

# 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 16<sup>th</sup> day of February, at the Town Hall in DeKalb Junction NY, there were present:

John Frary	Supervisor	Michael Livingston	Town Board Member
Ed Newcombe	Town Board Member	Connie Elen	Town Board Member
Andrew Fenton	Town Board Member	Barbara Creazzo	Town Clerk/Collector
Wayne Holland	Highway Superintendent	Bill Chambers	Building & Codes
Charles B Nash	Town Attorney		

Members of the community present: Anthony Wood, Deputy Mayor of the Village of Richville, Larry D Denesha, SLC Legislator.

Members of the community attending via ZOOM: Charles Prior, EDR Associate Principal, and Scott Thornhill, Development Authority of the North Country Project Engineer

Supervisor Frary opened the meeting at 7:01PM

Pledge of Allegiance was led by Supervisor Frary, followed by a moment of silent prayer and/or reflection.

Supervisor Frary, congratulated Ed Newcombe, for his recent promotion to Chief Master Sergeant on January 1, 2022, with the New York Air National Guard's 174<sup>th</sup> Attack Wing.

Andrew Fenton moved that the minutes of the Organizational Meeting, of the Town Board, held on January 12, 2022, as submitted by the Town Clerk, be and hereby approved. Seconded by Ed Newcombe and adopted unanimously.

Connie Elen moved that the minutes of the Regular Meeting, of the Town Board, held on January 19, 2022, as submitted by the Town Clerk, be and hereby approved. Seconded by Michael Livingston and adopted unanimously.

## Actions

1. Schedule a meeting with Supervisor Frary, Council Member Elen, and Mr. Deaver to discuss rescue squad options.
2. Proceed with trade-in of frontend loader.
3. Return the Hold Harmless Agreement to Don Chambers. **Completed.**
4. Return agreement to spend Highway Funds to Don Chambers. **Completed.**
5. Post for Assessor in the *Watertown Daily Times* and *North Country Now*. **Completed.**
6. Transfer of funds as listed in minutes. **Completed.**

## Public Forum:

Anthony Wood – addressed the flagged inspection of the bridge in the Village of Richville. The Town's Highway Department placed safety cones to close off the sidewalk on the bridge due to erosion and the surface break-up. The Village accepts the ownership of the bridge but does not have the physical means to address the damaged area. One recommendation is for the damaged area to be cleaned up and cold patching used to resurface the damaged area. The town will work with the village to provide the best resolution. Labor and material cost will be paid by the village.

Larry D Denesha

-COVID Report, today, there were 142 newly diagnosed cases and 18 individuals in the hospital with the virus. The County's positivity is slowly decreasing, as it is at 6.8%, while statewide is 3.1%. To date, there have been 173 COVID deaths in the county.

-Sales tax collection seems to be defying logic, as the collected amount is well over what the County had budgeted for 2021. This may be due to increase in inflation, people receiving stimulus checks, enhanced unemployment payments, enhances child credit, etc.

-The County's Highway Satellite that will be built along US 11 between Canton and Potsdam, has had all contract bids awarded to local contractors. The cost is \$1,937.33 and the funds will come from the fund balance.

- A resolution was passed allowing the Chair to sign agreement for the DEC cleanup of three properties in the County. One is located on the Russell-Pyrites Road, the second is in Massena and the third is in Potsdam. To date, 65 properties have been cleaned and placed back on the tax roll. The County's Attorney, along with their Environmental Attorney, have worked diligently to get such properties back on the tax roll. When a property is deemed clean by the DEC, it goes on the auction block as they have been delinquent of taxes. Back taxes are paid off at the end of the sale and the remainder of any sale money is divided between the County and DEC.
- Court ordered in-patient mental hygiene cost for the County has cost another \$300,000, bringing the total to \$1,000,000. In the past, when such a court order was issued, the County and State each paid 50% of the cost, now the County must cover 100% of the cost.
- 2021-2022 agenda sent to the State Legislators include several items, such as, ending the sales tax diversion that is occurring, reinstate the 50-50 cost of court ordered in-patient mental health treatments, etc.
- The County is in the process of interviewing for the DSS Director position.

