

TOWN OF SCHUYLER FALLS
TOWN BOARD
REGULAR MEETING DECEMBER 15, 2020

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, Richard Donah, Rick Dabrowski, Rickey White, Larry & Ann Whalen, Rick Dabrowski, Heather Nadeau

All Board Members were provided with a copy of the Minutes of the Regular Meeting that was held on November 24, 2020.

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

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

All Board Members were provided with a copy of the Minutes of the Work Session that was held on December 7, 2020.

Mr. Randall made a motion to approve and accept the Minutes as presented; Seconded by Mr. Bruno.

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

COMMUNICATIONS 1. Mr. Facteau and Mr. Randall participated in a Webinar presentation regarding cost recovery program for water utilities.

2. The Press Republican published a press release regarding the 2021 Town budget.

3. Press release from the Historian on the Holiday banners and the tree lighting was published.

4. Liz Tedford submitted the completed income survey report for the Morrisonville Water District.

MONTHLY REPORTS Town Clerk, Supervisor, Woods Mills Water, Macey Lane Water, Morrisonville Water, Ambulance, Historian

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

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

RECEIPTS Town Clerk/\$372.00, Morrisonville Water/\$191.00, Judge Van Nortwick/\$2,354.00, Judge Barber/\$1,782.00, Charter Communications Franchise-3rd Quarter/\$18,535.73

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

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

DEPARTMENT REPORTS Councilman/ Mr. Facteau commented on the proposed local law regarding outdoor furnaces. He said that there are probably only ten residents that have one in the whole town. Regarding the exception clause of five or more homes within five hundred feet, he stated that he went around the Town and found only one that might fall under that clause. He does not see why the Town could not adopt the NYSDEC regulations and empower the Codes Officer to enforce the regulations. Mr. Randall said that nothing at this time was written in stone, in fact, he would like to look at the Town of Peru's local law regarding this issue as we border that Town. He said that is why he gave the Board copies of both that local law and one regarding Solar Energy. These topics should be discussed at the next work session as the law, if completed, would have to be introduced at the January meeting to set up a public hearing for February. Mr. Facteau thought that the nine individuals that have outdoor furnaces should be notified to let them know if changes were to be made. Mr. Randall said that would be why a Public Hearing would be held. Mr. Facteau said that moving forward, it would be hard to acquire a new boiler as EPA is in the process of doing away with them as well as New York State's new requirements for their installation. Mr. Facteau said that he cannot see making individuals apply for a permit to operate if they have had an existing outdoor furnace for years. After further discussion on what should be included in the law, it was said that this topic would be discussed at the next work session.

Mr. Facteau stated that he would like to see changes made to the Town's current procurement policy. He gave each Board member a copy of what he would like to see changed. Under Item C regarding the procedures for the procurement of professional consultant services, he would like to change that from 0-\$10,000 to 0-\$5,000. He said that according to the State Comptroller's office and under the home rule law, the Town Board can change what they want to change. Mr. Randall said that he had e-mailed Mr. Facteau information regarding the fact that this amount falls under the guidelines of the Comptroller's office. It was said that this issue should be reviewed at a work session. Mr. Facteau thought that a work session is needed before the Organizational meeting to get this in place. Mr. Randall said that this would be impossible due to the holidays. When Mr. Facteau asked if the Procurement Policy would be put off until changes could be discussed, Mr. Randall said that it could be adopted at the Organizational meeting as it stands. If changes were made at a later date, the change would supersede the one adopted earlier. When asked why the resolution that Mr. Facteau presented could not be acted on tonight, Mr. Newton said that the wording regarding

the amounts were incorrect. After further discussion, Mr. Randall stated that in the best interest of all, this should be discussed at a work session instead of trying to rush a decision on something that not all the Councilman have had a chance to review.

Highway/ Mr. Snider reported that the Highway Department was out sanding the other night due to the snow squall. They have been working on small repairs on the trucks.

Historian/ Barb Benkwitt mentioned that the Historical survey is taking a little longer due to the COVID. She said it should be completed by February or March.

Supervisor/ Mr. Randall stated that because the new truck with the plow would not be delivered until the end of February, he did get two bids for the plowing of the Town Hall parking lot. One bidder is ready to start immediately, the other bidder would have to purchase more equipment if he was to be awarded the bid. One bid came in at \$975.00 and the other bid was for \$1,400.00. Because the higher bidder from Adirondack Locks is available immediately to plow if needed, he would like to go ahead with the higher bidder. He did mention that Adirondack Locks had been doing the plowing at the Town Hall for a couple of years. Mr. Fecteau asked if they had the insurance required. Mr. Randall thought that they both did. **Mr. Newton made a motion to award the plowing bid of \$1,400.00 to Adirondack Locks. This motion was seconded by Mr. Bruno. AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Randall. NAYES: Mr. Fecteau. Mr. Fecteau explained that he is voting no due to the bid being awarded to the higher of the two bidders.**

UNFINISHED BUSINESS/ Mr. Randall said that the LED lighting conversion is still scheduled for February.

