

TOWN OF SCHUYLER FALLS
TOWN BOARD
REGULAR MEETING OCTOBER 22, 2024

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

Member	Present	Absent
Jason Bruno	X	
Martin Perrotte	X	
Vernon Bruno	X	
Timmy Aubin	X	
Vic McCasland	X	
Kelsi Russell	X	
Mike Snider	X	
Nick Bracy	X	

PUBLIC RECOGNITION: Richard Dabrowski, Barb Benkwitt, Ryan Smith, Mary Sorrell. Bob Guynup

All Board Members were provided with a copy of the Minutes of the Town Board Regular Meeting on September 24, 2024

Mr. Perrotte made a motion to approve and accept the Minutes as presented; Seconded by Mr. Vern Bruno.
 AYES: Mr. Perrotte, Mr. Vernon Bruno, Mr. Aubin, Mr. Jason Bruno, Mrs. Smith

COMMUNICATIONS/

Supervisor Smith received the Schuyler Falls Monthly Call Report from Morrisonville EMS. They completed twenty-two runs for the month and a yearly total of 240 runs. Charter sent a communication that they noticed customers changed affiliation on channel 847 without notice to Spectrum. This change was something that Spectrum did not have control over.

MONTHLY REPORTS

Town Clerk, Supervisor, Codes Enforcement, Woods Mills Water, Morrisonville Water, Macey Lane, Historian

Mr. Vernon Bruno made a motion to approve and accept the reports as presented; Seconded by Mr. Aubin
 AYES: Mr. Perrotte, Mr. Vernon Bruno, Mr. Aubin, Mr. Jason Bruno, Mrs. Smith

RECEIPTS

Tax Collector/\$0
 Town Clerk/\$1,310.80
 Macey Lane Water \$2,257.41
 Morrisonville Water/\$16,623.21
 Woods Mills Water/\$6,121.64
 Judge VanNortwick/\$2,191.00

Mr. Vernon Bruno made a motion to approve and accept the receipts as presented; Seconded by Mr. Aubin
 AYES: Mr. Perrotte Mr. Vernon Bruno, Mr. Aubin, Mr. Jason Bruno, Mrs. Smith

PLANNING BOARD/ No minutes submitted.

ZONING BOARD/ No minutes submitted due to no meeting scheduled.

DEPARTMENT REPORTS

COUNCILMAN/ No report given.

HIGHWAY/ Mr. Snider expressed that they are starting to get salt and sand ready for winter. He expressed that he now has three men working and in between tasks they are working on the trucks. They are trying to get more sanders in but he feels it is hopefully still a little bit early. He explained that he just keeps things moving. Mr. Vernon Bruno asked if the old Highway truck had gone to auction. Mr. Snider expressed that they are working on it. Supervisor Smith expressed that she and Mr. Snider had worked on a few things together today. She also expressed that it should be about two weeks and we should have an auction up. Mr. Vernon Bruno questioned if there was a lot going to auction or not, Mr. Snider expressed that there is not really a lot but it is enough that it will be nice to get rid of some things. Brief discussion took place.

WATER/ Phase 1 of Morrisonville Water Project is almost complete and on track to be finished in the first week of November. Next week paving will begin. They will also fix the extra spots that were cut in the road, as well as the aprons that were removed from different homeowners' houses. Macey Lane is being monitored and there are no complaints on water or pressure issues. Rickson Ave water project bids will be opened on October 31, 2024 at 11AM. After bid opening it will be clearer where we are at with this project and when construction will begin. Morrisonville Water Phase 2 bids were received and came in higher than expected. It was likely that the bids would come in higher than expected, as it has been three years since the project began. Plans are being discussed with Department of Transportation to see where changes may be possible to cut costs. Options are also being discussed with Laberge, our engineering firm, as well as grant writers, to determine how things will go when the second round of bidding occurs. Supervisor Smith is waiting for Barton Lajudice to send some more information. An extension was granted on this project through NWIIA. Supervisor Smith is waiting for more information before scheduling another meeting with the residents of Sand Road.

SAFETY/CODES/Mr. Guynup expressed that he is fairly busy looking at property maintenance and upkeep as well as responding to complaints. Mr. Vern Bruno expressed that he is doing a good job. Mr. McCasland agreed with Mr. Vernon Bruno and expressed that he had heard good things.

