

TOWN OF SCHUYLER FALLS
TOWN BOARD
REGULAR MEETING AUGUST 23, 2022

Supervisor Randall called the Regular Meeting of the Town of Schuyler Falls Town Board to order at 6:00 p.m.

Present

MEMBER

Howard Newton	X
Martin Perrotte	X
Vernon Bruno	X
Reginald Facteau	X
Kevin Randall	X
Michael Snider	X
Michael McCormick	X
Donna Hamel	X

PUBLIC RECOGNITION Richard Donah, Larry Whalen, Mike Emde, Susan Picard, Barb Benkwitt, Sam Campbell

All Board Members were provided with a copy of the Minutes of the Regular Meeting that was held on July 19, 2022.

Mr. Bruno made a motion to approve and accept the Minutes as presented; Seconded by Mr. Perrotte.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

All Board Members were provided with a copy of the Minutes of the Public Hearing that was held on July 19, 2022.

Mr. Newton made a motion to approve and accept the Minutes as presented; Seconded by Mr. Facteau.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

ADDRESSES Richard Glode would like to re-introduce the practice of paving the roads once a developer does the preliminary work. He stated that he has made a substantial investment in the Town; building an 8,000 square foot truck shop on the Carbide Road, his personal residence on Matthew Drive, rental house on Mason Street, 4 duplexes on Military Turnpike, 6 duplexes on Macey Lane and 4 duplexes on Matthew Drive. He is getting ready to start Phase 2 of the Glode Subdivision which will consist of 6 more duplexes. He estimates the cost to pave the road at approximately \$30,000. He added that if the Town could not pave the road, possibly a 5-year abatement of land taxes on each of the 6 duplexes in Phase 2 could be given. The Town's policy is that the developer has to bring the road up to specs. After this is done and with the approval of the Highway Superintendent, the Town Board can pass a resolution making the road a Town road. It was discussed that there are currently a few private roads still owned by the developer that have not had the specifications completed to be considered a Town road. Mr. Newton said that he would like to have the Town Attorney review this policy and get back to the Town Board. Mr. McCormick stated that all Towns have the same policy where the roads have to be brought up to specs before being turned over to the Town. This will be discussed further in a work session.

MONTHLY REPORTS Town Clerk, Supervisor, Woods Mills Water, Morrisonville Water, Macey Lane Historian, Supervisor, Codes Officer

Mr. Perrotte made a motion to file the reports; Seconded by Mr. Newton.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

DEPARTMENT REPORTS/ Councilman/ Mr. Facteau passed a paper around to the Board members regarding property known as Pine Tree Drive. He asked them to consider having the Town maintain this road. He stated that he believes the property is owned by the Town. He said that the assessment of the parcels total \$467,800 and the property owners have paid \$1,148 in Highway Taxes this year. He added that certificate of occupancy for the homes have been issued by the Town and there may be significant liability on the part of the Town if no action is taken in this matter. He believes that more homes might be developed if the Town maintained the road. He said that CHIPS funding would increase if this was a Town road. He said that the ARPA funding that was given to the Town could possibly be used for improvements of this property. It was discussed that many years ago, this matter had been before a County Judge who ruled that the road was not a Town road. Mr. Randall mentioned that this issue had been brought up and reviewed by the Town Attorney in the past few years. Mr. Facteau asked if the Highway Superintendent could possibly go look at the road. Mr. Snider said that he would not do so.

Mr. Facteau mentioned that the agenda for tonight's meeting was not placed on Mr. Donah's website as his website does not meet the legal requirements. Mr. Randall stated that the agenda was placed on the Town's website within the 24-hour legal requirement.

Highway/ Mr. Snider reported that his crew has been mowing road sides, cleaning around guard rails, and cutting brush. All the winter salt has been ordered.

Water/ The LaBerge group needs to complete the survey for the Macey Lane water project. This should be done soon. Rickson Ave. water project is coming along. Bidding process should be starting soon.

Historian/ Barb told the Board members that the Town received a second grant from Preserve New York which AARCH will administer. The Battle of Plattsburgh's dates are September 8th through the 11th.

Supervisor/ Mr. Randall reported that all the parts have arrived to replace the playground equipment. P. M. Leary has placed the work project on his next available opening.

