to the establishment of the Town of Schuyler Falls Consolidated Lighting District in the Town of Schuyler Falls, County of Clinton, State of New York; and

WHEREAS, such map, plan and report was prepared by Laberge Engineering Consulting Group, Ltd., competent engineers, duly licensed by the State of New York, showing the boundaries of the proposed Town of Schuyler Falls Consolidated Lighting District, general plan of the Town of Schuyler Falls Consolidated Lighting District, and a report showing the ad valorem cost thereof to the typical properties; and

WHEREAS, said Consolidated Lighting District formation will require compliance with the provisions of the Environmental Conservation Law of the State of New York and regulations of the Department of Environmental Conservation, Part 617, State Environmental Quality Review Act and the Town of Schuyler Falls has previously established that the Town Board act as lead agency for the review of plans and environmental impact, if any, of the proposed establishment of the Town of Schuyler Falls Consolidated Lighting District.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Town Board of the Town of Schuyler Falls as lead agency has determined that the establishment of the Town of Schuyler Falls Consolidated Lighting District as described in the map, plan and report prepared by Laberge Engineering Consulting Group, Ltd., is an Unlisted Action and that establishment of the proposed Town of Schuyler Falls Consolidated Lighting District will not result in any significant adverse environmental impacts, and that the Supervisor of the Town of Schuyler Falls be authorized to execute the Short Environmental Assessment Form with respect to the determination that the establishment of the Town of Schuyler Falls Consolidated Lighting District is an Unlisted Action and that the establishment of the Town

of Schuyler Falls Consolidated Lighting District will not result in any significant adverse environmental impacts;

Based on its examination of the EAF, the criteria set forth in Sections 617.6 and 617.7 of the regulations, and such further investigation as the town board has deemed appropriate, no potential significant adverse environmental impacts are known;

Consent to proceed with the creation of the Town of Schuyler Falls Consolidated Lighting District will not cause a significant impact on the environment, and the town board will not require the preparation of an environmental impact statement;

A negative declaration is to be signed by the supervisor;

The Town Clerk of the Town of Schuyler Falls is hereby directed to cause to be filed and circulated the negative declaration in accordance with the requirements of SEQRA, a copy of the negative declaration shall be maintained in the Office of the Town Clerk in a file that will be readily accessible to the public, and the clerk shall mail copies, return receipt requested, to:

Office of the Commissioner
Department of Environmental Conservation
625 Broadway
Albany, New York 12233

and Environmental Notice Bulletin
NYSDEC – Attn: Jack Nasca
625 Broadway, 4th Floor
Albany, New York 12233-1750

All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

SECONDED BY: Mr. White

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

RESOLUTION #18-83

**A RESOLUTION APPROVING CONSOLIDATION OF THE
TOWN OF SCHUYLER FALLS LIGHTING DISTRICTS, TO WIT: CADYVILLE LIGHTING
DISTRICT, FATIMA STREET LIGHTING DISTRICT, MORRISONVILLE LIGHTING DISTRICT,
NEWELL COURT LIGHTING DISTRICT, SCHUYLER FALLS LIGHTING DISTRICT AND GREATER
SCHUYLER FALLS LIGHTING DISTRICT INTO ONE CONSOLIDATED LIGHTING DISTRICT
SUBJECT TO THE COMPLETION OF PROCEEDINGS PURSUANT TO ARTICLE 17A OF THE
GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK**

MOTION BY: Mr. Perrotte

WHEREAS, there exists within the Town of Schuyler Falls six lighting districts, to wit: Cadyville Lighting District, Fatima Street Lighting District, Morrisonville Lighting District, Newell Court Lighting District, Schuyler Falls Lighting District and Greater Schuyler Falls Lighting District; and,

WHEREAS, the aforesaid lighting districts have been created for similar purposes; and,

