

DRAFT

- 1) REGULAR BOARD MEETING, TOWN OF PIERCEFIELD, January 12, 2023
- 2) A regular board meeting of the Town of Piercefield was held on January 12, 2023 at 7:30 PM at the Piercefield Town Hall with the following members present:
 Acting Supervisor Joe Denis
 Councilmember Gina Sarazen
 Councilmember Carol Dimond
 Councilmember Karl Pryce
 OTHERS PRESENT: Town Clerk Christielee Geiger, Deputy Town Clerk Paige Phillips, Greg Hannac, Fire Chief Mark McCuen, Retiring Assessor/Code Enforcement Officer Flora McCuen, Leo Sarazen, Piercefield Superintendent Jay Rust, Scott Tessier
 Many more names attended the surprise Retirement party beforehand to honor Flora McCuen, only the names above stayed the duration of the meeting. The Town of Piercefield would like to THANK and HONOR Flora McCuen and her 40 years of service as our Assessor and CEO.

- 3) Pledge of Allegiance
 The meeting was opened with the Pledge of Allegiance led by Acting Supervisor Joe Denis.

- 4) Public Hearing, Fire Company Contract
 Acting Supervisor Joe Denis convened a public hearing at 7:33 pm on the Fire Company Contract for 2023. Mark McCuen, Fire Chief expressed his concern pertaining to the budget. As fuel, training, equipment increases in price every year, the budget for the Fire Company has remained the same. Acting Supervisor, Joe Denis agreed that the contract should be increased a certain percentage each year, what that number is will still need to be discussed by the Town Board. Jay Rust, Treasurer of the Fire Department reported that this will be the last year of payments on the fire truck. Also, Piercefield Fire Company has collected almost 40k in donations towards the new building, only a 10k gap for their overall goal of 50k. The public hearing was closed at 7:42pm.

- 5) Approval of Minutes
 On a motion by Councilmember Gina Sarazen, seconded by Councilmember Carol Dimond, the minutes of December 8, as presented by the Town Clerk be approved. AYES: Acting Supervisor Denis, Councilmembers Dimond, Sarazen, Pryce. NAYS: 0

- 6) Monies Received

General

Transfer Station Fees	\$1,364.00
Fines	\$541.00

Highway

Privilege of Floor

- 7) Highway
 Highway Superintendent Jay Rust has requested a letter of intent from the Town Board for the Mini Excavator he wants to purchase with CHIIPS funds. Jay reported he has \$167,729 in existing CHIPS funds and the excavator will cost just over \$69k, including parts.
 Conifer Culverts are in need of replacement. Water is going over the culverts, washing away the road. The waterline is a major issue during this repair, for a main waterline runs through one of the culverts. This work is projected to begin around June/July 2023 depending on the ground. Estimated \$40k in repairs. Also, advice from Town Attorney Kirk Gagnier, as the traffic will have to be redirected onto private property.

During the Highway Crew’s “down time” they have cut, spilt and stockpiled 10 cords of firewood. Working on maintaining and repairing trucks and lot of plowing/sanding completed this month. Snow Plow coming Fall 2024, waiting on parts to be assembled.
 This is the last year of payments on the Town Loader. Superintendent Jay Rust suggests that it is put up for auction on Internal Auction Website. Selling it now, while it is in good repair, and purchase a new one so we may stay on a vehicle rotation.

Councilmember Carol Dimond asked about the new Chevy Pickup. Jay reported it has been fixed under warranty, problem was a pressure weld issue. However, it is still having transmission issues.

Scott Tessier spoke on his behalf, interested in a Town Board position. He also requested information on buying a parcel behind his house, he believed that the town owned it due to back taxes. Supervisor Joe Denis mentioned looking into it and getting back to him on both matters of discussion.

1) REGULAR BOARD MEETING, TOWN OF PIERCEFIELD, January 12, 2023 **DRAFT**

Old Business

9) Fire Company Contract

RESOLUTION NO.:01-06-2023

Dated: January 12, 2023

AGREEMENT

THIS AGREEMENT made this 12th day of January, 2023, between the TOWN OF PIERCEFIELD, St. Lawrence County New York, hereinafter designated as the “Town” and the PIERCEFIELD VOLUNTEER FIRE COMPANY, INC. of Piercefield, New York, hereinafter designated as the “FIRE COMPANY”.