Supervisor Frary reported that he and Mr. Denesha, attended a meeting last week regarding the state of Emergency Services throughout the County. Volunteers are becoming fewer each year, the amount of training continues to increase, COVID has caused many older volunteers to back away, etc. Each of these reasons directly or indirectly increased the response time for such services. All attending the meeting were asked to submit ideas as to how some of these areas could be addressed.

### **Financials:**

Audit for the Justice Clerk was not available this month.

Michael Livingston made the motion to accept the town Clerk Audit for the Clerk's Water and Sewer Accounts, seconded by Connie Elen. Vote: Michael Livingston yes, Ed Newcombe yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

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

- A total of \$237.40 was collected during the month of January. Of this amount, the town was able to retain \$166.71. The breakdown is as follows: NYDEC received \$56.69 for licenses issued while the town retained \$3.31, AG & Markets received \$14 for their Animal Population Program and the town retained \$51.50 for dog licenses. The town retained the following monies: Certified Marriage Certificate, \$10, Death Certificates, \$50, \$22 for a genealogic search, \$28.90 for copies made for the public and \$1 for a fax sent.
- Deputy Clerk, Wanda Law worked a total of 56.6 in January, during the busiest tax collection time.
- Water and Sewer had a total collection of \$4,365.50. Water received \$2,219.25 and sewer received \$2,146.25.
- January was a very busy month for tax collection. The Warrant this year for collecting is \$1,855,588.32. During January, \$1,277,986.72 or 68.87% of the warrant was collected. The town has received its portion collected, which was \$715,456.34.

### **EDR & DANC Report:** Charles Prior and Scott Thornhill

- As reported last month, the town will be receiving a \$1,000,000 grant toward the Wastewater Treatment Plant state mandated improvements.
- Continue to wait on confirmation of the Water-Infrastructure Improvement grant. May need to submit more information as the request is reviewed. Doing so is not out of the norm.
- Will be receiving a new agreement with Joseph Russell regarding his legal services now that he is no longer with Barclay Damon. Also, for documents for the band.
- EDR will put together a PowerPoint presentation for the public regarding the improvements. Will present to the Board first for questions and for any clarifications that may need to be made. Public presentation will be planned for April.
- Passing of Resolution for application to the USDA Rural Development for a Grant for the hamlet's Sewer Treatment Facility and Infrastructure to be upgraded to meet State Requirements.

## RESOLUTION

A regular meeting of the Town Board of the Town of De Kalb, St. Lawrence County, State of New York, was held at the De Kalb Town Hall on the 16<sup>th</sup> day of February 2022, commencing at 7 PM.

WHEREAS the Town desires to make application to the USDA Rural Development for a Grant for our Sewer Treatment Facility and Infrastructure that is to be upgraded to meet State requirements.

NOW, THEREFORE, BE IT RESOLVED that the Town Board shall seek financial assistance from Rural Development for advancement of Sewer Project to serve the 200 +/- Town customers of the Town municipal Wastewater system; and

BE IT FURTHER RESOLVED that the Town of De Kalb Board authorizes the receipt, use and disbursement of these grant funds, and

BE IT FURTHER RESOLVED that the Town of De Kalb Board shall authorize the Town Supervisor and/or Town Clerk to make all necessary applications to Rural Development.

Now upon a motion of Connie Elen and seconded by Michael Livingston and passed by the Town Board. Vote: Michael Livingston yes, Ed Newcombe yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

### **Amendments to 2021 Budget:**

Town of De Kalb December 31, 2021, Water Budget Amendment:

WHEREAS, the Town of De Kalb wishes to amend the Water Fund Budget to reflect an increase in Estimated Expenditures due to under budgeted accounts and invoices paid.

Appropriations SW8320.40, needs to be increased by \$13,808.

