

170) REGULAR BOARD MEETING, TOWN OF PIERCEFIELD, September 14, 2023

171) A regular board meeting of the Town of Piercefield was held on September 14, 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
- OTHERS PRESENT: Town Clerk Paige Phillips, Highway Superintendent Jay Rust, Bookkeeper Linda Pickering, Youth Center Coordinator Patty Reandeau, William Dashnaw, Gull Pond Resident Jim Costley and Mt. Arab Resident Loren Bailey.

172) Pledge of Allegiance

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

173) Approval of Minutes

On a motion by Councilmember Gina Sarazen, seconded by Acting Supervisor Joe Denis, the minutes of August 10, 2023 as presented by the Town Clerk be approved. AYES: Acting Supervisor Denis, Councilmembers Dimond, Sarazen. NAYS: 0

174) Monies Received

<u>General</u>	
License	\$38.50
Transfer Station	\$2,252
Vital Statistics	\$50.00
Fines, Forfeits of Bail	\$393.00

175) Public Hearing

Acting Supervisor Joe Denis convened a public hearing at 7:30pm on the Proposed Local Law #1 of 2023: Competitive Bidding Pursuant to GML Section 103(16). No one wished to be heard. The public hearing was closed at 7:31pm.

176) **RESOLUTION TO PASS LOCAL LAW 2023-1: COMPETITIVE BIDDING PURSUANT TO GML SECTION 103(16)**

WHEREAS, local law number 1 of 2023 was duly introduced to the Town Board on September14,2023 and

WHEREAS, legal notice of the Public Hearing regarding the proposed local law was published and advertised and copies of the proposed local law were made available at the Town Clerk's office for public review; and

WHEREAS, a Public Hearing on the proposed law was held on September 14,2023 at 7:30 at Town of Piercefield Town Hall, with 0 public comments being offered; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Piercefield, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board has acted as lead agency in this matter; and

WHEREAS the adoption to said Local Law is an unlisted action for purposes of environmental review under SEQR; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria; and

WHEREAS, the Town desires to make procurements under GML Section 103 (16) through the use of contracts let on the basis of best value and desires to pass a local law in order to authorize the use of best value for awarding their own purchase contracts; and

WHEREAS, the purpose of the local law and best value contracts is to reduce administrative and product costs and increase efficiencies.

NOW THEREFORE, be it resolved as follows:

RESOLVED AND DETERMINED that the enactment of proposed Local Law No. 1 of 2023 is an unlisted action, there are no other involved agencies, and this Board acts as lead agency in this matter for purposes of SEQR review; and it is further

RESOLVED AND DETERMINED that the Town Board has determined this action shall have no significant adverse impact on the environment; and that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQR; and it is further

170) REGULAR BOARD MEETING, TOWN OF PIERCEFIELD, September 14, 2023 **DRAFT**

RESOLVED that the Town Board hereby adopts Local Law No. 1 of 2023 titled "Local Law 2023-1: Competitive Bidding Pursuant to GML Section 103 (16).

On a motion by Councilmember Gina Sarazen, seconded by Councilmember Carol Dimond, resolution to adopt local law #1 of 2023 be approved.: AYES: Acting Supervisor Joe Denis, Councilmembers, Sarazen and Dimond. NAYS: 0 Approved.

**Privilege of the Floor**

176) Town Updates

Carrie Riley attended the meeting to share some ideas she has for the Welcome to Piercefield signs along with the Gale cemetery. She would like the towns approval before moving forward with any projects. Carrie would like to stain the Piercefield signs with the same stain she used on the fence at the Gale Cemetery, she just needs assistance with the arch along with a tarp so the stain does not drip onto the signs. Acting Supervisor Joe Denis will connect with her to plan a day so he can provide a tarp for the sign and assist her with the upper portion she's unable to reach. Carrie shared she has added 4 hydrangea flowers to each of the boxes in Gale Cemetery. In order to prevent the deer from munching on them she covered them with bird netting. In the spring she would like to add 3 hydrangea trees in front of the fence and will cover them with netting as well. Carrie has asked if she can take care of the weeds in the box below the Town of Piercefield sign and revamp it. The Town Board approves of the upgrades and would like to thank Carrie for all the improvements she has done and continues to do all at her own expense

177) Gull Pond

Jim Costley resident of Gull Pond came to thank Highway Superintendent Jay Rust for the work the highway department has done on the Gull Pond Road. Mr. Costley inquired about ditch work being done on the road. He says even if the road is raked water is still unable to flow off the road making it pool in the middle causing the potholes.

