

**TOWN OF SCHUYLER FALLS**  
**TOWN BOARD**  
**SPECIAL MEETING NOVEMBER 19, 2022**

Supervisor Randall called the Special Meeting of the Town of Schuyler Falls Town Board to order at 10:00 a.m.

|                      | <b><u>Present</u></b> | <b><u>Absent</u></b> |
|----------------------|-----------------------|----------------------|
| <b><u>MEMBER</u></b> |                       |                      |
| Howard Newton        | X                     |                      |
| Martin Perrotte      |                       | X                    |
| Vernon Bruno         |                       | X                    |
| Reginald Facticeau   | X                     |                      |
| Kevin Randall        | X                     |                      |
| Michael Snider       | X                     |                      |
| Donna Hamel          | X                     |                      |

**PUBLIC RECOGNITION** David Souliere, Sam Campbell, John Exford, Heather Nadeau, Mike Emde, Barb Benkwitt, Richard Donah, Larry Whalen

All Board Members were provided with a copy of the Minutes of the Regular Meeting that was held on October 25, 2022.

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

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

ABSENT: Mr. Perrotte, Mr. Bruno

All Board Members were provided with a copy of the Minutes of the Public Hearing that was held on October 25, 2022.

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

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

ABSENT: Mr. Perrotte, Mr. Bruno

Mr. Randall read a statement that he had Mr. Garsow post to the website regarding the postponement of the Regular Monthly meeting of November 15, 2022.

The Town of Schuyler Falls will hold a **Special Meeting on November 19<sup>th</sup> 2022 at 10:00am located at the Town Hall 997 Mason Street Morrisonville, NY 12962.** This Meeting replaces the Regular Monthly Meeting that was Scheduled to be held on November 15<sup>th</sup> at 6:00pm at the same location as above. Sorry for any inconvenience this may have caused our residents in the town as there was some confusion of a matter of order. The problem arose when the posting of that meeting was not placed to our Town Website a full 24 hours in advance. The question was then raised if conducting this meeting would be legal under open meetings law. The question was raised by a resident of the Town of Schuyler Falls. I explained that as long as we had taken due diligence and requested it to be placed on the Town Website we could proceed with the meeting as this was beyond our control that the task was not completed in a timely manner. I further explained that it had been requested to be up on the Town Website on 11/10/22. A Town Councilman agreed with the resident and refused to stay and attend the meeting thereby leaving us without a quorum. This issue has been clarified by the NYS association of towns. Who also gave the town the same advice as our Town attorney. If an attempt has been made to conform with the law and it was through no fault of the town that a notice was not posted either to the media, press or the town website than the meeting not only can proceed, but should proceed in the best interest of the town and its residents.

Again, my apologies for any inconvenience this may have caused you.

Mr. Donah stated that this meeting was not a legal meeting as he said it takes two Councilman or more Councilman to request in writing to the Supervisor to call a Special Meeting. It was explained to him that the Supervisor at any time can call a Special Meeting as long as he provides written notice to the Town Board members two days in advance. This was done by e-mail and placing the notice in the Councilman's mailbox.

**COMMUNICATIONS/** 1. E-mail from the LaBerge Group stating that they received word that the Town was not selected for the 2022 NYWIIA award.

2. Copy of the e-mail sent to Mr. Facticeau from Ryan Davies, CC Health Department, regarding Mr. Facticeau's request to supply water to the four residents on Rickson Avenue.

3. Letter from NYS Homes and Community Renewal stating that the Town of Schuyler Falls has been selected for a \$250,000 NYS CDBG grant.

4. Received a draft copy of the Memorandum of Understanding Between the County, the Town, and the Town of Plattsburgh regarding a proposed public water system on the Sand Road.

5. Correspondence from NYS Department of Transportation on the Governor's 5-year Capital Program of the Bridge NY Program.

6. Correspondence from PERMA on the Town's upcoming renewal policy.

7. Letter from NY Rural Water Association regarding membership due increases and the discontinuation of the Drinking Water Home Study Initial Certification Courses.

8. Memo from Charter Communications regarding channel lineup.

**MONTHLY REPORTS** Town Clerk, Supervisor, Woods Mills Water, Morrisonville Water, Macey Lane Historian, Supervisor, Dog Control

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

**AYES: Mr. Newton, Mr. Facteau, Mr. Randall**

**ABSENT: Mr. Perrotte, Mr. Bruno**

**DEPARTMENT REPORTS/ Councilman/** Mr. Newton attended a meeting with the County regarding Emergency Disaster placements for stranded animals. He said if anyone knew of a location to temporary house animals if a disaster strikes, please let him know.

Mr. Facteau introduced Michael Emde who will be attending his first Zoning Board of Appeals meeting as a new member on Monday night.

Mr. Facteau inquired why the Chairman of the Zoning Board and the Planning Board is not changed each year. Mr. Randall told him that the Boards submit the name of the Chairman that they would like and the Town Board generally goes along with their recommendations. To date, Mr. Randall has not heard if they would like to have a new Chairperson for their Boards.