The music in the park night with Neil Gillespie was a big success. \$200.00 was taken in for food sold. All profits will be placed back into the fund. The next event will be Saturday, the 27th with the band "Towne Meeting" playing.

Final documents are now being completed for DASNY to release the \$125,000.00 for the installation of the splash pad. ADEA is working with Denzak design for the final plans.

NYSEG is working on the final approval to place decorative street lights on Shane Ave, Darren Ave, and the remainder of Joyce Ave. This will be at no cost to the Town unless special work is required to install them.

The Morrisonville Water District project is still on the short list for Congressional funding and have been added to the federal budget. The 2023 WWIA grant and the Federal infrastructure grant moneys will be submitted at the end of the month.

The Town is still working with the County and Casella for an agreement to bring a water line to the residents with contaminated wells on the Sand Road. Homes along that route would be able to tap into this water main. Updates will be given as he gets them. Paperwork that the Town received from the County has been forwarded to Mr. Bill Ryan, special counsel and the LaBerge Group for their review.

Work on the crosswalks at Maple and Emory and Church and Emory will be completed within the next week or so. All other crosswalks have been completed.

RECEIPTS Town Clerk/\$435.00, Woods Mills Water/\$542.93, Macey Lane Water/\$126.96, Morrisonville Water/\$1,680.36, Judge Barber/\$2,411.00., Judge Van Nortwick/\$885.00, NYS/ARPA Funds/\$260,992.30, Casella Waste Systems-2nd Quarter/\$131,271.08, Orleans County Sheriff-refund on codes papers filed/\$9.30, Court Diversion Program/\$45.00

Mr. Bruno made a motion to file the receipts; Seconded by Mr. Facteau.

AYES: Mr. Newton, Mr. Perrotte, Mr. Bruno, Mr. Facteau, Mr. Randall

Mr. Perrotte made a motion to file the minutes of the Planning Board dated 07/05/2022. This motion was seconded by Mr. Newton and was Unanimously Approved.

Mr. Facteau made a motion to file the minutes of the Zoning Board of Appeals dated 07/18/2022. This motion was seconded by Mr. Bruno and was Unanimously Approved.

RESOLUTIONS

RESOLUTION #22-66

MOTION BY: Mr. Newton

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Schuyler Falls at its Regular Meeting held introducing proposed Local Law #2 of 2022, entitled “A Local Law to override the tax levy limit established in General Municipal Law 3-C” and

WHEREAS, the Public Hearing concerning said Local Law was duly advertised in the Press Republican, the official newspaper of the Town; and

WHEREAS, the Public Hearing was held on, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, the Town Board of the Town of Schuyler Falls after due deliberation finds that it is in the best interest of the Town to adopt said Local Law; now, therefore, be it

RESOLVED, that the introductory Local Law #2 of 2022- entitled “A Local Law to override the tax levy limit established in General Municipal Law 3-C” and be the same is hereby adopted as Local Law #2 of 2022 and the Town Clerk is directed to enter said Local Law in the Local Law Book of the Town and to give notice of the adoption of said Local Law to the Secretary of State

SECONDED BY: Mr. Bruno

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facteau, Mr. Randall

RESOLUTION #22-67

MOTION BY: Mr. Newton

WHEREAS, the Annual NYS Association of Magistrate Court Clerk conference and training will be held on 10/14/22 through 10/19/22 at the Crowne Plaza in Albany, NY.

WHEREAS, Donna Hamel and Mary Sorrell, Court Clerk, would like to attend the training be it therefore,

RESOLVED, that the Town Board authorizes the attendance of said conference and expenses will be chargeable to the General Fund as provided for in the 2022 budget.

SECONDED BY: Mr. Randall

DISCUSSION: Cost to the Town/ Registration \$75.00, mileage, meals and hotel accommodations.

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facteau, Mr. Randall

RESOLUTION #22-68

MOTION BY: Mr. Perrotte

RESOLVED, that the Town of Schuyler Falls Town Board authorizes Kevin Randall, Town Supervisor, to act as Certifying Officer for the Town’s Office for Community Development Block Grant project #TBD Housing Rehabilitation Program.

SECONDED BY: Mr. Newton

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facteau, Mr. Randall

RESOLUTION #22-69

MOTION BY: Mr. Perrotte

RESOLVED, that the Town of Schuyler Falls Town Board determines the Environmental Review Record to be classified a Type II action (6NYCRR Section 617.4 and 617.5) for the Town’s Office for Community Development Block Grant project #TBD Housing Replacement Program. Classification of Type II Action was determined based on review of <https://www.dec.ny.gov/permits/32521.html>.