178) Mt Arab

Loren Bailey resident of Mt. Arab joined the meeting to compliment Highway Superintendent Jay Rust on the work the highway department has done on the Mt Arab Road. He was pleased to see that the major pot holes he mentioned last meeting were filled in. He also mentioned how nice the ditch work is that they are doing up there. His only concern with the ditching is that some of the closer trees have deep roots and may end up coming down. Highway Superintendent Jay Rust agrees and has taken that into account while doing the work.

179) Piercefield

Piercefield resident Patty Reandeau also came to the meeting to thank Jay for always being available to provide assistance with a resident when she couldn't get the help from anyone else. Patty mentioned how it is so hard to get help for senior citizens in St. Lawrence County so she really appreciated being able to count on Jay. Patty mentioned how she would like to put up a fence to keep snowmobilers from tearing up her lawn this winter. She was informed there are setback rules that she needs to take into consideration before going ahead with that. Town Clerk Paige Phillips provided her with the information to contact the Snowmobile Club President.

180) Highway

Highway Superintendent Jay Rust informed The Board that the screening plant was delivered and will be here for a month. Jay's plan is to have the Highway Department put up enough sand in the next month so the Town will have a stock pile that will last for the next 2 winters. Jay told The Board that the flywheel on the 2012 ford is broken. The flywheel is a part you cannot order from the store so it would have to go to the dealership. The Board questioned whether the truck is a necessity or if they could get by without it. The Ford is used to haul the garbage along with pull trailers so letting it go may cause some inconveniences. The Board would like to see where the finances stand after this meeting to see whether it is worth repairing or scraping.

Highway Superintendent Jay Rust needs approval from The Board to purchase 3 new tires for the tri axel dump truck in the amount of \$1,500. On a motion by Councilmember Carol Dimond, seconded by Acting Supervisor Joe Denis, purchase of 3 new tires for the tri axel dump truck be approved: AYES: Acting Supervisor Denis, Councilmembers Dimond, Sarazen. NAYS: 0

**Old Business**

181) Verizon

Acting Supervisor Joe Denis says the Verizon tower placement is still in the beginning stages so we will not know more information for some time. They have 3 choices for land and one happens to be at the transfer station. Will update as more information is received.

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182) Flowers  
Kim Kopp is unable to plant flowers in the box under the Town of Piercefield sign. She has passed the job along to Carrie Riley who is happy to take it over.

New Business

183) CHIPS  
A discussion was had on the process of receiving CHIPS money. Jay informed The Board that he cannot apply for the reimbursement until the work is done and material (such as stone, culverts, etc.) are in the ground. Bookkeeper Linda Pickering would like to see the POP, EWR, and PAVE-NY portion of the CHIPS money spent this year so it is not potentially lost back to the state. Highway Superintendent Jay Rust was unsure of where the finances stood so no plans to pave were made this year. Jay will contact the county to see if arrangements can be made for them to come pave before the CHIPS reimbursement deadline. Board member Carol Dimond asked if we receive CHIPS money for the Carriage Road. Jay told her we do not receive money for the Carriage Road, but it is important to maintain the road because if we don't, we will lose the land to the state which would make it inaccessible to the public. Acting Supervisor Joe Denis agrees that the benefit of maintaining the Carriage Road outweighs the cost of maintaining it. Having the road open to walk, fish, and allow snowmobilers to travel is great for the community.

184) Code Enforcement Officer  
There is currently a dispute going on across the lake about a structure that is in the process of being built. CEO Nicholas Snyder is in contact with the land owners and the APA working to resolve the issue.

