

# Town of DeKalb Board Meeting

At a regular meeting of the Town Board, of the Town of DeKalb, St. Lawrence County, New York, held on the 17<sup>th</sup> day of January 2018, at the Town Hall, in DeKalb Junction NY, there were present:

John Frary	Supervisor	Rae Ann Davis	Councilwoman
Michael Livingston	Councilman	Ed Newcombe	Councilman
Jody Hamilton	Highway Superintendent	Barbara Creazzo	Town Clerk
Bill Chambers	Code Enforcement Officer	Charles Nash	Attorney

Supervisor Frary opened the meeting at 6:58 PM

**Public Hearing:** Town of De Kalb Local Law No. 1 of the year 2018; A Local Law Changing the Residency Requirement Application to a Code Enforcement Officer

Discussion: Supervisor Frary, read the proposed Local Law to those in attendance. All Board members, had been mailed copies of the proposed law for their review prior to the meeting. Supervisor Frary, asked if there were any questions regarding the proposed law. Members of the Board, ask that all positions of appointment be looked at regarding a similar Local Law, to ensure the Town is able to choose from the best candidates possible for any appointed position. It is the intent to appoint/hire local individuals; however, on occasion, the Board may deem it necessary to seek outside candidates for an appointed position.

A SEQR was not required for this Local Law, as it has no impact on the environment.

Closed Hearing at 7:08 PM

Michael Livingston, moved the minutes of the meeting of the Town Board, held on the 20<sup>th</sup> day of December 2017, as submitted by the Town Clerk, be and hereby approved. Seconded by Ed Newcombe and adopted unanimously.

Members of the community present: Daniel Moyer, Dog Control Officer, Wayne and Lana Storie, St. Lawrence Agency, Inc. representing NYMIR, Larry Denesha, SLC Legislator

Wayne and Lana Storie, distributed copies of the Insurance Proposal for the Town of De Kalb for 01/01/2018-01/01/2019, to the Board. Mr. Storie then went line by line for each item covered. The total proposal price for 2017 was \$24,637.90 and for 2018, it is \$25,371.24.

A motion was made by Rae Ann Davis, and seconded by Michael Livingston, to accept the proposed price of \$21,371.24 for 2018, as presented by Wayne Storie. Carried 4 Ayes

## Public Forum:

Dan Moyer, newly appointed Dog Control Officer, for the Town of De Kalb, introduced himself to the Board. Mr. Moyer's contract is for one year and reappointment will be determined yearly at the Town's Organizational Meeting. Mr. Moyer has agreed to continue at the current salary of \$4,100.00 and a stipend of \$1200.00. Mr. Moyer explained to the Board that as Dog Control Officer, he has no jurisdiction over cats. Nor does he respond to suspected Rabid animals. This type of call must go to Public Health. Cruelty to animals is to be reported to the Sheriff's Department, as well as, domestic animal concerns. He may be on scene and assist when necessary but is not the lead.

A motion was made by Rae Ann Davis and seconded by Ed Newcombe to pay Mr. Moyer, at a salary of \$5,100 and he will no longer do a monthly voucher for the stipend, as it will be included in his monthly pay. Mr. Moyer will be completing a monthly report for the Board.

Mr. Moyer's deputy, is his wife, Maria L. Moyer.

Mr. Moyer will be working with the Town Clerk to ensure dogs are vaccinated against Rabies and licensed according to New York State Law.

Attorney, Charles Nash, will be drawing up a proposed new Local Law for Dog Control for the Town of De Kalb. A Public Hearing will be held February 21, 2018, starting at 6:55 PM.

Larry Denesha, SLC Legislator

-Sales tax, all quarters showed an increase this year over the same quarters last year. The projected total for 2017 was \$54,000,000 and the total collected was \$56,670,889.85. The County's share of this, is \$33,090,502.50 for the year.

-Kevin Acres, has once again been elected as Chair, for the Legislators. Mr. Acres received an unanimous vote. Joseph Lightfoot, has been voted in as Vice-chair.

-Once again, Legislator Denesha, will be serving on many committees during this coming year.

-A Resolution for seeking private hauling of the municipal solid waste is currently off the table. This resolution pertains only to the hauling of waste to the Rodman Landfill and not the managing of the transfer stations operated by the County.