Mr. Facteau asked if there were any updates on when the new playground equipment would be installed. Mr. Campbell told him that the equipment was supposed to be received in October. Due to COVID, everything is backed up including installation of equipment.

Mr. Facteau told the Board members that he received several telephone calls with complaints on several properties that are either abandoned or need attention. He asked about the status of the clean-up on the burnt-out property on Flat Rock Road. He said he received complaints of materials blowing across the road. Mr. Randall told him to reach out to the Codes Officer regarding these issues.

Mr. Facteau asked if the final plans have been submitted for the proposed water project on Macey Lane. Mr. Randall told him that he just received the draft and will bring it to the next work session for review.

Mr. Facteau told the Board members that he still does not agree with the plans drawn up by the LaBerge Group for the Rickson Avenue proposed water project that includes Trombley Way. He added that he thought it would triple the cost of the project. He added that the Town should try to be conservative with the ARPA money and use it for other projects. Mr. Randall again explained to him that the developer is going to pay the cost to install the water line. Mr. Facteau thought that a contract should be drawn up between the developer and the Town. A discussion followed on the Junk cars lining Rickson Avenue and not knowing how a water line would be able to be installed. Mr. Facteau thought that an income survey was completed on Rickson Avenue, but Mr. Randall told him that one had not been done there as the income survey that was done was only for the Morrisonville Water District residents.

**Highway/** Mr. Snider said that his crew has been busy plowing the few times and putting the salt and sand up for the winter. He told the Board members that he was happy about the resolution in their packet to hire the MEO/Mechanic.

**Supervisor/** Mr. Randall said that work continues for a new Website Manager. Hopefully, the Town website will be functional and that the existing issues will be corrected by years end.

The annual review for the Town's insurance has been completed. The Selective Insurance agent is putting the coverage out to bid. This process is done every three years to ensure that the rates are competitive in the insurance industry.

The 2023 Town Budget has been approved. Other than the added money placed in the 2023 budget for improvement projects, the general and highway budgets are under the 2% tax cap. The General remains at 30 cents per 1,000 and the Highway had a modest increase from 2.81 to 2.91 per 1000.

Mr. Randall spoke to Mr. Davies at the Clinton County Health Department regarding the Rickson Ave. water. It was reported that at least one home in that area will most probably receive a point of entry system to treat their water. Continued testing in that area will be done to see if more are needed. This system is intended for a short-term solution at this time.

The following events are planned for the second annual Town wide holiday festival and lighted fire truck parade.

1. 1:00 pm Schuler Falls Hamlet will be tree decorating and light refreshments courtesy of Ryan's Masonry.
2. 3pm to 7pm River Street Park will host horse drawn wagon rides, DJ music and caroling, family and kid's activities. Light refreshments will be served under the lighted gazebo.
3. 4:30 pm Holiday tree lighting-Town Hall
4. 4:40 lighted fire truck parade
5. Santa will arrive at River Street Park

**RECEIPTS** Town Clerk/\$802.00, Woods Mills Water/\$1,345.15, Morrisonville Water/\$4,100.00, Macey Lane/\$659.98, Judge Barber/\$1,714.00 Judge Van Nortwick/\$1,173.00, Orleans County Sheriff /\$8.30 refund on Codes Papers served.

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

**AYES: Mr. Newton, Mr. Facteau, Mr. Randall**

**ABSENT: Mr. Perrotte, Mr. Bruno**

## **RESOLUTIONS**

### **RESOLUTION #22-93**

**MOTION BY: Mr. Newton**

**RESOLVED**, that the Town Board acknowledges that the 2022 total reley water bills in the amount of \$12,982.89 for the Morrisonville Water District, \$7,172.53 for the Woods Mills Water District and \$1,528.94 for the Macey Lane Water District be sent to the County for collection in the 2023 land taxes.

**SECONDED BY: Mr. Facteau**

**AYES: Mr. Newton, Mr. Facteau, Mr. Randall**

**ABSENT: Mr. Perrotte, Mr. Bruno**

### **RESOLUTION #22-94**

**MOTION BY: Mr. Newton**

**RESOLVED**, that the Town Board of the Town of Schuyler Falls re-appoints Philip Von Barga to the Board of Assessment Review appointment effective immediately and to expire on September 30, 2027.

**SECONDED BY: Mr. Facteau**

**AYES: Mr. Newton, Mr. Facteau, Mr. Randall**

**ABSENT: Mr. Perrotte, Mr. Bruno**

**RESOLUTION #22-95**

**MOTION BY: Mr. Newton**

**RESOLVED**, that the Town Board of the Town of Schuyler Falls appoints Maurice Miner to fill the unexpired term of Roland Dashnaw on the Board of Assessment Review appointment effective immediately and to expire on September 30, 2025.

**SECONDED BY: Mr. Randall**

**DISCUSSION:** Mr. Facteau asked if there is a list of interested residents that want to be on the various Boards. It was mentioned that in this case, the Assessor recommends as he likes to have a resident in different parts of the Town serve on the Board. This appointee is Jerome Miner’s son who served many years on this board and was honored to be asked to serve.