185) Dump Truck  
The Board questioned when the new dump truck is scheduled to arrive. Jay said it went into production in July. From production it could take 3 months or longer. After production the company will wait until they have multiple trucks for delivery before they make the trip.

186) Mt Arab Signs  
Acting Supervisor Joe Denis has been notified that the signs on the highway and Conifer Road will be changed. Visitors are having a difficult time finding the Mt. Arab trailhead and are driving through to Conifer. The new signs will only say Mt. Arab in hopes to avoid any confusion in the future.

187) Youth Program  
Youth Center Coordinator Patty Reandeau would like to open the youth center for the 2023/2024 season with Mckayla Larose as her assistant. Patty asked that the heaters upstairs be looked at before she opens. Jay will inspect the heaters before opening day. The youth center will reopen on November 3,2023. The hours for the youth center will be Tuesday 5:30pm-7:30pm and Friday-Saturday 5:00pm-8:00pm. The youth center will be closed November 7<sup>th</sup> for election day. On a motion by Councilmember Carol Dimond, seconded by Councilmember Gina Sarazen, opening of the youth center be approved: AYES: Acting Supervisor Denis, Councilmembers Dimond, Sarazen. NAYS: 0

187) Budget Transfers  
RESOLUTION NO. 35-09-2023 DATED: September 14,2023  
RESOLUTION AUTHORIZING THE TRANSFER OF MONEY IN THE 2023 BUDGET

WHEREAS, the Town of Piercefield needs to transfer money in the 2023 Budget because of increased expenditures, NOW, THEREFORE, BE IT RESOLVED that the following transfers be made in the 2023 budget:

General Fund					
Transfer From	Description	Amount	Transfer To	Description	Amount
19904.01	Contingency CE	\$ 3,500.00	71101.01	Parks Mt Arab	\$ 3,500.00
	Total	\$ 3,500		Total	\$ 3,500

On a motion by Acting Supervisor Joe Denis, seconded by Councilmember Gina Sarazen, resolution #35 be approved: AYES: Acting Supervisor Joe Denis, Councilmembers, Sarazen and Dimond. NAYS: 0 Approved.

170) REGULAR BOARD MEETING, TOWN OF PIERCEFIELD, September 14, 2023  
RESOLUTION NO. 36-09-2023 DATED: September 14,2023

RESOLUTION AUTHORIZING THE TRANSFER OF MONEY IN THE 2023 BUDGET

WHEREAS, the Town of Piercefield needs to transfer money in the 2023 Budget because of increased expenditures,  
NOW, THEREFORE, BE IT RESOLVED that the following transfers be made in the 2023 budget:

Conifer Water					
Transfer From	Description	Amount	Transfer To	Description	Amount
83404.12	Transmision D	\$ 300.00	83401.12	Personal	\$ 300.00
	Total	\$ 300.00		Total	\$ 300.00

On a motion by Acting Supervisor Joe Denis, seconded by Councilmember Gina Sarazen, resolution #36 be approved:  
AYES: Acting Supervisor Joe Denis, Councilmembers, Sarazen and Dimond. NAYS: 0 Approved.

RESOLUTION NO. 37-09-2023 DATED: September 14,2023

RESOLUTION AUTHORIZING THE TRANSFER OF MONEY IN THE 2023 BUDGET

WHEREAS, the Town of Piercefield needs to transfer money in the 2023 Budget because of increased expenditures,  
NOW, THEREFORE, BE IT RESOLVED that the following transfers be made in the 2023 budget:

Highway					
Transfer From	Description	Amount	Transfer To	Description	Amount
51411.03	Misc. PS	\$ 11,152.00	51101.03	General Personal	\$ 10,00.00
	Total	\$ 11,152.00	51104.03	General Expense	\$ 1,152.00
				Total	\$11,152.00

On a motion by Acting Supervisor Joe Denis, seconded by Councilmember Gina Sarazen, resolution #37 be approved:  
AYES: Acting Supervisor Joe Denis, Councilmembers, Sarazen and Dimond. NAYS: 0 Approved.