SECONDED BY: Mr. Bruno

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facteau, Mr. Randall

RESOLUTION #22-70

MOTION BY: Mr. Newton

RESOLVED, that the Town of Schuyler Falls Town Board authorizes Kevin Randall, Town Supervisor, to act as Section 3 Coordinator for the Town's Office for Community Development Block Grant project #TBD Housing Rehabilitation Program.

SECONDED BY: Mr. Facticeau

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facticeau, Mr. Randall

RESOLUTION #22-71

MOTION BY: Mr. Perrotte

RESOLVED, that the Town of Schuyler Falls Town Board authorizes Kevin Randall, Town Supervisor, to sign the Section 3 Plan adopted by the Schuyler Falls Town Board for the Town's Office for Community Development Block Grant project #TBD Housing Rehabilitation Program.

SECONDED BY: Mr. Newton

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facticeau, Mr. Randall

RESOLUTION #22-72

MOTION BY: Mr. Bruno

RESOLVED, that the Town Board of the Town of Schuyler Falls approves the following General Fund Budget Transfers.

From:	A.1670.420	Central printing newsletters	\$ 1,000.00
To:	A.6410.400	Publicity Cont. Expense	\$ 1,000.00

To cover the cost expenses for music in the park entertainment

SECONDED BY: Mr. Facticeau

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facticeau, Mr. Randall

RESOLUTION #22-73

MOTION BY: Mr. Newton

WHEREAS, Tom Carlsen would like to step down to Alternate on the Zoning Board, and

WHEREAS, Ryan Smith would like to serve as a member of the Zoning Board, it is therefore,

RESOLVED, that the Town Board appoints Tom Carlsen as an alternate member of the Zoning Board and the Town Board approves the appointment of Ryan Smith to fill the unexpired term of Tom Carlsen which will expire December 31, 2025

SECONDED BY: Mr. Perrotte

DISCUSSION: Mr. Facticeau questioned why this position was not posted in the paper. Mr. Randall replied that this issue has been going on for three months and he went off the names that was submitted to him. He gave these names to Mr. Carlsen who took the time to speak with both persons. The two applicants attended a Zoning Board meeting where they could see what goes on at the meetings. He added that although the Town Board has the final say on these appointments, it is the Zoning Board members that have to work with these individuals. Mr. Facticeau stated that Mr. Donah had expressed his desire to be appointed to either the Zoning or the Planning Board. Mr. Randall told him that he did not have a letter from him stating this. He told Mr. Donah to submit his letter of interest to him and he would be considered for an appointment.

Mr. Randall wanted to thank Mr. Carlsen for his many years that he has served on the Zoning Board.

SECONDED BY: Mr. Perrotte

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facticeau, Mr. Randall

RESOLUTION #22-74

MOTION BY: Mr. Facticeau

WHEREAS, there is a vacancy on the Zoning Board of Appeals due to a death of a member, be it **RESOLVED**, that the Town Board appoints Michael Emde to the Zoning Board of Appeals, appointment effective immediately to fill the unexpired term and to expire on December 31, 2024.

SECONDED BY: Mr. Newton

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facticeau, Mr. Randall

RESOLUTION #22-75

MOTION BY: Mr. Bruno

RESOLVED, that the Town Board of the Town of Schuyler Falls authorizes the Supervisor to sign the contract between the Teamsters Local 687 and the Town of Schuyler Falls.

RESOLVED, that this contract valid January 1, 2023 through December 31, 2025.

SECONDED BY: Mr. Newton

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facticeau, Mr. Randall

RESOLUTION #22-76

MOTION BY: Mr. Newton

RESOLVED, that the Town of Schuyler Falls enter into an agreement with the CST Group Inc. for computer support and training in the amount of a one-time onboarding cost of \$990.00 and an approximate monthly cost of \$570.00.