-In 2015, there was a Resolution brought forward regarding the lack of adequate lighting/reflective markers on Amish buggies & wagons. While some Amish were agreeable to adding additional reflective tape and did so, others did not. Due to the two recent deaths caused by collisions with motor vehicles at night, the Legislators, will be looking at this resolution again.

-Mr. Denesha, has asked members of the Board, and opens the request to the public, what their opinions are regarding term limits for Legislators. Mr. Denesha indicates he is in favor of such; however, has no solid thought about what the terms might be limited to. He invites any opinion one would like to share.

-The Legislators have begun working on their proposed agenda, which they will be presenting to Albany later this year. A few areas of interest include: allowing the Sheriff to issue pistol permits, to implement video conferencing for arraignments which would drastically cut the cost of transporting, and the collection of sales tax on items purchased over the internet.

Supervisor Frary, informed the Board, that the flag pole at the gazebo broke during a wind storm earlier this winter. He has been pricing poles and has found one that he believes to be appropriate for the setting, at a cost of approximately \$300. He has been approached by the AMVETs and they have asked if the Town would be willing to supply a second flag pole, which can be utilized for veterans. They will purchase and maintain any flag that is on the second pole.

A motion was made by Rae Ann Davis and seconded by Michael Livingston for the Town of De Kalb to purchase new flag poles and flag to be placed at the gazebo property. Carried 4 Ayes

#### **Financials:**

A motion was made by Rae Ann Davis, and seconded by John Frary, to accept the Justice Clerk Audit as presented. Carried 4 Ayes

Audit for Town Clerk was not completed this month.

#### **Town Clerk Report:** Barbara Creazzo

-Collections and distributions for the month of December: DEC received \$14.17 and the town received \$0.83. Ag & Markets received \$31.00 and the town, \$106.00. Building permit collection for the town was \$54.00. There were no marriage licenses issued for the month. Received \$10 for the 1 certified marriage certificate requested. There were no certified birth or death certificates issued, nor any request for genealogy. There was no request for F.O.I.L., or Planning Board request. The town received \$2.30 for copies. Total collections for the month was \$243.30 and of that amount, the Supervisor received \$183.13 for the Town's coffers.

-2017 collections and distributions: DEC \$6,371.10 received for licenses and the town received \$371.90. Ag & Markets received \$410.00 and the town received \$1,329.50. Clerk collected \$5,517.85 for building permits. NYSDOH received \$112.50 for marriage licenses issued and the town received \$87.50. Seventy dollars was received for certified marriage certificates, \$40.00 for certified birth certificates, \$420.00 for death certificates and \$110.00 for genealogy request. One junk license was sold, and the town received \$25.00. One license was issued for Game of Chance, the Comptroller's Office received \$15.00 and the town received \$10.00. No monies were collected for F.O.I.L., or Planning Board. Twenty-five dollars was collected for copies, and \$21.00 was collected for faxes sent. For the year, a total of \$14,936.35 was collected and of that, \$8,027.25 was deposited in the Town's coffers.

-Collections for Water for the month of December was \$6,961.97 and for Sewer, the collections totaled \$7,591.42. Therefore, \$14,553.39 was provided to the Supervisor.

Supervisor Frary, distributed the Approximate Year End (2017) report for review and discussion.

-A General, was under budget \$12,209.63 and B General Outside of Village was under by \$4,748.48

-DA Highway Town Side was under by \$59,293.54 and DB Highway Outside Village was over by \$8,480.61.

-Sewer District under by \$4,368.49 and Water District was over by \$2,356.95. Street lights was over by \$844.80.

Motion made by Michael Livingston, seconded by Rae Ann Davis, to approve the amendment to the General Fund Budget to reflect an increase in Estimated Expenditures due to under budgeted accounts and invoices paid. The appropriations A1410.40 is to be increased by \$2,421; A1620.40 to be increased by \$18,404; A1920.40 to be increased by \$80; A1989.4 to be increased by \$4,057; and A3620.40 to be increased by \$153. Carried: Davis – yes, Livingston – yes, Newcombe – yes, Frary – yes. Lowery – absent.