TOWN CLERK/All seems to be going well in the office, Mr. Vernon Bruno questioned about the status of Mrs. Russell's DEC paperwork for hunting licenses. Mrs. Russell expressed that things are still on hold on the DEC end. Mr. Guynup expressed that it is very simple to get a hunting license on line and they are printed on plain paper. He expressed that perhaps they are trying to get away from clerks performing this service.

ASSESSOR/No report given

PLANNING BOARD/No report given

DOG CONTROL/Mrs. Smith expressed that a woman had called Mr. Christon and expressed concern about an unruly dog. Mr. Christon asked if she was local and then found out that she was in Bloomingdale. Mr. Vernon Bruno expressed that he would like to speak to some of our department heads and request that they come to three or four meetings a year. Mr. McCasland expressed that he felt it should be mandatory. Mr. Vernon Bruno expressed that he felt they should at least attend quarterly meetings. He expressed that Mr. Snider makes every meeting and is likely the busiest of all. Mr. Bracy expressed that they have a legal obligation to show up to the meetings. If you are a public officer, you have a legal obligation to show up to the meetings. If you are a town employee then you do not have a legal obligation to show up to the meetings. He explained that sometimes it is difficult to differentiate between public officer and town employee but the public officer is legally obligated to attend. Mr. Bracy discussed this matter further and expressed that this is one of the ways that you can basically fire a public officer, a town board would have an easy way to fire them. Otherwise, the only way you can get rid of a public officer is through a Supreme Court action. Mr. Bracy expressed that it is reasonable to request their presence at meetings. Mr. Bracy expressed that he believed if a public officer missed three meetings in a row, it is grounds for removal from a public office. Mr. Bracy expressed that he would need to verify and get back to the board. Further discussion took place. Supervisor Smith expressed that department heads presence could be requested at meetings.

ATTORNEY/Mr. Bracy discussed the 13 Birchwood property with code violations. He expressed that we are at an impasse, Our Codes Officer and attorney showed up to the last court appearance, the defendant did not. It was requested that Judge VanNortwick sentence this individual to jail time, however, Judge VanNortwick was hesitant to do such thing without consulting resource attorneys. He expressed the judge was not going to do that if they are not even here to appear, along with other roadblocks. Mr. Bracy expressed that we are at the end of our rope prosecuting this code violation. He expressed that there is a process where the town can pay to have the work completed but it is expensive and will cost the town quite a bit of money that the town would likely not be able to recoup. He spoke to the County Treasurer and explained that if the town has a provision in their town law stating they can add a property maintenance charge as a levy on taxes the following year, then the county can foreclose. He expressed that the problem is the county would require three bids from bonafede contractors. Mr. Guynup expressed some insight on the matter. Mr. Bracy explained that the bottom line is that if the town cares that much about the code violations on this property, a decision has to be made as to whether or not it is worth it to pursue further. Further discussion took place on this matter between the board, attorney, and codes officer. Mr. Bracy also discussed the need to amend the local law for flat rate water. Supervisor Smith discussed the matter as well. Mr. Bracy also mentioned the need for SEQRA review for the Solar Energy Law and Outdoor Wood Boiler Law, which he will assist with.

SUPERVISOR/The Christmas event is currently being planned scheduled for a Saturday, and held at the Town Hall. More details will be forthcoming. Mr. Vernon Bruno questioned when the Flat Rock Road area paving would be complete, Supervisor Smith expressed that it would be next week.

HISTORIAN/Ms. Benkwitt expressed that there is an America 250 meeting at the Town of Plattsburgh on November 6, 2024. She also expressed that this month she had some people come from western central New York who have ancestors all buried in the Schuyler Falls Cemetery. She explained that they brought a scanner and were able to digitize some of the cemetery records. They will likely return in the Spring. She also expressed that some individuals from Nebraska came to research ancestry. Ms. Benkwitt also expressed people are welcome to bring old historical records to the town to digitize and add to the town archives.

RECREATION/Supervisor Smith expressed that she had spoken to Mr. Campbell, he did have surgery and is still recovering. He is getting applications for Basketball and preparing for the season.

PLANNING BOARD/No report given.

DOG CONTROL/Mrs. Smith reported that Mr. Christon has been working on a couple cases in town.

