

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 21st day of June 2017, at the Town Hall, DeKalb Junction NY, there were present:

John Frary	Supervisor	Harold Lowery	Councilman
Michael Livingston	Councilman	Rae Ann Davis	Councilwoman
Jody Hamilton	Highway Superintendent	Ed Newcombe	Councilman
Barbara Creazzo	Town Clerk	Charles Nash	Attorney

Members from the community present:

Rachel Hunter, Gouverneur Tribune Press

Larry Denesha, SLC Legislator

Supervisor Frary opened the meeting at 7:03 PM

Michael Livingston moved that the minutes of the Organizational meeting of the Town Board, held on the 17th day of May 2017, as submitted by the Town Clerk, be and hereby approved. Seconded by Ed Newcombe and adopted unanimously.

Actions from May's meeting

1. Resolution to create a "General Capital Reserve Fund" for the purpose of being able to fund upcoming capital projects that would be expensed from "A". **Completed 05/25/2017**
2. Resolution of establishing limits for unexpended fund balance for Funds collected under "A", "B", and "DA", not to exceed 25 percent of actual budget from one fiscal year to the next. **Completed 05/25/2017**
3. Resolution of establishing limits for unexpended fund balance for Funds collected under "DB" not to exceed yearly budgeted road repair cost plus 25 percent from one fiscal year to the next. **Completed 05/25/2017**
4. Complete Resolution for contract with Charter Communications. **Completed 05/25/2017**

Public Forum:

Larry Denesha

-Sales tax for the first quarter was up 9.81% for an increase of 1.2 million dollars. The second quarter for the month of May was down 88,000 thousand dollars and it is anticipated this trend will continue for the remainder of the quarter

-As of yet, Albany, has not voted on the extension of counties keeping their portion of the sales tax which is 1%. Perhaps it will come to the floor for a vote in the fall. If the extension is not passed at all, the county will lose between 13-14 million dollars. Even though, this is a Home Ruled regulation, NYS Legislation must approve the extension every three years. If extension not passed, both the Towns and County will have to do budgets with the loss of Revenue included, which will put us out of the 2% and under bracket for tax cap.

-Mortgage checks have been sent out for the quarter, De Kalb received \$5,975.81 this quarter.

-A group from the county, (Administrator, Legislators and other key people) traveled to Albany to present their 2017 Agenda. A few of the key items are: to collect sales tax for purchases on the internet, if the age is raised from 16 to 18 for youthful offenders when incarcerating, the state needs to pick up the cost or leave as is. Also, to address the funding of salaries for District Attorneys. Now, their salaries are controlled by the State, as their salaries are tied to Judicial salaries. Another is to continue to work on Agenda items from 2016 that have not yet been met.

-The Legislators have been working on increasing the Unreserved Fund Balance to assist with eliminating the need to borrow every year. As of the end of December 2016, the Fund Balance was 8.7 million dollars. Compared to a year previous, which was 6.4 million, they have been able to increase the Fund Balance by 2.3 million dollars.

-As previously stated, the Director of Human Resources, has resigned. A total of eighteen resumes were received, and interviews are planned to begin within a couple of weeks.

-A resolution to raise the age of purchasing any tobacco product from 18 years to 21 years of age did not pass. The vote was 11 against and 4 in favor. Unfortunately, the law did not provide a negative recourse for the person in possession of the products, only to the person who sold the product.

-Operation Gravy Train, \$35,000 had been allocated in this year's budget for housing county inmates outside the County Jail. The Sheriff has asked for additional funding which is a 700% increase, due to Operation Gray Train, for housing arrestees outside the County. Of this increase request there are other expenses, such as transporting for arraignments and other court appearances.

-Veterans Services for SLC, Michael Boprey reported to the Legislators, that there are 9,000 veterans living in the County and they have received a total of \$36,000,000 dollars in compensation and or services.

-Beaver Creek bridge is progressing well. Both abutments have been completed and it is anticipated that the I-beams will be set within the next week or two. It is hoped the bridge will be open to traffic by the end of August, if the rest of the work progresses as well as it has so far.

