

Town of DeKalb Board Meeting

At a regular meeting of the Town Board, of the Town of DeKalb, St. Lawrence County, New York, held on the 16st day of November 2022, at the Town Hall in DeKalb Junction NY, there were present:

John Frary	Supervisor	Michael Livingston	Town Board Member
Connie Elen	Town Board Member	Andrew Fenton	Town Board Member
Wayne Holland	Highway Superintendent	Barbara Creazzo	Town Clerk/Collector
Bill Chambers	Building & Codes	Charles B Nash	Town Attorney

Ed Newcombe, Town Board Member absent due to illness

Members of the community present: Dunken McGill, student, Jami DeLuca and Brian Phelps, AFLAC Advisors, Larry Denesha, SLC Legislator.

Members of the community attending via ZOOM: Janice Brabaw

Supervisor Frary opened the Public Hearing meeting at 6:45 PM.

Supervisor Frary explained that all requested changes have been made to the proposed budget. Constance Elen asked if this includes State Retirement, Social Security, Medicare, etc., it does. There were no other questions.

A motion was made by Andrew Fenton and seconded by Constance Elen to close the Public Hearing portion of the meeting. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Supervisor Frary opened the regular meeting at 7:00 PM.

Pledge of Allegiance was led by Supervisor Frary, followed by a moment of silent prayer and/or reflection.

Michael Livingston moved that the minutes of the Regular Meeting, of the Town Board, held on October 19, 2022, as submitted by the Town Clerk, be and hereby approved. Seconded by Andrew Fenton and adopted unanimously.

Andrew Fenton moved that the minutes of the Informational Meeting for the Wastewater Treatment Plant, that was held on November 10, 2022, as submitted by the Town Clerk, be and hereby approved. Seconded by Constance Elen and adopted unanimously.

Actions

1. Send notice to newspaper for Public Hearing for the 2023 Budget. **Completed 10/24/2022.**
2. Post Public Hearing for Budget on website. **Completed 10/24/2022.**
3. Sign and send copy of Resolution #10 to Scott Thornhill. **Completed 10/24/22.**
4. Post Public Notice for Sewer upgrades meeting. **Completed 10/24/22.**
5. Inform Brooks Washburn Architecture, DPC that he has been award the bid for Pipeline Park. **Completed 10/24/2022.**
6. Review and be prepared to discuss proposed Local Law for ZOOM.

Public Forum:

Jami DeLuca and Brian Phelps, representing AFLAC, introduced themselves to the board and gave a brief description of the benefits of holding an AFLAC policy. They have had the opportunity to speak with the highway employees and wanted to express that their service is available to any employee of the town. They are willing to meet with individuals either at work or in their home to answer questions. Packets were left for any employee who is interested in contacting them.

Larry Denesha, SLC Legislator

-The 2023 SLC Tentative Budget was reviewed in October and is expected to be ratified at the next regular meeting. The budget has a 5.2% reduction, in 2022 the cost per \$1,000 was \$8.02

and for 2023, it is \$7.60. This is the lowest rate it has been since the 1980's. There has been a reduction for the past six (6) years.

-Seventy-one point six million has been received in sales tax revenue, which in part, is distributed to municipalities throughout the county.

-Bank depository funds have earned \$715,000 in interest in investments this year. This has been a significant improvement over the \$800,000 the county use to pay in interest when it was needing to borrow to cover expenses.

-Financial plans have changed for the good regarding the three (3) new highway outpost. It was initially planned to pay for one and bond for the other two (2). Now it will be pay for two (2) and bond for one (1).

Financials:

John Frary made the motion to accept the Justice Clerk Audit as presented, seconded by Andrew Fenton. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Constance Elen made the motion to accept the Town Clerk Audit for the Clerk's account, seconded by Michael Livingston. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Clerk Report: Barbara A Creazzo

A total of \$1,919.80 was collected during the month of October with the town able to retain \$1,226.95 for its coffers. Breakdown is as follows: NYDEC \$670.85, town \$39.15, Ag & Markets \$22, town \$79, town for building permits \$1,066.40, also \$42.40 for copies made.