Budget

183) Tentative Budget  
William Dashnaw attended this month’s meeting to review budget process and answer questions about the upcoming tentative budget. Bill would like to see the Highway Department come up with a 5-year plan. Having a 5-year plan in place would assist in starting a reserve fund for future purchases. Bill also put out the idea of Jay having a contract in place in lieu of billing each department separately for services the Highway Department provides for The Town. With the increase in cost of living, employees’ salaries, donations to vital services, along with all other necessities, there are still uncertainties that lie within the budget for 2024. Budget discussion will continue over the next 2 months. The tentative budget will be available for viewing at the Town Hall by September 30<sup>th</sup>

184) Resolution to override tax levy limit

RESOLUTION NO.: 34-09-2023 DATED: SEPTEMBER 14, 2023  
RESOLUTION TO OVERRIDE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

WHEREAS, in order to meet contractual obligations, bond payments, increase facilities, fund health insurance expenses, fund pension contribution payments, fund the cost of increasing commodities, etc., and  
WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a resolution approved by vote of sixty percent (60%) of the Town Board, now therefore be it

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**RESOLVED**, that the Town Board of the Town of Piercefield, County of St. Lawrence, is hereby authorized to adopt a budget for the fiscal year 2024 on behalf of the Town of Piercefield that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law §3-c, and be it further

**RESOLVED**, that, should a tax levy limit override be necessary, a public hearing on Proposed Local Law No. 2-2023, titled, A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c, shall be held on the 12<sup>th</sup> day of October, 2023 at 7:30pm at the Town hall, where all interested persons shall be heard.

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, Councilmembers Sarazen and Dimond. NAYS: 0 Approved.

185) Proposed Local Law #2 of 2023

Councilmember Gina Sarazen introduced the following Proposed Local Law. A public hearing on proposed law will be held on October 12,2023 at 7:30pm at the Town Hall in Piercefield.

**PROPOSED LOCAL LAW NO. 2 OF THE YEAR 2023**

**TOWN OF PIERCEFIELD, COUNTY OF ST. LAWRENCE**

**A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c**

**Section 1. Legislative Intent**

It is the intent of this Local Law to override the limit on the amount of real property tax that may be levied by the Town of Piercefield, County of St. Lawrence pursuant to General Municipal law §3-c, and to allow the Town of Piercefield, County of St. Lawrence to adopt a budget for (a) Town purposes, (b) fire protection districts, and 9c) any other special or improvement district governed by the Town Board for the fiscal year 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal law §3-c.

**Section 2. Authority**

This Local Law is adopted pursuant to subdivision 5 of General Municipal law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the enactment of a local law approved by vote of sixty percent (60%) of the Town Board.

**Section 3. Tax Levy Limit Override**

The Town Board of the Town of Piercefield, County of St. Lawrence is hereby authorized to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal law §3-c.

**Section 4. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in it is application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5 Effective date**

This Local law shall take effect immediately upon filing with the Secretary of State.

167) Payment of Bills

On a motion by Councilmember Carol Dimond, seconded by Acting Supervisor Joe Denis, the following payments be approved AYES: Acting Supervisor Denis, Councilmembers Dimond, Sarazen. NAYS: 0

General Fund:	\$11,869.31
Highway Fund:	\$15,589.91
Lighting District	\$293.33
Conifer Water:	\$340.22
Piercefield Water:	\$313.09
Trust and Agency	\$11,177.68
<b>Total</b>	<b>\$39,588.54</b>

168) Approval of Town Clerk Monthly Reports

On a motion by Councilmember Carol Dimond, seconded by Councilmember Gina Sarazen, the Clerk Reports for August 2023 be approved: AYES: Acting Supervisor Denis, Councilmembers Dimond, Sarazen. NAYS: 0

169) Adjournment

On a motion by Councilmember Gina Sarazen, seconded by Acting Supervisor Joe Denis, the meeting was adjourned at 10:46 pm. Next regular meeting will be held on Thursday, October 12, 2023 at 7:30pm.