**AYES:** Mr. Newton, Mr. Facteau, Mr. Randall

**ABSENT:** Mr. Perrotte, Mr. Bruno

**RESOLUTION #22-96**

**MOTION BY: Mr. Facteau**

**WHEREAS**, Michael Snider, Highway Superintendent, has a position at the Highway Garage for a MEO/Mechanic, and

**WHEREAS**, applications were submitted and candidates were interviewed by Mr. Snider, be it hereby, **RESOLVED**, that the Town of Schuyler Falls acknowledges and approves the hiring of Shawn LaPlante for this position with a starting salary of \$21.74 an hour.

**SECONDED BY: Mr. Newton**

**DISCUSSION:** Starting date November 21, 2022.

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

**ABSENT:** Mr. Perrotte

**RESOLUTION #22-97**

**MOTION BY: Mr. Newton**

**RESOLVED**, that the Town Board of the Town of Schuyler Falls authorizes the hiring of Curtin Archaeological Consulting, Inc., to undertake Phase 1A and 1B of the proposed Morrisonville Water District project.

**SECONDED BY: Mr. Randall**

**DISCUSSION:** 1A/\$2,480.00 1B/\$2,880.00 Mr. Facteau asked if other firms in the surrounding counties were included in this bid. Mr. Randall stated that he did not know of any local firms that conduct this type of work. When asked where the monies are coming from for the work, it was said that the money would be coming out of the Morrisonville Water District.

**AYES:** Mr. Newton, Mr. Facteau, Mr. Randall

**ABSENT:** Mr. Perrotte, Mr. Bruno

**RESOLUTION #22-98**

**MOTION BY: Mr. Newton**

**RESOLVED**, that the Town Board of the Town of Schuyler Falls authorizes the hiring of Tabner, Ryan & Keniry (William Ryan Jr.) for the proposed Morrisonville Water District project.

**SECONDED BY: Mr. Randall**

**DISCUSSION:** \$245.00 Per hourly rate Mr. Facteau stated that he is not in favor of this as he feels that there are other Attorneys from the area that could do this work. He added that he has met Mr. Ryan and has no ill feelings towards him but on the other hand, he is affiliated with the LaBerge Group. Mr. Randall told him that Mr. Ryan has worked on the Morrisonville Water District projects in the past and is very familiar with the district. He told Mr. Facteau that Mr. Ryan is not the Bond Counsel, as Mr. Goodfriend, who is located out of NYC, is.

**AYES:** Mr. Newton, Mr. Randall

**NAYES:** Mr. Facteau

**ABSENT:** Mr. Perrotte, Mr. Bruno

**CLAIMS**

|  |              |
|--|--------------|
| General Abstract for the Month of November             | \$ 13,866.02 |
| Highway Abstract for the Month of November             | \$ 19,073.62 |
| Morrisonville Water Abstract for the Month of November | \$ 9,092.91  |
| Woods Mills Water Abstract for the Month of November   | \$ 2,927.81  |
| Macey Lane Water Abstract for November                 | \$ 37,029.37 |
| Lighting Dist. Abstract for November                   | \$ 1,888.03  |

Vouchers for Claims (#202201388-202201455, 202201475)

Payroll Vouchers (#202201368-202201387)

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

**AYES:** Mr. Newton, Mr. Facteau, Mr. Randall

**ABSENT:** Mr. Perrotte, Mr. Bruno

**PUBLIC FORUM** Mr. Exford commended the Highway Department for the great job that they did on the Vassar Road and Shingle Street.

Heather Nadeau mentioned that there are Attorney’s in the Glens Falls area that are competent to do the work that is needed for the Morrisonville Water District. She mentioned that there has been a lot of traffic going in and out of the road leading down to the Sand Pit on Mason Street. She sees private sanders going in and out to fill their trucks with sand. She inquired on the idea that was mentioned last winter to bring sand up to the Highway Garage and place it in

a pile for the residents use. Mr. Snider told her that he would not do this as it would be a liability to the Town when the pile freezes. He does not discourage residents to be able to obtain sand for their own use as other Towns do so. After some discussion on possibly putting a gate up at the sand pit, which it was said that that idea was not good, it was decided to install game cameras to monitor the activity there.

A discussion followed on the Turner Park location and the property next to it that could possibly have a garage constructed on Town property.

A discussion followed on the Town's website and how nothing has been done to rectify this issue. Mr. Randall told the public that he is working on this and hopes to get all rectified by the year's end.

**NEXT MEETING**

**Work Sessions (if Needed)**

**Monday December 05, 2022**

**Monday December 19, 2022 6:00 p.m.**

**Regular Meeting**

**Tuesday December 20, 2022 6:00 p.m.**

**ADJOURNMENT Mr. Newton made a motion to adjourn, which was seconded by Mr. Randall.; and was UNANIMOUSLY APPROVED. ADJOURNMENT/ 12:55p.m.**

**Donna Hamel/Town Clerk**