SECONDED BY: Mr. Perrotte

DISCUSSION: Contract is attached

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facticeau, Mr. Randall

RESOLUTION #22-77

MOTION BY: Mr. Newton

WHEREAS, the Town of Schuyler Falls has received a \$1,250,000 grant from the New York State Office of Homes and Community Renewal (OCR) for a community development block grant pursuant to Title I of the Housing and Community Development Act of 1974 as amended, for a Water Infrastructure Project, and

WHEREAS, the Town is required to adopt a Fair Housing Plan in order to uphold its commitment to affirmatively further fair housing and meet its federal obligation to engage in fair housing planning

WHEREAS, the Town is required to designate a Fair Housing Officer who will be responsible for assisting individuals in securing the suitable housing accommodations of their choice and to eliminate impediments that lead to discrimination in housing

NOW, THEREFORE, BE IT RESOLVED, The Town of Schuyler Falls appoints the Town Supervisor, Kevin Randall, as the Fair Housing Officer for the Town of Schuyler Falls.

The consolidated plan for Fair Housing, a copy of which is attached hereto, is adopted as the Town of Schuyler Falls Fair Housing Plan.

SECONDED BY: Mr. Facteau

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facteau, Mr. Randall

RESOLUTION #22-78

MOTION BY: Mr. Bruno

RESOLUTION AUTHORIZING THE DESIGNATION OF AN ADA COORDINATOR AND ADOPTION OF THE AMERICANS WITH DISABILITIES ACT (ADA) GRIEVANCE PROCEDURE

WHEREAS, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mental disabled relating to employment and access to public facilities; and

WHEREAS, in compliance with Title II of the ADA, the Town of Schuyler Falls shall name the ADA Coordinator; and

WHEREAS, in compliance with Title II of the ADA, the Town of Schuyler Falls shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

WHEREAS, in compliance with Title II of the ADA, the Town of Schuyler Falls shall publish notice to the public regarding the ADA; and

WHEREAS, in compliance with Title II of the ADA, the Town of Schuyler Falls shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA grievance procedure on its website.

NOW, THEREFORE, BE IT RESOLVED the Town of Schuyler Falls appoints the Town Supervisor, Kevin Randall, as ADA Coordinator.

The Notice under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the Town of Schuyler Falls Notice under the Americans with Disabilities Act.

The Town of Schuyler Falls Grievance Procedure under the Americans with Disabilities Act a copy of which is attached hereto is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provisions of services, activities, programs or benefits by the Town of Schuyler Falls.

In compliance with Federal and State laws set forth above, the Town of Schuyler Falls Town Board resolves to post the required information regarding the ADA Coordinator, notice under the Americans with Disabilities Act and the Town of Schuyler Falls Grievance Procedure under the Americans with Disabilities Act on its website, posted in the Town Hall and other locations as determined.

SECONDED BY: Mr. Facteau

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facteau, Mr. Randall

CLAIMS

General Abstract for the Month of August	\$17,498.47
Highway Abstract for the Month of August	\$14,374.16
Morrisonville Water Abstract for the Month of August	\$ 6,698.47
Woods Mills Water Abstract for the Month of August	\$ 482.90
Macey Lane Water Abstract for August	\$ 782.03
Audit only Abstract for the Month of August	\$ 2,410.62

Vouchers for Claims (#202201016-202201089)

Vouchers for Audit Only (#202201004-202201015)

Payroll Vouchers (#202209071-202201003)

Mr. Newton made a motion to pay the claims, which was seconded by Mr. Bruno.

AYES: Mr. Newton, Mr. Bruno, Mr. Perrotte, Mr. Facteau, Mr. Randall

NEXT MEETING

Work Sessions (if Needed)	Tuesday	September 6, 2022	6:00 p.m.
	Monday	September 26, 2022	6:00 p.m.
Public Hearing	Tuesday	September 27, 2022	5:45 p.m.
Regular Meeting	Tuesday	September 27, 2022	6:00 p.m.

Mr. Perrotte made a motion to enter into Executive Session to discuss a personnel issue. This motion was seconded by Mr. Newton and was Unanimously Approved. Executive Session/7:55 p.m.

Mr. Newton made a motion to reconvene the meeting with all Board members present. This motion was seconded by Mr. Bruno and was Unanimously Approved. Meeting reconvened at 8:22 p.m. No action taken in Executive Session.

ADJOURNMENT Mr. Newton made a motion to adjourn, which was seconded by Mr. Bruno; and was UNANIMOUSLY APPROVED. ADJOURNMENT/8:25 p.m.

Donna Hamel/Town Clerk