A motion is required to approve the budget amendment as submitted by the Town Supervisor. Motion made by Councilman Andrew Fenton, seconded by Connie Elen, and carried.

Town of De Kalb December 31, 2021, Highway Town-wide Budget Amendment:

WHEREAS, the Town of De Kalb wishes to amend the Highway Town-wide Fund Budget to reflect an increase in Estimated Expenditures due to under budgeted accounts and invoices paid.

Appropriations DB112.20 needs to be increased by \$144,690 and DB3960.00, needs to be increased by \$144,690.

A motion is required to approve the budget amendment as submitted by the Town Supervisor. Motion made by Councilman Michael Livingston, seconded by Andrew Fenton, and carried.

Town of De Kalb December 31, 2021, Highway Town-wide Budget Amendment:

WHEREAS, the Town of De Kalb wishes to amend the Highway Town-wide Fund Budget to reflect an increase in Estimated Expenditures due to under budgeted accounts and invoices paid.

Appropriations DA9010.80 needs to be increased by \$1,487; DA9050.80 needs to be increased by \$127; DB9010.80 needs to be increased by \$1,487; BD9030.80 needs to be increased by \$2,647; DB9035.80 needs to be increased by \$594; DB9050.80 needs to be increased by \$122.

A motion is required to approve the budget amendment as submitted by the Town Supervisor. Motion made by Councilman Connie Elen, seconded by Ed Newcombe, and carried.

Supervisor Frary distributed this month's monthly budget report for review.

**DANC Report: Water/Sewer**

A total of 860,200 gallons of water were metered in the month of January, with an average daily flow of 27,748 gallons. A total of 1 gallon of sodium hypochlorite were used in the treatment of the water produced. The complete report includes all daily flow charts. Daily, weekly, and monthly maintenance and inspections were completed as scheduled. One random distribution sample was taken, and the result was satisfactory.

A total of 1,167,000 gallons of wastewater were treated in the month of January, with an average daily flow of 37,645 gallons per day. The complete report includes all daily flow charts. Daily, weekly, and monthly maintenance and inspections were completed as scheduled. There were no SPDES permit violations. RBCs continue to be reversed for one hour each day.

**Highway Report: Wayne Holland (1/19/22-2/16/22)**

- Plowing and sanding almost daily/nightly.
- Working in the shop as needed.
- Have been able to cut some brush as weather permits.
- Have begun the thawing of culverts.
- Monitoring cameras have been installed outside and around the garage area. Cost was \$500 for the cameras and will be charged \$100 annually.
- The new truck may be delivered to Viking in July; therefore, may not be received by the town until next year.
- Looking at emergency generators for the garage and sewer plant. (Need to research the ownership of the generator at the plant as it may be co-owned with Hermon).
- Have not decided on which unit regarding the frontend loader, as CAT has dropped their asking price after trade-in to \$12,900 and John Deere is now offered at \$12,400. The concern with CAT is that they dropped \$10,000 from original price, while John Deere dropped from \$13,000.

There is no Dog Control Report this month.

**Code Enforcement Report: Bill Chambers**

Year End Report for 2021- a total of 59 permits were issued with a projected project cost of \$22,693,208.00. Fee amount to be collected for the permits was \$61,247.78. The permits issued are as follows: 2 new homes, 4 mobile homes (manufactured), 2 camps, 6 barns, 8 sheds, 2 septic systems, 2 garages, 1 repair, 3 decks/porches, 1 electrical, 4 accessory structures, 7 roofs, 8 additions, 3 commercial, 1 demolition, 2 pools and 3 solar projects.

January to now reports 3 permits, which are all solar. Each permit fee was \$300 for a total of \$900.

Will be attending annual training in Lake Placid from February 27, to March 4, 2022.

The Corning Project is moving along with the possibility of expanding in a year or two.

**Communications:**

Supervisor Frary distributed a copy of the resolution regarding financing of the new streetlights.