WITNESSETH

WHEREAS, there has been duly established in the Town a fire protection District known as “TOWN OF PIERCEFIELD FIRE PROTECTION DISTRICT” (hereinafter referred to as the “District”), encompassing the entire territory of the Town, pursuant to the Resolution establishing such District and duly adopted by the Town Board of the Town on August 7th, 1951, and the Order of the Town Board confirming the establishment of the district dated March 11th, 1997, and

WHEREAS, following a public hearing on January 12, 2023, duly called, the said Town Board authorizes the Town Supervisor to enter into a contract with the Fire Company for fire protection to said District upon the terms and provisions herein set forth, and

WHEREAS, this Agreement has also been duly authorized by the Board of Directors of the Fire Company,

NOW THEREFORE, The Town does engage the Fire Company to furnish fire protection to said District and the Fire Company agrees to furnish such protection in the following manner:

1. The Fire Company shall at all times during the period of this Agreement be subject to call for attendance upon any fire occurring in such District and when notified by alarm or telephone call from any person of a fire within the District, the Fire Company shall respond and attend upon the fire without delay with suitable ladder, pumping and hose apparatus of the Fire Company. Upon arriving at the scene of the fire, the foreman of the Fire Company attending shall proceed diligently and, in every way, reasonably suggested to the extinguishment of the fire and the saving of life and property in connection therewith.
2. In consideration of the furnishing of aid and the use of its apparatus as aforesaid, the Fire Company shall receive from the Town the sum of \$51,400.00 annually payable on or before February 1st annually. The Town may furnish gas and/or diesel fuel to the Fire Company for its vehicles and equipment in the amount of up to \$1,000.00 annually, the determined value of which shall be provided in lieu of a portion of the foregoing compensation. The value of any gas and/or diesel fuel furnished by the Town to the Fire Company shall be deducted from the payment due the Fire Company the following year.
3. All monies to be paid under the provisions of the Agreement shall be charged upon said District to be assessed and levied upon the taxable property in said District and collected with the Town taxes.
4. **This Agreement shall continue for the term of one (1) year from the 15th day of February, 2023 through the 14th day of February, 2024.**
5. The Fire Company hereby agrees that it will provide a liability insurance policy in the amount of \$3,000,000.00 with limits of \$1,000,000.0 for personal injury and \$125,935.00 for property damage, naming the Town as loss payee. A certificate of said insurance shall be furnished by the Fire Company to the Town before the effective date of this Agreement.
6. The Fire Company hereby indemnifies, defends, and holds harmless the Town from any and all claims, suits, actions or liabilities of any kind or nature that occur in connection with this agreement.
7. In the event that a new agreement is not negotiated by the date that the term for this Agreement ends, this agreement and its terms shall remain in full force and effect for ninety (90) days.

New Business

10) Senior Citizen Exemption

RESOLUTION NO.: 01-01-2022

Dated: January 12, 2023

AUTOMATIC RENEWAL OF THE REAL PROPERTY TAX EXEPTIONS

WHEREAS, on December 26, 2021, the Governor of New York issued Executive Order 11.1 and

WHEREAS, this Executive order allows for the automatic renewal of the Real Property Tax exemptions afforded in subdivisions 7, 7-a and 8 of section 459-C of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law if the assessing unit adopts a resolution directing the assessor to grant exemption on the 2023 Assessment Roll, and

WHERE AS, this law also allows the Low-Income Senior/Disabled property owner to not have to file an exemption application with the Tompkins County Department of Assessment in order to continue their exemption on the 2023 Assessment Roll, and

WHERE AS, this law also allows the governing body of the assessing unit to put a local option for when assessor might require a renewal application, now there for let it be

RESOLVED, that we the Town Board of the Town of Piercefield approve the resolution to allow a waiver in the application process for Low-Income Seniors/ Disabled Property Owners for the 2023 Assessment Roll.

A motion to adopt the foregoing Resolution was made by Acting Supervisor Joe Denis and seconded by Councilmember Carol Dimond. The following each voted in favor of the Resolution: Acting Supervisor Joe Denis, Councilmember Carol Dimond, Karl Pryce and Councilmember Gina Sarazen.

1) REGULAR BOARD MEETING, TOWN OF PIERCEFIELD, January 12, 2023 **DRAFT**

11) Supervisor's Appointments

On a motion by Acting Supervisor Joe Denis, seconded by Councilmember Karl Pryce, the following Supervisor's Appointments be approved: AYES: Acting Supervisor Denis, Councilmembers Pryce, Sarazen and Dimond. NAYS: 0 Approved.