Financials:

A motion was made by Rae Ann Davis and seconded by Ed Newcombe to accept the Justice Clerk Audit as presented. Carried 5 Ayes

A motion was made by Harold Lowery and seconded by Michael Livingston to accept the Town Clerk Audit for Taxes and Clerk accounts as presented. Carried 5 Ayes

Monthly Clerk's Report:

-A total of \$968 was collected for the month of May. Of these collections, \$295.73 was paid to DEC for fishing licenses, and the town received \$17.27 from the sales. NYS Ag & Markets was paid \$34.00 and the town received \$ 113.50. The town also received \$374.40 for paid building permits. Two certified birth certificates were issued; therefore, the town received \$20.00. The Deputy Registrar issued 11 death certificates at \$10 each. As an hourly employee, she receives the \$110. Three dollars and ten cents was collected for copies which goes to the town. A check for \$638.27 was written to the town coffers.

-For the month of May, \$15.42 was collected for the Water District and \$139.16 was collected for the Sewer District.

-The collection of taxes by the Tax Collector, was completed on the 6th of June; therefore, the amount collected for taxes, for the month of May, was \$154,657.20. Total payments to SLC Treasurer was \$170,641.13 for the month of May. Therefore, the Town will receive the balance of taxes collected which is \$5,404.51. This money is interest, second notice fees, etc. For this tax year, 87.82% of the taxes for the Town of De Kalb were collected. There were 152 parcels that did not have a payment made. Total collection was up slightly from last year's 86.07% collected.

-Deputy Clerk's pay remains within budget.

2017 monthly and year to date financials were presented to the Board and reviewed, there were no questions. Members also reviewed and signed the May Expense and Collection Report.

Board members were presented with, reviewed, and signed the check reconciliation report that is generated by Supervisor Frary.

Board members also were presented with Payroll Checks Audit, reviewed and signed.

DANC Report:

Each Board member received a copy of May's report for review.

-Water: A total of 658,755 gallons of water were metered in the month of May, with an average daily flow of 21,250 gallons. A total of 7.5 gallons of sodium hypochlorite were used in the treatment of the water produced. Daily visual inspections of the water plant were completed and graphs are included in this month's report. A random sample was collected from a distribution site and tested for bacterial. This test result was satisfactory. There were no chargeable events performed for this billing period.

-Wastewater: A total of 1,656,000 gallons of wastewater were treated in the month of May, with an average daily flow of 53,419 gallons. There were no SPDES permit violations. Graphs monitoring the discharge are included in the report. Daily inspections/task were completed, as well as monthly inspections. Collected samples of CBOD and TSS and submitted to Converse Lab for analysis. Results were satisfactory. The following are operation/maintenance (billable hours) completed in addition to the regular contract serves: the PLC Power Supply had a

catastrophic failure which did require replacement, as well as redirecting the conduit so the issue cannot occur again. The electrical portion of the work was contracted to an electrician.

Assessor Report:

None for this month.

Code Enforcement Report:

None for this month.

Highway Department: Jody Hamilton

- Grader paved 1.4 miles of Snowshoe to Camps, and 3 tenths from Flats to first resident.
- Truck #8 is back in service with a rebuilt motor, at a cost of \$25,058.
- Ditching done on the De Kalb-Kelly Rd and Jeffers Rd.
- Cutting shoulders on the River Rd.
- Cutting road sides, a little behind due to the weather. Should be finished with first round, the week of the 4th of July.
- Trash pick-up for the north side of US Highway 11, had 6 truckloads hauled to the landfill.
- Have drawn 50 loads of road sand.
- Have hauled the millings from the Village of Richville and these will be used by the highway department.
- Sand blasted truck #8 box and frame and painted.
- Mowing town properties weekly as weather permits.
- Trimming roads sides.
- Grading dirt roads for the second-time due to all the rain.

Superintendent Hamilton, discussed his estimated paving plans for the summer and they are as follows:

- a. De Kalb-Kelly Rd., leading to the Kelly Farm of 1.1 miles of cold mix base, with a traveled surface width of 18 feet. Thickness will be 3 inches and the subbase will be 8 inches of ground up blacktop. Cost is estimated to be \$52,260.

- b. De Kalb-Kelly Rd., leading to the Kelly Farm of 1.1 miles of #6 hot-top, with a traveled surface width of 18 feet. The base is as listed in a. above. Cost is estimated to be \$35,000.