## RESOLUTION

WHEREAS, the Town Board of the Town of De Kalb has decided to purchase streetlights from National Grid; and

WHEREAS, the Town Board of the Town of De Kalb is obtaining financing and letters of credit to further this project; and

WHEREAS, said financing and letters of credit in the amount of \$26,900.00 is being obtained through the cooperation of NBT Bank, NA, 2800 Ford Street Extension, Ogdensburg, New York 13669.

BE IT RESOLVED that the Town Board of the Town of De Kalb authorizes the Town Supervisor, John Frary, to enter into a borrowing agreement for a letter of credit from NBT Bank, NA, with regard to the National Grid project. The letter of credit is in the amount of \$26,900.00 and

IT IS FURTHER RESOLVED that Supervisor John Frary is authorized to sign all documents with NBT Bank, NA, concerning the National Grid project.

This motion was made by Connie Elen and seconded by Andrew Fenton, at a duly called Board meeting held on February 16, 2022. Said Resolution passed unanimously.

BE IT RESOLVED that the Board of the Town of De Kalb at the regular board meeting on February 16, 2022, authorizes a line of credit of \$75,000 from General Fund A to Streetlight account for the capital project of purchasing existing streetlights and buying and installing LED streetlights. A compounded interest rate, at IRS minimum rate of 2.5% and monthly repay from SL to A will be established at the completion of the capital project.

Motion made by Michael Livingston and seconded by Connie Elen authorize the line of credit in the amount of \$75,000 from General A to Streetlight Account for the above-mentioned purchase of streetlights and installing LED lights.

Executive Session – a motion was made Connie Elen and seconded by Ed Newcombe for the Board to enter into executive session for discussion of personnel issues. Motion carried and executive session began at 8:45 PM.

A motion was made by Connie Elen to close the executive session at 9:12 PM, seconded by Andrew Fenton. Motion carried.

The interviewing of three candidates for the position of Sole Assessor will be conducted on March 2, 2022. Each interview session will be conducted for approximately one-half hour beginning at 7 PM at the De Kalb Town Hall. Once the meeting has been called to order, executive session will be entered and will remain in executive session until all interviews are completed. No other business will be discussed.

Supervisor Frary asks that each Board member, present to him, prior to the meeting, at least one question they would like asked of each candidate during the interview process.

Supervisor Frary, and Attorney Nash, have been unsuccessful in communicating with Robert Ball, Sole Assessor for the Town of De Kalb. Attempts began on February 2, 2022, via telephone and email with no response.

A motion was made by Andrew Fenton and seconded by Michael Livingston, to terminate the services of Robert Ball and payment of services to be held as of February 2, 2022. Vote: Michael Livingston yes, Ed Newcombe yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Dale Raymo, Assessor, contacted Supervisor Frary, regarding the absence of the assessor and asked if there was anything he could do to assist the town. Mr. Raymo will consult and assist as needed for \$30 per hour.

A motion was made by Andrew Fenton and seconded by Connie Elen, to offer a temporary position as Assessor, for the Town of De Kalb at the rate of \$30 per hour, retroactive to February 2, 2022. Vote: Michael Livingston yes, Ed Newcombe yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

After reviewing all bills presented, and signing all bills over \$500.00, a motion was made by Connie Elen and seconded by Andrew Fenton, to approve payment of the bills as entered on Abstract # 2-2022. Vote: Michael Livingston yes, Ed Newcombe yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

A motion was made by Connie Elen and seconded by Ed Newcombe, to adjourn.

Meeting adjourned at 9:25 PM

Respectfully submitted by

Barbara A. Creazzo  
Town Clerk

#### Actions

1. Send USDA Resolution for publication. **Completed 02/18/22.**
2. Certify and send Resolution to Scott Thornhill. **Completed 02/18/22.**
3. Complete budget amendments. **Completed 02/18/22.**
4. Advertise Special Meeting, for March 2, 2022, at 7 PM. **Completed 02/18/22.**
5. Research ownership of generator at sewer plant.