

TOWN OF SCHUYLER FALLS
TOWN BOARD
REGULAR MEETING NOVEMBER 28, 2017

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

Present

MEMBER

George Seymour	X
Barry White	X
Howard Newton	X
Willard Todd	X
Richard Potiker	X
Donna Hamel	X
John Rock	X
Michael McCormick	X

ATTENDEES Chris Parnell, Shelley Sayward, Amy Davies, Sean Lukas, Mary Sorrell, Rhonda Barber, Barb Benkwitt

All Board Members were provided with a copy of the Minutes of the Regular Meeting that was held on October 24, 2017 before this meeting.

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

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

All Board Members were provided with a copy of the Minutes of the Public Hearing that was held on November 9, 2017 before this meeting.

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

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

ABSTAIN: Mr. Newton

All Board Members were provided with a copy of the Minutes of the Special Meeting that was held on November 9, 2017 before this meeting.

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

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

ABSTAIN: Mr. Newton

ADDRESSESS Four representatives from Casella each took turns to inform the Board and the Public on what is new at the Landfill. Mr. Parnell, General Manager of the Landfill presented the Board members with the annual sustainability report card that provides insight into the effectiveness of the recycling services and the benefits of being a host community. At another meeting, the Town passed a resolution to approve the tonnage increase that Casella had requested. Now the County has been presented with the option of the tonnage increase from 175,000 tons to 250,000 tons. If approved by the County, it would then go to NYSDEC for their approval or sent back for any modifications. It was mentioned that NYSDEC has new requirements in effect for the permit modification. They are hoping to have everything approved by late July or early August. If everything is approved, the Town should see an increase in their host fees that they receive from the landfill. There will be more truck traffic, but hopefully by informing the haulers that travel to the landfill, the traffic will be diverted from the Sand Road, where the school is located, to an alternate route. An updated Solid Waste Management Plan meeting with the County is scheduled at the County at 10 am on December 13th.

Mr. Potiker asked if there were any new discussions on the installation of a sewer line on the Sand Road. Mr. Parnell told him not at this point, maybe in two years, as it would have to be partnered with the Town of Plattsburgh.

COMMUNICATIONS 1. Paul Baker, a resident who lives at 10 Woodland Hills Drive, spoke with the Supervisor regarding an issue that he said occurred when a Town's plow truck took out his survey pin that was located along the road right of way. He received a quote from Dean Lashway, L.S., and P.C, for \$1,600.00 to do a field survey and reset the missing pin at his property boundary. He stated that if the Town does not agree to pay this bill, he will contact an Attorney. Mr. McCormick, the Town Attorney, said he will review this matter.

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

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

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

Mr. Seymour made a motion to file the Minutes of the Planning Board meetings that was held on October 3, 2017. Mr. Newton seconded the motion and motion was Unanimously Approved.

RECEIPTS Town Clerk/\$1,405.00 Judge Cumm/\$1,337.50, Judge Van Nortwick/\$2,657.00, Macey Lane Water/\$102.09, Morrisonville Water/\$2,184.00, Woods Mills Water/\$658.60, CC Treasurer-Mortgage Tax/\$26,980.40

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

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

DEPARTMENT REPORTS

Councilman/ Mr. Newton mentioned that a breakfast meeting will be hosted by the Comprehensive Plan Group at the American Legion tomorrow morning at 7:30 a.m. The major business owners in the Town were invited to inform them on what has been , but all are welcome to attend.

Highway/ Mr. Rock told the Board members that the Highway crew is working on culverts and getting the Highway trucks ready for the winter. They repaired the road that leads into the Town's sandpit. There were many potholes in the road.

Dog Control/ Mr. Potiker told the Board members that he received a report from the Deputy Dog Control Officer,

Water/ Mr. Potiker told the Board members that there will be an informational meeting regarding back-flow prevention devices tomorrow night at 6pm at the Town Hall, hosted by Scott Soddard, who is from the Town of Plattsburgh's Water Department. Also in attendance will be a representative from the County Health Department to answer questions to individuals who own property located in the Morrisonville Water District that received letters informing them that a back-flow prevention device is required at their residence.

Supervisor/ Mr. Potiker reported that he attended a webinar on November 1st regarding "Green Designation" for the Town. Overall, there are ten points that a Town can receive. Converting to LED lighting in the Town would be a plus. The benefit of this program is that it entitles the Town to more opportunities for funding in grants if receive the "designation" for green energy compliance.

He attended a two day seminar in Schenectady that Perma had offered. One seminar dealt with Town Budgets. It was said that all Towns should have an Allocated Fund Balance Policy. The other seminar was the importance of Employee Handbooks. An Employee Handbook is mandatory for all Towns. Mr. Potiker said that this should be done soon.

Mr. Potiker also attended a Supervisor's meeting on November 15th. He held a Board Work session on November 20th.

Historian/ Barb Benkwitt told the Board members that she attended the New York State Historian's Conference where a lot of information was given. She said that next year, instead of being open to state historians, the conference will include National Historians. She attended an event sponsored by the Whallensburg Grange which is located in Essex County. A documentary was presented, which touched on Joe Ladiou who had ties to the Town of Schuyler Falls.