ATTORNEY Mr. Bracy asked the board about a property in a flat fee district. Mr. Bracy asked Supervisor Smith if she had expressed to the property owner to contact Mr. Bracy. Supervisor Smith expressed that this was not the case. He expressed to the property owner that he could not discuss or help with this matter because he represents the town. Mrs. Smith expressed that this could be discussed further after the meeting.

UNFINISHED BUSINESS/None

CLAIMS: Mr. Vernon Bruno made a motion to pay the claims; Seconded by Mr. Perrotte.
AYES: Mr. Perrotte, Mr. Vernon Bruno, Mr. Aubin, Mr. Jason Bruno, Mrs. Smith

NEW BUSINESS/None

RESOLUTIONS

RESOLUTION #24-130

MOTION BY: Mrs. Smith

RESOLVED, that the Town Board of the Town of Schuyler Falls, pursuant to and in accordance with the provisions of Section 106 of the Town Law, approves and adopts the annexed detailed statement of estimated expenditure and revenues be and the same hereby as the Preliminary Budget for the year 2025 Such Preliminary Budget shall be filed forthwith in the office of the Town Clerk where it shall be available for public inspection, and

RESOLVED, That the Town Board of the Town of Schuyler Falls will hold a Public Hearing to hear comments for or against the year 2025 Preliminary Budget on Thursday, November 07, 2024 at 6:00 p.m. at the Town Hall, 997 Mason Street, Morrisonville with a Special Meeting to follow for the purpose of adopting the 2025 Annual Budget, and be it further

RESOLVED, that the Town Clerk shall give notice of such public hearing in the official newspaper at least five days prior to the hearing and shall cause a copy of said notice to be posted on the bulletin board and the Town’s website.

SECONDED BY: Mr. Aubin

DISCUSSION: No discussion took place.

ROLL CALL	AYE	NAY
Martin Perrotte	X	
Vernon Bruno	X	
Timmy Aubin	X	
Jason Bruno	X	
Mindy Smith	X	

APPROVED

RESOLUTION #24-131

MOTION BY: Mr. Aubin

RESOLVED, that the Town Board of the Town of Schuyler Falls, acknowledges, and approves the purchase of a 32x48 Garage Kit with Vinyl Siding and 5 ½ Pitch Roof for the Recreation Department from Adirondack Storage Barns in the amount of \$72,276.00.

SECONDED BY: Mr. Perrotte

DISCUSSION: This item is a “sole source” therefore competitive bidding does not apply. Mr. Vernon Bruno inquired where this structure would go. Supervisor Smith expressed that it could possibly go at Salmon River Road Park or Soper Street. The location needs to be chosen, however there is time because this will not be complete until Spring 2025. These funds in the amount of \$100,000 were set aside to install a bathroom and instead it has been decided to build a garage. According to the State Comptroller these funds were already set aside and should be utilized. This option was a better fit for the town than a \$100,000 bathroom.

ROLL CALL	AYE	NAY
Martin Perrotte	X	
Vernon Bruno	X	
Timmy Aubin	X	
Jason Bruno	X	
Mindy Smith	X	

APPROVED

RESOLUTION#24-132

MOTION BY: Mr. Perrotte

RESOLVED, that the Town Board of the Town of Schuyler Falls approves the appointment of Sandy Reil to the position of Deputy Town Clerk pending Civil Service approval at the rate of \$19.38 per hour until December 31, 2024.

SECONDED BY: Mr. Aubin

DISCUSSION: No discussion took place.

ROLL CALL	AYE	NAY
Martin Perrotte	X	
Vernon Bruno	X	
Timmy Aubin	X	
Jason Bruno	X	
Mindy Smith	X	

APPROVED

RESOLUTION#24-133

MOTION BY: Mrs. Smith

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

From A.1620.200 Buildings Equipment \$5,000.00
To: A.1680.400 Central Data Processing \$5,000.00

SECONDED BY: Mr. Perrotte

DISCUSSION: This Budget Transfer is to cover the cost of bills. Mr. Perrotte inquired what this transfer was for. Supervisor Smith explained that it is for our Information Technology Services which costs incurred were higher than expected which promoted the need for a Budget Transfer.