RESOLUTIONS

RESOLUTION #20-88

MOTION BY: Mr. Newton

WHEREAS, Superintendent of Highways, Michael Snider, has advertised the position of Motor Equipment Operator at the Town Highway Department, received four (4) applications or inquiries and has interviewed two (2) candidates for such position; and

WHEREAS, Superintendent Snider would like to hire Paul Licourt for such position but has notified the Town Board that hiring said person would violate the Town of Schuyler Falls anti-nepotism policy unless an exception is granted; and

WHEREAS, Superintendent Snider has requested that the Town Board make a one-time exception to the Town's anti-nepotism policy in order to fill the aforesaid position with Paul Licourt because there is a practical, real-world need to make an exception to the Town's anti-nepotism policy based on the following facts:

- 1. Only two (2) of the four (4) inquiries for the position responded to a request for an interview;**
- 2. Of the two (2) candidates interviewed, only Paul Licourt remained interested in the position; and**
- 3. With the winter highway maintenance responsibilities approaching, the Town Highway Department has a desperate, immediate need to fill the position; and**

WHEREAS, the Town Board has determined that the foregoing reasons present a practical, real-world need such that the Town Board may make an exception to the Town's anti-nepotism policy in the best interests of the Town under these particular facts and circumstances, now therefore,

BE IT RESOLVED, that the Town Board grants a one-time exception to the Town's anti-nepotism policy so that Paul Licourt may be hired to the to the position of Motor Equipment Operator.

SECONDED BY: Mr. Bruno

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

RESOLUTION #20-89

MOTION BY: Mr. Randall

RESOLVED, that the Town Board re-appoints Sandra Maddox to the Planning Board, appointment effective immediately and to expire on December 31, 2025.

SECONDED BY: Mr. Fecteau

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

RESOLUTION #20-90

MOTION BY: Mr. Newton

RESOLVED, that the Town Board re-appoints Tom Carleson to the Zoning Board of Appeals, appointment effective immediately and to expire on December 31, 2025.

SECONDED BY: Mr. Bruno

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

RESOLUTION #20-91

MOTION BY: Mr. Newton

Town of Schuyler Falls, and

WHEREAS, the Town Board had passed and filed Local Law #17-2 to authorize compensation for accumulated sick leave prior to becoming an elected official for the Town, be it therefore

RESOLVED, that the Town Board of the Town of Schuyler Falls does hereby authorize that final payment to Mr. Snider, for accrued sick leave of 978.50 hours (122.31 days) at the same rate of pay he received before becoming an Elected Official that was \$22.16 an hour for a gross total of \$21,683.56, and be it further

RESOLVED, that payment would be made upon Mr. Snider's signature on a General Release form, and be it further

RESOLVED, that a copy of this resolution be put in his personnel file and a copy to be given to the Budget Officer.

SECONDED BY: Mr. Randall

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

RESOLUTION #20-92

MOTION BY: Mr. Newton

WHEREAS, on September 7, 2020, Governor Cuomo signed an order for a requirement that all Municipalities develop a Public Employer Emergency Planning Protocol, and

WHEREAS, three bids were submitted to the Town as per the Town’s procurement policy with one bid being discarded due to a conflict of interest be it therefore

RESOLVED, that the Town of Schuyler Falls Town Board awards the contract to Emergency Preparedness who was the lowest bidder in the amount of \$2,500.00.

SECONDED BY: Mr. Facteau

DISCUSSION: LaBerge Group/\$6,600.00

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

RESOLUTION #20-93

MOTION BY: Mr. Newton

WHEREAS, by letter dated December 15, 2020, Kevin Randall notified the Town of Schuyler Falls of his intent to retire from the Town of Schuyler Falls and New York State Retirement System effective December 31, 2020, now be it therefore

RESOLVED, to meet with New York State Retirement System requirements, the Town of Schuyler Falls accepts the retirement of Kevin Randall, Supervisor, as of December 31, 2020, and he will therefore be off the Town of Schuyler Falls payroll by December 30, 2020, with the last day that he will appear on the Town of Schuyler Falls payroll to be December 29, 2020, the day before his retirement date.

SECONDED BY: Mr. Facteau

DISCUSSION: Mr. Randall stated that because he was retiring from his position for the NYS Department of Corrections, he is obligated to be off the payroll for 24 hours.

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

ABSTAIN: Mr. Randall

RESOLUTION #20-94

MOTION BY: Mr. Newton

RESOLVED, that the Town Board of the Town of Schuyler Falls approves the following General Fund Budget Transfer

FROM: A.6410.400 Publicity Contractual	\$142.25
TO: A.8510.400 Community Beautification Contractual	\$142.25

SECONDED BY: Mr. Bruno

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

CLAIMS

General Abstract for the Month of December	\$17,102.33
Highway Abstract for the Month of December	\$20,135.60
Morrisonville Water Abstract for the Month of December	\$14,778.92
Woods Mills Water Abstract for the Month of December	\$ 9,161.82
Macey Lane Water Abstract for December	\$ 228.94
Audit only Abstract for the Month of December	\$ 3,322.53

- Vouchers for Claims (#202001614-202001701)**
- Vouchers for Audit Only (#202001604-202001613)**
- Payroll Vouchers (#202001590-202001603)**

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)	Tuesday	January 19, 2020	6:00 p.m.
Organizational Meeting	Tuesday	January 5, 2020	5:30 p.m.
Regular Meeting	Tuesday	January 26, 2020	6:00 p.m.

PUBLIC FORUM Heather Nadeau asked if the Town had a deed for Pine Tree Drive and if it was a dedicated Town Road. Mr. Whalen mentioned that it had been on some of the Town’s inventory of roads in prior years. Mr. Randall explained that he did have a file on Pine Tree Drive but has not had a chance to review it. He will do so and consult with the Town Attorney.

Heather Nadeau brought up her concerns that she has with the proposed outdoor wood boiler law that the Town is looking to adopt. She said that residents who have one installed and operating at this time that comply with the laws should not be penalized by having to get a permit to operate their wood boilers. Mr. Randall said that the proposed law that he handed out is just a guideline and nothing is written in stone. They will be discussing this item at the work session and hopefully come up with a finalized plan so to move forward to bring it to the final stages.

ADJOURNMENT Mr. Newton made a motion to adjourn, which was seconded by Mr. Facteau; and was UNANIMOUSLY APPROVED. ADJOURNMENT/ 7:40 p.m.