WHEREAS, the Town Board did on the 23rd day of October, 2018 adopt a Resolution and Order to give notice of a Public Hearing pursuant to the provisions of Article 17A of the General Municipal Law of the State of New York to be held at the Schuyler Falls Town Hall on the 27th day of November, 2018 at 5:45 p.m. for the purpose of hearing all persons upon the question of consolidating the Town of Schuyler Falls lighting districts, to wit: Cadyville Lighting District, Fatima Street Lighting District, Morrisonville Lighting District, Newell Court Lighting District, Schuyler Falls Lighting District and Greater Schuyler Falls Lighting District into a single consolidated lighting district; and,

WHEREAS, the Town Board wishes to plan for the future needs of the Town and its residents and businesses; and to consolidate services, reduce the amount of administrative services and costs within the lighting districts; to increase the financial base of the lighting districts in order to obtain a reduction in interest rates on any borrowing if necessary; and to distribute costs more evenly thereby permitting the establishment of fair and reasonable rates for services, and uniform tax rates; and,

WHEREAS, the Town Board and Town Clerk have caused, as required by law to be posted and published, the Notice of Public Hearing pursuant to the provisions of the aforesaid Article 17A of the General Municipal Law; and,

WHEREAS, the Town Board conducted the Public Hearing on the 27th day of November, 2018 to consider the consolidation of the stated lighting districts into a single consolidated lighting district at which time all persons interested in the same were afforded ample opportunity to be heard and speak in support of or opposition to the proposed consolidation; and,

WHEREAS, the Town Board has carefully reviewed the issues associated with the consolidation of the aforesaid lighting districts.

NOW, THEREFORE, it is hereby resolved that this Town Board acting pursuant to the provisions of Section 754 of the General Municipal Law of the State of New York does hereby consolidate Town of Schuyler Falls lighting districts, to wit: Cadyville Lighting District, Fatima Street Lighting District, Morrisonville Lighting District, Newell Court Lighting District, Schuyler Falls Lighting District and Greater Schuyler Falls Lighting District into a single consolidated lighting district, said consolidation to be effective January 1, 2019 and on such consolidation does hereby determine as follows:

1. **This Resolution is adopted pursuant to the provisions of Article 17A of the General Municipal Law of the State of New York.**
2. **That all steps required by the provisions of Article 17A of the General Municipal Law have been carried out in relation to this project.**
3. **That it is in the public interest to consolidate the aforesaid stated lighting districts as set forth herein and as set forth in the Joint Consolidation Agreement executed by the Town of Schuyler Falls and each of the existing Districts.**
4. **All property and assets of the aforesaid lighting districts shall become the property and assets of the new consolidated district.**
5. **All property of the existing districts shall become the property of the consolidated district, and the consolidated district shall assume and pay for the indebtedness, if any, of each of the existing districts as if such indebtedness had been incurred subsequent to the consolidation, as provided by law.**
6. **Capital expenses, if any, and all expenses of operation and maintenance shall be distributed among the consolidated lighting district on the ad valorem method at the rate of \$0.13 per \$1,000 of assessed value for 2019.**

All assessments for debt, principal and interest payments, as may be hereafter authorized, shall be levied on an ad valorem basis.

The consolidated district shall be known as the Town of Schuyler Falls Consolidated Lighting District.

The Joint Consolidation Agreement executed between the Town of Schuyler Falls and each aforesaid lighting district is approved.

The Town Clerk is hereby directed within ten (10) days after the adoption of this Resolution to cause a certified copy of this final Resolution to be filed in the Clinton County Clerk's Office and in the office of the New York State Comptroller at Albany, New York.

The consolidated lighting district boundaries are as set forth in Schedule A annexed hereto.

The consolidated lighting district will be coterminous with the geographic boundaries of the Town of Schuyler Falls.

SECONDED BY: Mr. White

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

COMMUNICATIONS/ 1. Mr. Potiker received a call from a resident who stated that the Town's plow truck damaged a small shed that was near the road on their property. Pictures of the damage were sent to Mr. Potiker. It was said that the Highway Superintendent has the authority to make a decision on whether to reimburse the resident depending on the circumstances.