Water and Sewer collections for the fourth quarter totaled \$7,144.57. Water collection was \$3,112.57 and sewer collection for the quarter was \$4,032.01. The total for the four quarters for water was \$43,168.21 and for sewer, \$57,179.53 was collected. Relevy has been completed and will be sent to the County for placement on the 2023 taxes for unpaid balances. A total of \$14,025.63 has been relevied for water and \$17,599.30 has been relevied for sewer.

Clerk Creazzo asked the board for approval to stop mailing out water meter reading notices due to the increase of postage over the past year and a half. Postage is anticipated to rise again this year. Scott McConnell, the meter reader for DANC, has stated that he does not encounter dogs as a rule while reading meters and they do not need to be sent out on his behalf.

A motion was made by Constance Elen and seconded by Andrew Fenton to discontinue the practice of mailing out notification of upcoming water meter readings. Instead, a notice will be sent with each billing cycle as to the next anticipated reading dates. Will also post on the town's website of upcoming water meter reads. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Last month, a question was asked if those attending the meetings via ZOOM could record them. IT was asked about this and was told no, they could not, that only the municipality has the right to record from ZOOM. While Attorney Nash indicated anyone has the right to record, the ability to do so by an individual participating via ZOOM may not have the capability to do so, as technology may not be available. The question was then asked if the town's recording could be posted to North Country Now, as other municipalities are. The board agreed this can be explored.

Clerk Creazzo asked if the board was interested in sending a delegate to The Association of Towns Annual Business Meeting in New York City, in February? No one is interested at this time.

Supervisor Frary distributed copies of the Year-to-Date Budget to members of the board for review. The only line that is in a deficit is fuel for the highway department.

Supervisor Frary also distributed copies of the proposed contract with Kendall, Walton & Burrows, of Watertown, New York. A contract for Bans and or Bonds for the wastewater treatment plant improvements, had been signed with Joseph W Russell, P.C., Attorney at Law, also of Watertown, New York. However, due to unforeseen health issues, Mr. Russell is unable to continue to provide this service to the town. Therefore, a new contact has been written.

A motion was made by Constance Elen and seconded by Andrew Fenton to accept the contract as written by Kendall, Walton & Burrows for Bans and or Bonds for the wastewater treatment plant improvements. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Town of De Kalb 2023 Budget, Supervisor Frary asked if there were any questions regarding the proposed budget. If not, would someone put forth a motion to pass the 2023 Proposed Budget as presented.

A motion was made by Andrew Fenton and seconded by Michael Livingston, to accept the 2023 Budget as presented. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Water & Sewer Reports:

DANC report: A total of 594,900 gallons of water were metered in the month of October, with an average daily flow of 19,190 gallons. A total of 4 gallons of sodium hypochlorite were used in the treatment of the water produced. The complete report contains copies of all daily flow graphs. All daily, weekly, and monthly, inspections and maintenance were conducted as scheduled. A random distribution sample was completed for bacteriological testing and the result was satisfactory.

A total of 900,000 gallons of wastewater were treated in the month of October, with an average daily flow of 29,032 gallons. There were no SPDES violations. The complete report contains copies of all daily flow graphs. All daily, weekly, and monthly, inspections and maintenance were conducted as scheduled.

While the Informational Meeting held last week for the Wastewater Treatment Plant upgrades was not well attended, the information provided was well done.

Donald (Duck) Brown has located new waterpipe at a cost of \$7,800, which will be installed as soon as feasible.

The new fire hydrant has been received and will be installed as soon as possible.

Supervisor Frary informed the board, that the Town of Hermon, will be moving forward with their major water project. At this time, there is no information regarding the cost that will be accrued to the Town of De Kalb. Per the water agreement between the two towns, De Kalb is responsible for certain portions of maintenances and upgrades. Supervisor Frary will keep the board informed as he receives information.

C2AE, out of Canton, has met with Supervisor Frary, and has completed an initial inspection of the proposed storm drainage study for the hamlet. They will have a quote available by next month's meeting.