Supervisor/Council Appointments 2023

Deputy Town Supervisor:	Vacant (1/1/2023-12/31/23) unexpired term	
Town Councilmember	Karl Pryce (10/2020-12/31/23) unexpired term, elective position	
Town Clerk	Christielee Geiger (1/21 -12/31/23) unexpired term, elective position	
Deputy Town Clerk:	Paige Phillips (1/1/23-12/31/23)	
Bookkeeper:	Linda Pickering (1/1/23-12/31/23)	
Registrar of Vital Statistics:	Christielee Geiger (1/23-12/31/23) unexpired term	
Deputy Registrar:	Paige Phillips (1/1/23-12/31/23)	
Building Code Enforcement Officer:	Nick Snyder (1/1/23-12/31/23)	
Health Officer:	SLC Dept of Public Health (1/1/23-12/31/23)	
Planning Board Member:	Dick Bentley (1/1/21-12/31/25)	
Town Assessor	James Snyder (1/01/23-12/31/29)	
Board of Assessment Review	Lawrence Lee (10/18/-9/30/23)	
Board of Assessment Review	Ben Geiger (10/1/2020-9/30/25)	
Board of Assessment Review	Vacant (10/1/19 – 9/30/24) unexpired term	
Court Clerk:	Sherri A Snyder	
Dog Control Officer:	Kim Kopp (1/1/23-12/31/23)	
Town Historian:	Lenoard Intellicanti (1/01/23-12/31/23)	
Caretaker of Cemetery:	Roy Benware	
Cemetery Committee:	Neil Pickering, Patricia Reandeau, Tom Cullen, Roger Hassler, Mark McCuen, Roy Benware, Linda Pickering	
Town Safety Committee:	Vacant (Chairman) , Neil Pickering, Vacant, Marvin Pickering Jr., Jay Rust	
Highway Safety Coordinator	Jay Rust	
Town Insurance:	Belleville & Associates	
Town Attorney:	Kirk Gagnier, Esq.	
Salary paid yearly to:	Town Board, Historian, Dog Control Officer, Deputy Supervisor, Highway Safety Coordinator	
Salary paid monthly to:	Assessor, Code Enforcement Officer, Clerk, Bookkeeper, Justice, Court Clerk, Supervisor, Attorney	
Travel Cost Allowance (IRS):	\$0.65.5/mile, effective 1/1/23	
Per Day Allowance:	\$50.00/day	
Board Meetings:	2nd Thursday @ 7:30 PM at Town Hall	
Official Newspaper	Tupper Lake Free Press	
Voting Machine Custodian	SLC Board of Elections	
Official Bank:	Community Bank, NA	
Petty Cash Funds:	Town Clerk:	\$200.00 (actual cash)
	Town Hwy Supt:	\$1,000.00 w/o prior Board approval
	Town Supervisor:	\$200.00 w/o prior Board approval
Councilman Assignments:	Water Districts:	Joe Denis
	Transfer Station:	Karl Pryce
	Youth, Parks & Rec:	Gina Sarazen
	Hwy Dept. Liaison	Carol Dimond

12) Audit Justice Records

RESOLUTION NO.: 01-09-2023

Dated: January 12, 2023

RESOLUTION TO AUDIT RECORDS OF TOWN JUSTICE JONN KOPP

WHEREAS, the New York State Comptroller requires periodic audits of Town Justice financial records by the Town Board, and

WHEREAS, Town Justice Jonn Kopp of the Town of Piercefield, St. Lawrence County, New York, has submitted his financial records from the year January 1, 2022 to December 31, 2022 to the Piercefield Town Board for audit, now therefore be it

RESOLVED, that the Town Board of the Town of Piercefield has audited and does approve the financial records submitted for the year 2022 by Town Justice Jonn Kopp, and be it further

RESOLVED, that a copy of this resolution be sent to the New York State Unified Court System as evidence that said audit was conducted as required.