Motion made by Ed Newcombe, seconded by Michael Livingston, to approve the amendment to the Highway Town-wide Fund Budget to reflect an increase in Estimated Expenditures due to under budgeted accounts and invoices paid. The appropriations DA5130.40 to be increased to \$30,840; DA5132.40 to be increased by \$6,129.32; DA9050.80 to be increased by \$57; DA9060.80 to be increased by \$360; DB5110.40 to be increased by \$5,291; DB5112.20 to be increased by \$77,940; DB9035.80 to be increased by \$7 and DB9050.80 to be increased by \$795. Carried: Davis – yes, Livingston – yes, Newcombe – yes, Frary – yes. Lowery – absent.

Motion made by Rae Ann Davis, and seconded by Ed Newcombe, to approve the amendment to the Sewer Budget to reflect an increase in Estimated Expenditures due to under budgeted accounts and invoices paid. Appropriation SS8130.40 is to be increased by \$5,242. Carried: Davis – yes, Livingston – yes, Newcombe – yes, Frary – yes. Lowery – absent.

A motion made by Michael Livingston, and seconded by Rae Ann Davis, to approve the amendment to the Water Budget to reflect an increase in Estimated Expenditures due to under budgeted accounts and invoices paid. Appropriation SW8320.40 is to be increased by \$870. Carried: Davis – yes, Livingston – yes, Newcombe – yes, Frary – yes. Lowery – absent.

A motion made by Ed Newcombe, and seconded by Michael Livingston, to approve the amendment to the Street Lights Budget to reflect an increase in Estimated Expenditures due to under budgeted accounts and invoices paid. Appropriation SL5182.41 is to be increased by \$2 and SL5182.42 is to be increased by \$884. Carried: Davis – yes, Livingston – yes, Newcombe – yes, Frary – yes. Lowery – absent.

Supervisor Frary, distributed the Budget Report for January to review.

Supervisor Frary, distributed the Payroll Checks Audit for 2017 for review, discussion and signatures of Board members. Members signing – Frary, Livingston, Davis and Newcombe. Lowery - absent.

Supervisor Frary, distributed the Accounts Payable Checks Audit for September – December 2017, for review, discussion and signatures of Board members. Members signing – Frary, Livingston, Davis and Newcombe. Lowery - absent.

Supervisor Frary, distributed a copy of the 2018 Chargebacks for the Town of De Kalb. They are as follows: Election Charges - \$19,669.36; Real Property Charges - \$11,656.55; Worker's Compensation Charges - \$22,997.00 (a significant decrease from last year); and Community College; \$8,328.00. Totals for 2018 is \$62,650.91 and the totals for 2017 were \$71,923.31.

#### **DANC Water/Sewer Report:**

-For the month of December, 497,700 gallons of water were metered, with an average daily flow of 16,055 gallons. A total of 28 gallons of sodium hypochlorite were used in the treatment of the water produced. Daily, weekly and monthly inspections and or maintenances were completed. Graphs of flow and chlorine residuals are included in the written report. There were no chargeable events performed for this billing period.

-For the month of December, 793,000 gallons of wastewater were treated, with an average daily flow of 25,580 gallons. There were no SPDES permit violations. Daily, weekly and monthly inspections and or maintenances were completed. Graphs of flow charts are included in the written report. In addition to regular contract services, on December 4<sup>th</sup>, Controls Engineer, performed amperage measurements on RBC 1 & 2. He also met with machinist from Adirondack Mechanical, to get his opinion on possible causes of RBC's tripping out on overload during start-up.

Supervisor Frary, brought to the attention of the Board, the continuing problem of surface water backup through a portion of the hamlet, when there is a heavy rain or large snow melt. One of the problems contributing to the backup is the condition of the storm culvert, that runs under the railroad track behind the Fire Station. The railroad has been contacted, as well as the NYSDOT. At this time, neither will accept responsibility for the upkeep of the storm culvert. Supervisor Frary has asked Mr. Nash, Town Attorney, to check into it and see if there can be a resolution to the problem.

Supervisor Frary, would also like to see grade shooting of the ditches involved in the flooding area to be completed as well. If Superintendent Hamilton, doesn't think the Highway Dept, can complete the task, it will need to be hired out.

#### **Code Enforcement Report: Bill Chambers**

2017 Year End Report for the Town of De Kalb – there were 74 permits issued for a Fee amount of \$5,740.35. The total project cost for the year was \$1,436,944.26. Permits issued are as follows: New Houses – 1; Mobil Homes – 6; Camps – 3; Commercial Additions – 2; Sheds – 2; Shops -2; Garages – 5; Repairs – 3; Decks & Porches – 16; Electrical – 4; Accessory Structures – 7; Roofs – 7; Pole Barns – 6; Additions – 5; Swimming Pool – 1; Septic – 1; Solar – 1; and Milk House – 1. Annual Report with the State has been filed.