MONTHLY REPORTS Town Clerk, Morrisonville Water, Woods Mills Water, Macey Lane Water, Codes Officer, Dog Control,

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

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

RECEIPTS Town Clerk/\$1,455.00, Morrisonville Water/\$2,679.04, Woods Mills Water/\$914.91, Macey Lane Water/\$211.38, Judge Van Nortwick/\$3,418.00, Judge Barber/\$2,864.00, Clinton County Treasurer-Mortgage Tax/\$25,973.83

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

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

DEPARTMENT REPORTS

Councilman/ Mr. Newton told the Board members that he attended the Fire Department Pancake breakfast. He was approached by two fire commissioners, Gary Rabideau and Darren Seymour, regarding the water pressure at the fire station. It was told to him that what used to take five minutes to fill the fire trucks now take approximately twenty-two minutes. The cause of this was narrowed down to the time when the water pit at the bridge was installed. It was said that the engineer would have to be contacted to see what can be done to rectify the situation.

Water/ A resolution for the relieved water bills is in the packet for the Board to review tonight.

Historian/ Barb Benkwitt reminded the Board members that the Holiday tree lighting ceremony will be held on December 7th from 5:15 to 7:00 pm. She is still looking for volunteers to help with this event. She said that she has received a donation of egg nog and donuts from Stewarts. Santa will be making a visit. A reading will be done by Mr. Newton. The fire trucks will be on route to the Town Hall. She is still waiting for other organizations to respond.

She showed the Board a copy of the AARCH Matters which is an Adirondack Architectural Heritage newsletter. In the newsletter, Schuyler Falls was included regarding a number of significant historic buildings that are in the Town. A picture of the Bromley Tavern was included in the article.

Barb spoke about grants that are available to restore historical buildings in the Town.

UNFINISHED BUSINESS/ The Comprehensive Planning Committee held a forum at the Town hall this month. About fifteen people were in attendance. Mr. Newton, who is on the committee, stated that the plan is starting to come together. The completion of this project should be in March. Mr. Potiker mentioned that to date, costs for the project are under budget.

The Employee Manual could not be completed at this time. After a meeting with a representative from Perma, it was discovered that mandatory regulations regarding Sexual Harassment training for all employees would need to be included in the manual. Hopefully, the mandatory changes will be updated in the manual and the manual will be able to be accepted by the Town next month.

Mr. Potiker told the Board members that he and his secretary have been working on the set up of the time clocks. Quite a bit of data entry needs to be entered in the computer. Because this is a lengthy process, the time clocks are not set up at this time. If need be, they will get outside help for the set-up.

RESOLUTIONS

RESOLUTION #18-78

MOTION BY: Mr. Newton

WHEREAS, the Town of Schuyler Falls Planning Board has reviewed and approved the Buckley Estates Subdivision Phase II Lots 19, 21, 22, 26 and 27; and

WHEREAS, D & S Land Development, LLC, the owner of Buckley Estates Subdivision Phase II Lots 19, 21, 22, 26 and 27, has submitted a Deed for conveyance of improvements to the Town representing a new public road right-of-way, known as Wheat Drive, road improvements and related water distribution lines, fixtures and appurtenant, as well as a Bill of Sale for such water distribution lines, fixtures and appurtenant, extending from westerly of Wheat Drive thence easterly along Wheat Drive to Mason Street and also northerly along Mason Street until connecting to the water distribution system currently owned by the Town; and

WHEREAS, the D & S Land Development, LLC has prepared a final Warranty Deed and Bill of Sale to the Town of Schuyler Falls for the new road and water distribution system improvements constructed both in the subdivision, as identified on the map of Buckley Estates Subdivision, Phase II Lots 19, 21, 22, 26 and 27 and identified as Wheat Drive, as well as the water distribution line and appurtenances that connect the Wheat Drive water lines along Mason Street to the Town of Schuyler Falls water distribution system; and

WHEREAS, the Town of Plattsburgh has provided a letter dated November 15, 2018 agreeing to provide water, water testing and waterline maintenance for the aforesaid water distribution lines in and along Wheat Drive and Mason Street.