A motion to adopt the foregoing Resolution was made by Acting Supervisor Joe Denis and seconded by Councilmember Karl Pryce. The following each voted in favor of the Resolution: Acting Supervisor Joe Denis, Councilmember Carol Dimond, Councilmember Karl Pryce, and Councilmember Gina Sarazen

1) REGULAR BOARD MEETING, TOWN OF PIERCEFIELD, January 12, 2023 **DRAFT**

13) NYS DOT Holding Harmless Resolution

RESOLUTION NO.: 01-07-2023

DATED: January 12, 2023

HOLDING HARMLESS NYS DEPT OF TRANSPORTATION FOR WORK DONE ON OR NEAR NYS HIGHWAYS IN PIERCEFIELD TOWNSHIP

WHEREAS, the Town of Piercefield may periodically receive permits from the Department of Transportation (DOT) to temporarily obstruct, install, construct, maintain, operate, or replace any facilities within the bounds of a State Highway right-of-way, and

WHEREAS, the Town of Piercefield is required by NYS DOT to indemnify or hold harmless agencies and/or officials of the State of New York for such temporary obstructions, installations, construction, or maintenance, therefore be it

RESOLVED, that the Supervisor of the Town of Piercefield is authorized to execute the Undertaking in Connection with Highway Permits Issued by NYS DOT agreement., and be it further

RESOLVED, that NYS DOT shall be an additional insured on the GL Policy, via ISO endorsement CG 2026.

This Resolution was put forth at a regular meeting of the Piercefield Town Board by Acting Supervisor Joe Denis seconded by Councilmember Gina Sarazen on the 12th day of January, 2023. The following members voted AYE: Acting Supervisor Joe Denis, Councilmember Carol Dimond, Councilmember Karl Pryce, and Councilmember Gina Sarazen.

14) Official Undertaking

RESOLUTION NO.: 01-04-2023

Dated: January 12, 2023

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute an Official Undertaking, and

WHEREAS, we, the Town Board of the Town of Piercefield hereby require the Town Supervisor, Town Clerk/Tax Collector, Town Justice, Highway Superintendent, and Town Bookkeeper to execute said Official Undertaking as required by said law, now therefore be it

RESOLVED, that we the Town Board of the Town of Piercefield approve the document entitled "Town of Piercefield Official Undertaking of Municipal Officers" as to its form and manner of execution and the sufficiency of the insurance, and, and be it further

RESOLVED, that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

A motion to adopt the foregoing Resolution was made by Acting Supervisor Joe Denis and seconded by Councilmember Gina Sarazen. The following each voted in favor of the Resolution: Acting Supervisor Joe Denis, Councilmember Carol Dimond, Councilmember Karl Pryce, and Councilmember Gina Sarazen.

15) Mini Excavator

Resolution 01-05-2023

January 12, 2023

RESOLUTION TO PURCHASE NEW ESCAVATOR

WHERE AS, The Highway Superintendent would like to spend his CHIPS fund money on an K Series Mini Excavator (KX040R3TP) with attachments such as; Grading Bucket, Trenching Bucket, Canopy Work Light Kit, Hydraulic Thumb Kit, and Mechanical Quick Coupler.

WHERE AS, The Highway Superintendent brought up to the board the pros and cons of needing a mini excavator, mainly the amount of money it will save the town by owning their own VS renting.

RESOLVED, that The Town of Piercefield will purchase a K Series Mini Excavator (KX040R3TP) with attachments such as; Grading Bucket, Trenching Bucket, Canopy Work Light Kit, Hydraulic Thumb Kit, and Mechanical Quick Coupler for a total value of \$69,541.17. The \$69,541.17 will be paid to Kubota out of the Highway Funds, and will be replenished once the CHIPS money is returned in March, 2023.

A motion to adopt the foregoing Resolution was made by Councilmember Carol Dimond and seconded Acting Supervisor Joe Denis.

1) REGULAR BOARD MEETING, TOWN OF PIERCEFIELD, January 12, 2023

16) Bank Depository**RESOLUTION NO.: 01-10-2023****Dated: January 12, 2023****RESOLUTION TO DESIGNATE A DEPOSITORY FOR ALL TOWN FUNDS**

RESOLVED, that the Town Board of the Town of Piercefield hereby designates Community Bank N.A. as the official depository for all Town funds, the total of which shall not exceed five hundred thousand dollars (\$500,000), and be it further

RESOLVED, that all public deposits in excess of the FDIC-insured amounts shall be secured by a pledge of eligible securities by said Community Bank, N.A., and be it further

RESOLVED, that the following Town Officials are authorized to audit all Town accounts held at Community Bank, N.A. and to sign checks as required:

- Acting Supervisor Joe Denis
- Councilmember Gina Sarazen
- Councilmember Carol Dimond
- Councilmember Karl Pryce

A motion to adopt the foregoing Resolution was made by Councilmember Acting Supervisor Joe Denis and seconded by Councilmember Carol. The following each voted in favor of the Resolution: Acting Supervisor Joe Denis, Councilmember Karl Pryce, Councilmember Carol Dimond, and Councilmember Gina Sarazen.