- c. Jeffers Rd. to Route 11, 1.6 miles, there will be a cold mix base, with an 18-foot width traveled surface. Thickness will be 2.5 inches and will have an 8-inch gravel and ground up blacktop subbase. Cost is estimated to be \$97,900.00

- d. River Rd. at corner of Jenkins Rd., for a total of 1.3 miles will be paved with cold mix, with a traveled width of 17 feet. The thickness will be 2 inches and the base is mixture of gravel and ground up blacktop. The cost is estimated to be \$59,000.

Total cost for summer paving is estimated at \$244,660.00.

A motion was made by Harold Lowery and seconded by Rae Ann Davis, for the Highway Superintendent to complete the paving of 5.1 miles as listed, for an estimated cost of \$244,660.00.

Carried 5 Ayes

Communications:

-Received from Teamsters Local Union No. 687, written notice for their desire to re-open the Agreement covering the Highway Department employees for negotiations and negotiate changes in the following provisions of the Agreement: Wages, Hours, Working Conditions and Fringe Benefits.

-Each Board member was provided with a copy of the letter and recommendations that have been presented by Henry van den Heever, Risk Control Specialist for New York Municipal Insurance Reciprocal. Mr. van den Heever conducted his survey earlier this year, and has made several recommendations. He would like a written response within 60 days indicating the Town's thoughts or plan of action for each of the recommendations. Brief description of each recommendation are as follows:

- a. All Highway Garage vehicles should have a documented pre-trip inspection.

- b. Motor Vehicle Abstract Review should be conducted for each new hire and at the time of their hire anniversary date.

- c. Maintain an inventory of regulatory and warning road signs and their locations to assist with claims defense.

- d. Install Master Disconnect Switches on vehicles and heavy equipment.

- e. Establish Hold Harmless Agreements & Certificates of Insurance for Contractors.

f. Adopt a Prior Notice Law.

g. Obtain a Certificate of Liability Insurance from the historical society and require the town to be named as "Additional Insured".

h. Gibbons Street Playground, extend surface/fall protection to meet recommended standards, spring animals have handles that are a projection hazard, replace with rounded handles, repair broken wood swing, and replace post protection on the basketball hoops.

i. Gibbons Street Playground, signage listing rules.

-The Town, received notice of the Tentative State Equalization Rate for the 2017 Assessment Roll, Hearing Date, set for 06/23/2017, in Albany.

-National Grid, 10,000 trees and growing program.

-Received notice from Jefferson County Department of Planning, regarding the North Country HOME Consortium. If the Town wishes to redraw from the Consortium, notice of such should be filed. If wishing to continue, will do so for another 3 years and no notice is required. The Town will continue as is.

-Received memo from Governor Cuomo, asking for the Town's participation by adding its name to the list to "**fight and protect our climate**". No action was take as this time.

-Received notice from Regional Traffic Engineer, Kenneth M. Bibbins. P.E., that the request for a speed reduction entering the County Route 17 and US State Highway 812 intersection, has been granted. Signs indicating the speed limit of 45 MPH will be installed by the County.

-Audits of Local Governments and School Districts insert, was shared with the Board regarding the lack of oversight of missing funds from the Court's financial records for the Town of Bombay.

-The Town's webpage is currently undergoing revisions and is anticipate it will be back up and running soon.

Supervisor Frary, asked the members of the Board to be thinking about what the Town should do, if anything, regarding the 118 acres parcel of land, located off County Route 17.

A motion was made by Harold Lowery and seconded by Ed Newcomb to approve payment of the bills as entered on Abstract # 6-2017
Carried 5 Ayes

A motion was made by Rea Ann Davis and seconded by Michael Livingston to adjourn.
Carried 5 Ayes

Meeting adjourned at 9:25 PM

Respectfully submitted by
Barbara A. Creazzo
Town Clerk

ACTIONS

1. Send signed copy of **Agreement to Spend Town Highway Funds**, to Donald Chambers, Superintendent of St. Lawrence County Highway Department. **Completed 06/26/2017**

2. Set date for negotiations.

3. Review Risk Assessment Recommendations.

4. Sent Charles Nash a copy of Town Law # 1 of 1975, Providing requirements of notice before any civil action for damages or injures can be maintained against the Town of De Kalb or the Town Superintendent of Highways or against any improvement district of the Town.
Completed 06/26/2017

5. One hundred eighteen-acre contemplation.