NOW, THEREFORE, IT IS RESOLVED that the Town Board of the Town of Schuyler Falls does hereby, upon the final Warranty Deed and Bill of Sale, being found acceptable to the Town Attorney, accept both Wheat Drive as a public highway and the aforesaid water distribution lines and appurtenances; and be it further

RESOLVED, that the Town Board of the Town of Schuyler Falls does authorize the Town Attorney to review the said Deed and Bill of Sale and upon his review and acceptance, authorize the recording of the final Warranty Deed in the Clinton County Clerk's Office which conveys the new road known as Wheat Drive, together with the public water line and other related improvements as shown on the subdivision final plans of the Buckley Estates Subdivision Phase II Lots 19, 21, 22, 26 and 27.

SECONDED BY: Mr. Seymour

DISCUSSION: Mr. McCormick, the Town Attorney explained to the Board members that he reviewed all the paperwork. He researched back to when the developers installed the water line going up Mason Street to the Buckley Subdivision. It appears that the Town paid for the materials and the developers installed the water line. He believes that the water line has been owned by the Town since 2004 and this paperwork would clarify ownership. He mentioned that eventually the water district should be extended to include the subdivision. Mr. McCormick read the resolution that described what was done by the Town and the developer.

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

RESOLUTION #18-79

MOTION BY: Mr. Seymour

RESOLVED, that the Town Board acknowledges that the 2018 total relevy water bills in the amount of \$7,739.66 for the Morrisonville Water District, \$3,697.10 for the Woods Mills Water District and \$737.54 for the Macey Lane Water District will be sent to the County for collection in the 2018 land taxes.

SECONDED BY: Mr. Perrotte

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

RESOLUTION #18-80

MOTION BY: Mr. Perrotte

WHEREAS, the 2019 Association of Towns Annual Meeting is scheduled to be held in New York City on February 17-20, 2019 and

WHEREAS, Donna Hamel, Mary Sorrell, Robert Wicichowski, Phil VanNortwick, Rhonda Barber, Matthew Russell, Vic McCasland and Howard Newton would like to attend and have allocated money in their budgets to attend Conference; be it hereby,

RESOLVED, that the Town Board authorizes the attendance of said meeting and expenses incurred in attending conference are reimbursable upon the submission of itemized vouchers and chargeable to the Contractual Account for each department as allocated in the Budget; and it is further,

RESOLVED, the Supervisor is authorized to advance funds for pre-registration and purchase of travel and hotel accommodations for said workshop.

SECONDED BY: Mr. Newton

DISCUSSION: Deputy Supervisor to attend. Funds out of Supervisor Contractual/Registration, Meals and Bus Fare only.

AYES: Mr. Potiker, Mr. Seymour, Mr. Newton, Mr. Perrott

ABSTAIN: Mr. White

RESOLUTION #18-81

MOTION BY: Mr. Seymour

RESOLVED, that the Town Board of the Town of Schuyler Falls authorizes the Supervisor to sign the Service Agreement with Employee Assistance Services, contract attached, retroactive date of November 1, 2018 through October 31, 2019, with an agreed fee of \$40.00 per annum per covered employees (6).

SECONDED BY: Mr. Newton

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

RESOLUTION #18-84

MOTION BY: Mr. Seymour

WHEREAS, the Town Board had discussed hiring a contractor for the 2018-2019 year for snow removal for the Town of Schuyler Falls Town Hall, and

WHEREAS, three quotes were submitted to the Town as per the Town's procurement policy (quotes attached), be it therefore

RESOLVED, that the Town of Schuyler Falls Town Board awards the contract to Hilltop Custom Landscape & Design who was the lowest bidder in the amount of \$3,000 for the season.