The 4th Annual Tree Lighting Ceremony will be held on December 1st starting at 5:00 p.m. A new PA system was purchased this year. The fire department will be bringing Santa in on a fire truck. An Elf and a Snowman will be at the Town Hall. The Ambulance Department will also be in attendance. Refreshments, donated by several groups, will be served in the Town Hall. There will be coloring projects for the children. Howard Newton will read T' was the Night before Christmas. A fun time should be had by all!

RESOLUTIONS

RESOLUTION #17-80

MOTION BY: Mr. Todd

RESOLVED, that the Town Board acknowledges that the 2017 total relieved water bills in the amount of \$8,113.37 for the Morrisonville Water District, \$3,591.09 for the Woods Mills Water District and \$981.57 for the Macey Lane Water District will be sent to the County for collection in the 2018 land taxes.

SECONDED BY: Mr. Seymour

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

RESOLUTION #17-81

MOTION BY: Mr. Todd

WHEREAS, the 2018 Association of Towns Annual Meeting is scheduled to be held in New York City on February 18-21, 2018 and

WHEREAS, Donna Hamel, Mary Sorrell, Robert Wichowski, Phil VanNortwick, Richard Potiker, 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. Seymour, Mr. White, Mr. Newton, Mr. Todd, Mr. Potiker

RESOLUTION #17-82

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, 2017 through October 31, 2018, with an agreed fee of \$40.00 per annum per covered employees (6).

SECONDED BY: Mr. Newton

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

RESOLUTION #17-83

MOTION BY: Mr. White

WHEREAS, at the Regular Meeting of July 25, 2017, the Town Board approved a resolution to solicit bids for a 2004 and newer Gradall XL4100 excavator or similar makes and model with the possibility of taking in for trade the Town's 1984 Gradall, and

WHEREAS, the Town received three bids that were read aloud at the Regular meeting of August 22, 2017 the Resolution awarding the bid to the lowest bidder, subject to the review of the bids by the Highway Committee and the Highway Superintendent and the determination that the lowest bidder meets all the specification, be it therefore

RESOLVED, after careful review of the bids, with one not being valid, it was decided to reject any and all bids for the best interest of the Town.

SECONDED BY: Mr. Todd

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

RESOLUTION #17-84

MOTION BY: Mr. Seymour

WHEREAS, Justice Cumm, due to relocating, submitted his resignation, effective October 27, 2017, and

WHEREAS, a Justice needed to be appointed until the 2018 election and,

WHEREAS, the Town Board advertised the position in the Press Republican and received six applicants that they reviewed at the work session on November 20, 2017, and

WHEREAS, the Town Board feels that the best applicant for the job is Rhonda Barber, be it therefore,

RESOLVED, that Rhonda Barber is appointed Town Justice to fill the position until December 31, 2018, which would be after the 2018 Special Election for the Town where a Justice will be elected for a term of four years, and be it further

RESOLVED, that each newly elected or appointed Town or Village Justice, who is not a member of the NYS Bar is required by statute 17.2 of the Rules of the Chief Judge to attend the first available certification course after his/her appointment or election as a non-lawyer Town or Village Justice may not assume the functions of the office until he or she has filed a certificate of completion of the certification course with his/her municipality, and be it further

RESOLVED, that accordingly, Rhonda Barber will attend the certification course and per the General Municipal Law, all actual and necessary expenses of travel, meals and lodging incurred for attendance at a conference are a municipal charge.

SECONDED BY: Mr. Newton

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

ABSTAIN: Mr. White

RESOLUTION #17-85

MOTION BY: Mr. Seymour

WHEREAS, there was a change in the scheduling of the mandatory course that the newly appointed judge is required to take before taking the bench, and

WHEREAS, Judge Van Nortwick will be the lone Judge until December 31, 2017, be it therefore

RESOLVED, that the Town Board of the Town of Schuyler Falls authorizes a stipend salary of \$1,070.00 that would have been paid to Judge Cumm for that time period, to now be paid to Judge Van Nortwick as Judge Van Nortwick will be presiding on Thursday evenings until the newly appointed Judge can take the bench.

SECONDED BY: Mr. Newton

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

RESOLUTION #17-86

MOTION BY: Mr. Seymour

WHEREAS, Resolution #17-43 was passed by the Town Board on May 23, 2017 that authorized the hiring of the State University of New York/Community Roots of 101 Broad Street, Plattsburgh, New York, to prepare the Comprehensive Plan for the Town of Schuyler Falls and authorizing the Supervisor to sign all the necessary agreements, and

WHEREAS, a contract was signed by the Supervisor on July 5, 2017, and

WHEREAS, a change in the contract to strike out the prior provisions of Section 12 altogether and replace them with the following: "Foundation and Town are responsible for the liability which arises from their own negligence and neither party will be responsible for special or consequential damages." Said revised language was discussed with the Town Attorney, the SUNY Plattsburgh Counsel and Aimee Coates, Grant and Contract Administrator, be it therefore

RESOLVED, that a new contract will be sent to the Town and the Supervisor is authorized to sign the new contract with the change.

SECONDED BY: Mr. White

DISCUSSION: Mr. McCormick explained to the Town Board the changes in the contract.

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