ROLL CALL	AYE	NAY
Martin Perrotte	X	
Vernon Bruno	X	
Timmy Aubin	X	
Jason Bruno	X	
Mindy Smith	X	

APPROVED

RESOLUTION#24-134

MOTION BY: Mr. Jason Bruno

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

From A.5410.400 Sidewalks Cont. Expense \$3,000.00
To: A.1410.400 Town Clerk Cont. Expense \$1,500.00
To: A.3510.120 Dog Enumerator Per Service \$1,200.00
To: A.3510.400 Control of Dogs Cont. Expense \$300.00

SECONDED BY: Mr. Vernon Bruno

DISCUSSION: This Budget Transfer is to cover the cost of bills. Mr. Vernon Bruno inquired what this transfer was for. Mary Sorrell explained that the Town Clerk transfer is due to the amount of advertising done this year. Dog Enumerator was due to the added second service. Control of Dogs is due to the dangerous dog.

ROLL CALL	AYE	NAY
Martin Perrotte	X	
Vernon Bruno	X	
Timmy Aubin	X	
Jason Bruno	X	
Mindy Smith	X	

APPROVED

MOTION BY: Mrs. Smith

WHEREAS, Local Law No. 24-2 of the year 2024 entitled "A Local Law to establish requirements for Outdoor Wood Boilers for the Town of Schuyler Falls" was introduced at this meeting, Local Law No. 24-3 entitled "A Local Law to establish requirements for Solar Energy for the Town of Schuyler Falls" was introduced at this meeting

Local Law No. 24-4 entitled "Amendment to A Local Law to establish Water Rates for the Town of Schuyler Falls

be it therefore

RESOLVED, that the Town Board hereby sets the Public Hearing concerning Local Law No. 24-2, No. 24-3, and No. 24-4 of the year 2024 at 6:00 PM on November 6, 2024 at the Town Offices located at 997 Mason Street, Morrisonville, New York and directs that Notice of the Public Hearing be published and posted within the timeframes set forth by law.

SECONDED BY: Mr. Aubin

DISCUSSION: Mr. Perrotte inquired what action was being taken. It was explained that this resolution allows the Town Clerk to advertise for the public hearing. Mr. Bracy advised how advertising should be done. He also spoke to the board about the amendment to the water law, which has not been drafted yet. He explained that he is waiting for an amount that would be considered extra, to draft the amendment. Mr. McCasland questioned if someone were to put in a solar system, it would fall under the old law/regulations. The matter was discussed with the board and Mr. Bracy. It was explained that you cannot make a law retrospectively. Mr. Guynup explained the communication he had with an attorney regarding solar energy. Discussion took place on the matter.

ROLL CALL	AYE	NAY
Martin Perrotte	X	
Vernon Bruno	X	
Timmy Aubin	X	
Jason Bruno	X	
Mindy Smith	X	

APPROVED

CLAIMS

General Abstract for September \$96,028.81
Highway Abstract for September \$240,669.90
Audit Only for September 2,835.58
Capital Projects Abstract for September \$788,979.05

Woods Mills Water for September \$2,349.15
Morrisonville Water for September \$9,205.20
Macey Lane Water for September \$1,981.80
Lighting District Abstract for September \$0.00
Fire District Abstract for September \$0.00
Payroll Claims: (#202401354-202401367)
Payroll Claims: (#202401378-202401390)
Audit Only (#202401368-202401377)
Claims (#202401391-202401498)

Mr. Vernon Bruno made a motion to pay the claims, seconded by Mr. Perrotte
AYES: Mr. Perrotte, Mr. Vernon Bruno. Mr. Aubin, Mr. Jason Bruno, Mrs. Smith

PUBLIC FORUM

Mr. Dabrowski expressed he has spoken to neighbors and the volume seems to be better since work was done. Mr. Dabrowski also mentioned a derelict property, he asked if anything was going to be done? Brief discussion took place on the matter. Mr. Lucas mentioned a pumpkin smash taking place on November 2, 2024 at Casella. Constituents can bring their compostable goods. The event is also a food drive for JCEO. The event is collecting canned goods or \$1 per pumpkin. Mr. Guynup questioned if New York State is close to adopting a law on residential compost. Brief discussion took place on the matter.

NEXT MEETING

Special Meeting/Work Session	Wednesday 11/6/24	6 PM
Public Hearing/Special Meeting	Thursday 11/7/24	6 PM
Regular Meeting	Wednesday 11/20/24	6 PM

ADJOURNMENT Mr. Vernon Bruno made a motion to adjourn, which was seconded by Mr. Jason Bruno, and was UNANIMOUSLY APPROVED. ADJOURNMENT.

Kelsi Russell, Town Clerk