17) Fund Balances

Fund Balances for the 2020 year-end are as follows: Highway Fund Balance, \$93,428.36, and General Fund Balance, \$134,792.91 (includes water districts).

18) SHARED SERVICES AGREEMENT Between St Lawrence County and the Town of Piercefield**RESOLUTION NO: 08-01-2022****January 12th, 2023**

On a motion by Karl Pryce, seconded by Councilmember Gina Sarazen the Town of Piercefield agrees to the terms of the Holding Harmless contract with St Lawrence County for providing service in 2023. Please review the resolutions on the website for further details to this resolution.

19) Town Attorney Agreement**RESOLUTION TOWN ATTORNEY AGREEMENT**

Resolution No: 01-03-2023

Dater: January 12,2023

1. Consultations as needed with the Supervisor, Deputy Supervisor, and Board Members.

2. Attendance at Town Board Meetings only when necessary to consider legal issues and when requested by the Supervisor or Deputy Supervisor. We have agreed that you will place legal matters and executive sessions as early items on the agenda, to the extent that you are able to do so.

3. Preparation of various documents for the Town, including bonds, notes, resolutions, contracts, leases, deeds, road dedications and related documents, ordinances, and local laws, other than district law; and other usual documents required by the Town in ordinary course of business.

4. We will handle enforcement proceedings in the Town Justice Court, but more extensive litigation, collection matters, disputes or matters in the County Court or Supreme Court, are not included herein and, will not be required of us under this arrangement but can be contracted separately.

5. This Agreement does not include consultations with the Planning Board. It also expressly excludes any matters regarding tax assessment, tax grievances or related matters. Nothing in the Agreement shall prevent our firm from handling matters such as tax grievances or subdivisions on behalf of private persons and the parties agree that no confidential information regarding such matters shall be shared.

6. We will continue to provide Bonds and Bond Anticipation Notes and consultations with the Town Board with regard to existing Town financing matters. However, the establishment, modification, and financing of improvement Districts or new facilities within existing Districts related to any districts would not be included in this arrangement. Those matters can be contracted separately and paid for by the property owners within the districts.

Notwithstanding that this contractual arrangement will be for the 2023 year, we agree that either of us may terminate this agreement upon thirty (30) days' written notice, provided of course, that we will complete any matters that may be pending upon such a termination if the Board wishes us to do so.

A motion to adopt the foregoing Resolution was made by Councilmember Gina Sarazen and seconded by Councilmember Carol Dimond. The following each voted in favor of the Resolution: Acting Supervisor Joe Denis, Councilmember Carol Dimond, Karl Pryce and Councilmember Gina Sarazen.

- 1) REGULAR BOARD MEETING, TOWN OF PIERCEFIELD, January 12, 2023
- 20) Agreement with ADK Park Review Board
The Adirondack Park Review Board sent a request of authorization to the Piercefield Town Board to pay the sum of \$300.00 for the services of the Review Board. Piercefield Town Board reviewed the request; however, it was not discussed in the 2023 Town Budget so they denied the request of the sum \$300.00.
- 21) Town Board Audit and Approval of Town Books
On a motion by Acting Supervisor Joe Denis, seconded by Councilmember Gina Sarazen, the Town Books be audited and approved AYES: Acting Supervisor Denis, Councilmembers Dimond, Sarazen, Pryce. NAYS: 0
- 22) Payment of Bills
On a motion by Councilmember Councilmember Carol Dimond, seconded by Councilmember Karol Pryce, the following payments be approved AYES: Acting Supervisor Denis, Councilmembers Dimond, Sarazen, Pryce. NAYS: 0

General Fund:	\$31,523.94
Highway Fund:	\$22,943.11
Conifer Water:	\$163.18
Piercefield Water:	\$710.03
Trust and Agency Fund:	\$3,258.71
- 23) Approval of Town Clerk Monthly Reports
On a motion by Councilmember Gina Sarazen, seconded by Acting Supervisor Joe Denis, the Clerk Reports for December 2022 be approved: AYES: Acting Supervisor Denis, Councilmembers Dimond, Sarazen, Pryce. NAYS: 0
- 24) Adjournment
On a motion by Councilmember Gina Sarazen, seconded by Councilmember Carol Dimond, the meeting was adjourned at 8:50 pm. Next regular meeting Thursday, February 9, 2022 at 7:30pm.

Christielee Geiger, Town Clerk

Date Approved