Supervisor Frary asked if permit fees remain appropriate and Mr. Chambers replied that he will be evaluating them over the next couple of months.

#### **Highway Department Report: Jody Hamilton**

-From December 20<sup>th</sup> to January 17<sup>th</sup>, 16 rounds of plowing and sanding was completed on all roads and 8 additional rounds were completed on the County roads.

-The underbody from truck #9 was removed and retrofitted to truck #8.

-Took plow frame and plow off 2004 pickup and retrofitted it to the 2009 Ford.

-Repaired water meter at Junction Building Supply.

-Working on dozer and it needs radiator and oil cooler. Have been getting prices for necessary replacement parts and or labor cost.

-Have been thawing culverts.

-Road repair has occurred on the Colton Rd.

-New pickup has arrived and bed-liner has been put in the box.

-A parked vehicle was hit by one of the snowplows in late November.

A motion was made by Michael Livingston, and seconded by Rea Ann Davis, to give Mr. Hamilton the authority to make the repair decision on the dozer, as they are confident he has researched all options.

Carried 4 Ayes

New York State Law, states, if a private/citizen vehicle is damaged during snowplowing, the municipality involved, is not liable for cost of repair/replacement. Also, NYMIR makes no provisions for such either. The Board will investigate each reported occurrence, and respond based on that occurrences specific circumstances, to decide if they will offer a financial response. The owner has received 3 quotes and plans to have the repair work done at Blevins, where the vehicle was purchased. This quote is reported to be the lowest of the three, at \$4,280.74.

A motion was made by John Frary, and seconded by Michael Livingston, for Mr. Hamilton to work with the owner and for the Town of De Kalb, to reimburse the cost of repair.

Carried 4 Ayes

#### **Communications:**

-Have a request for continued support of North Country Life Flight, Inc.

A motion was made by Rae Ann Davis, and seconded by Ed Newcombe, to continue support by providing a check in the amount of \$150 to North Country Life Flight, Inc.

Carried 4 Ayes

-Supervisor Frary, received notice from NYS Teamsters Council Health and Hospital Fund for the completion of necessary forms to opt into the Paid Family Leave Coverage. The Town will not be opting in for this coverage and the necessary forms will be returned with such notice.

-Supervisor Frary, and Clerk Creazzo, received a thank you letter form Jim Pipher. The Board has asked that a card be sent in return for his many years of dedicated service to the Town of De Kalb.

-The Justice Court has received notice of approval for the grant submitted by Sheila Gardner, for a new copier. The amount of the approved grant is \$3,000. The purchase price of a copier quoted by Advanced Business Systems, is \$5,509.00. Supervisor Frary, asked if the Board would approve the cost amount above the grant. Due to some concerns regarding the specific model quoted, the Board, has asked for other copier options to be presented before making a final decision.

-Supervisor Frary, received notice from National Grid, that they are collaborating with NYS Department of Public Service Staff, to initiate a field audit of National Grid's company owned street lighting assets in the Town of De Kalb, to ensure accuracy of National Grid's internal asset data records. National Grid anticipates reconciliation of any affected customer accounts to be completed by the end of the spring 2018.

A motion was made by Michael Livingston, and seconded by Rea Ann Davis, to approve payment of the bills as entered on Abstract # 1-2018.

Carried 4 Ayes

A motion was made by Ed Newcome, and seconded by Michael Livingston, to adjourn. Carried 4 Ayes

Meeting adjourned at 10:22 PM

Respectfully submitted by  
Barbara A. Creazzo  
Town Clerk

#### Actions

1. Price flag poles.
2. Continue follow-up with storm culvert under railroad.
3. Grade shoot ditches in low lying areas.
4. Make repairs to the dozer. **Completed**
5. Work with vehicle owner.
6. Send check to North Country Life Flight, Inc. **Completed 1/18/18**
7. Complete form and opt out of Paid Family Leave. **Completed 1/19/18.**
8. Send Thank you card to Jim Pipher. **Completed 1/18/18**
9. Seek other bids for copier for Justice Court.