SECONDED BY: Mr. Newton

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

ABSTAIN: Mr. Perrotte

RESOLUTION #18-85

MOTION BY: Mr. Seymour

Whereas, Upon reading the Petition to Accept Dedication of Matthew Drive as a Public Highway in the above-entitled matter, executed by the owner of lands described thereon November 5th, 2018 wherein the Petitioner request that the Town of Schuyler Falls accept for dedication as a Town Highway, certain real property described therein; and

Whereas, Upon reading the Dedication and Release in the above-entitled matter, executed by the owner of lands described thereon November 5th, 2018, wherein the owner of lands described therein has released the same to the Town of Schuyler Falls and its Highway superintendent for highway purposes; and

Whereas, Upon reading the Individual Consent to Road Dedication of the adjoining property owners in the above-entitled matter, executed by all landowners adjoining the lands described in said Petition and said Dedication and Release and wherein all the adjoining landowners have consented to the dedication and have released their interest in said property to the Town of Schuyler Falls; now, therefore, be it

RESOLVED, that consent be and the same hereby is given to the Town Superintendent of Highways of the Town of Schuyler Falls to make and order laying out the lands described in said Petition and Dedication, for highway purposes, in accordance with the provisions of the Highway Law and other statutes applicable thereto, that it further be

RESOLVED, that the road will be known as Matthew Drive and a copy of this resolution will be sent to Emergency Services to update the road name. Mr. McCormick reviewed the paperwork and the deed.

SECONDED BY: Mr. White

DISCUSSION: Mr. McCormick presented paperwork that the Town Board members needed to sign. The paperwork will need to be signed by the Highway Superintendent and returned to Mr. McCormick.

Mr. McCormick reviewed the paperwork and the deed prior to this meeting.

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

RESOLUTION #18-86

MOTION BY: Mr. Seymour

WHEREAS, the Local Government Records Management Improvement competitive grants program provides funds to help local governments establish records management programs or develop new program components manage, and

WHEREAS, Alden Stevens, who since 1990, as completed municipal records management projects for 55 municipalities, 36 school districts and 4 BOCES located throughout NYS has agreed to write the State archives LGRMIF grant application as the agent for the Town and not charge a fee, but if the funding is awarded he will be the service provider to fulfil the parameters of the grant, and

WHEREAS, if the grant was awarded to the Town, funding for Mr. Stevens will be included in the grant monies, be it therefore

RESOLVED, that the Town Board of the Town of Schuyler Falls authorizes Mr. Stevens with the help of Donna Hamel, the Town Clerk to apply for the 2019- 2020 grant that would benefit the Town.

SECONDED BY: Mr. Newton

DISCUSSION: Attached are Mr. Stevens' correspondences with his references. It was discussed that Mr. Steven's services will be included in the grant. Todd Yando asked if the cost was known. This is not known at the time as it will depend on the scope of service that Mr. Stevens will do. He will visit the Town in the month of December to research what needs to be done in the vault and with the Town files.

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

CLAIMS

General Abstract for the Month of November	\$ 54,812.82
Highway Abstract for the Month of November	\$ 20,284.68
Morrisonville Water Abstract for the Month of November	\$ 3,465.05
Woods Mills Water Abstract for the Month of November	\$ 987.44
Macey Lane Water Abstract for November	\$ 354.96
Audit only Abstract for the Month of November	\$ 4,805.66

Vouchers for Claims (#201801362- 201801431)

Vouchers for Audit Only (#201801347--201801361)

Payroll Vouchers (#201801295-201801346)

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

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

NEXT MEETING

Work Sessions (if Needed)

Monday, December 3, 2018 6:00 p.m.

Monday, December 17, 2018 6:00 p.m.

Regular Meeting

Tuesday, December 18, 2018 6:00 p.m.

ADJOURNMENT Mr. Seymour made a motion to adjourn, which was seconded by Mr. Newton; and was UNANIMOUSLY APPROVED. ADJOURNMENT/ 7:15 p.m.

Donna Hamel/Town Clerk