Highway Report: Wayne Holland 10/19/22 – 11/16/22

- Harnessing trucks and getting ready for plowing.
 - Cold patching with the hot-box, we've done 30 ton. Have saved using this over cold patch.
 - Graded dirt roads.
 - Cutting brush as weather permits.
 - Training new employee, Brian Hills, who started 11/14/2022.
 - We got the rubber-tired excavator back and it is up on Auctions International as of today.
- CHIPS paperwork is completed and have a carryover of \$67,000.
- Continuing to work on the Safety Data Sheet book.
 - Fire extinguishers have all been checked and charges completed as needed.
 - The solar company has made all requested road repairs on the Cousintown Road, to the highway department's satisfaction.
 - Will be speaking with a community member regarding the need to keep parked vehicles out of the sightline of snowplows. Also, no overnight parking in now in effect.

Building & Codes: William Chambers

A total of 9 permits were issued since the last report. Project cost for the permits is \$309,970 and the fee amount is \$1,253.00. To date, there have been 41 permits issued with at project cost

of \$899,666.00 and fees of \$5,557.80. The permits for this report are for 1 accessory building, 3 single family homes, 3 re-roofing's, 1 pole barn and 1 garage/storage building.

Have issued an Order of Remedy for garbage removal which is to be completed by November 21, 2022. If not complied with, the town's attorney will be contacted to address the issue.

The 3 solar projects are 99% completed, as they are now waiting for National Grid to connect them to main power lines.

Proposed Local Law # 4 for the year of 2022 was distributed to board members for discussion. The purpose and intent of this law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Town of De Kalb. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, the Energy Code other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this local law. It is the intent of this Local Law to supersede any and all prior local laws for the Town of De Kalb that deal with Code Enforcement. (This proposed Local Law does not appear at the end of these minutes due to the length of the document. A copy is available for viewing at the Town Clerk's office during regular business hours.)

This proposed Local Law will be further discussed at a Public Hearing to be held December 21, 2022, beginning at 6:45 PM at the Town Hall. A vote regarding the law will be held during the regular board meeting, starting at 7 PM that same evening.

Code Officer, William Chambers, asked whose responsibility it is to clear the waterline for a UFPO, from the Town of Hermon to the Town of De Kalb town line? When a request is made, the Town of Hermon refuses to do their section to the town line. If it is determined to be the Town of De Kalb's responsibility, that is okay, just need clarification.

There is no Dog Report for this month; however, Supervisor Frary informed the board that Clerk Creazzo continues to send monthly notifications to Mr. Moyer regarding the large number of unlicensed dogs within the township, as he too, receives a copy of the letter sent.

Supervisor Frary had asked Legislator Denesha what the cost was for the Hazard Waste Disposal Day the County provided this fall. It cost the county \$1,600 for the day. The Development Authority of the North County, assist with the cost by covering the advertising for the event.

Supervisor Frary distributed a copy of the Town of De Kalb Code of Ethics Policy to each member of the board, and attorney. Supervisor Frary asked Constance Elen if she would be willing to be the board's representative for the Ethics Committee and that she choose two community members to serve as well. Ms. Elen has agreed to serve as the town's representative and will seek two members of the community to serve as well.

Communications:

-Received notice from the Federal Energy Regulatory Commission regarding a license application filed on August 31, 2021, by the Pyrites Hydro, LLC.

-The town's Cyber Security portion of insurance will now be insured by NYMIR. Notice of this was recently received.

-Supervisor Frary would like to have the town's property of County Route 17, were the old landfill is, surveyed and a right of way established. If it were ever to be placed on the market for sale, the portion with the landfill will always remain under the ownership of the town. However, the remainder of the property could be sold, but must have a clear right of way. The town would always retain approximately 50 acres of the property, while approximately 80 could be sold. There was no objection to the surveying of the property. Surveying does not guarantee the board will approve the sale of the property.

After reviewing all bills presented, and signing all bills over \$500.00, a motion was made by Michael Livingston and seconded by Andrew Fenton to approve payment of the bills as entered on Abstract #11-2022. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

A motion was made by Constance Elen and seconded by Andrew Fenton, to adjourn.
Meeting adjourned at 8:55 PM.

Respectfully submitted by

Barbara A. Creazzo
Town Clerk

Actions

1. Add notice of next water meter read to water/sewer bills each quarter.
2. Will explore options for dissemination of board meeting information.
3. Sign and return contract to Kendall, Walton, and Burrows. **Completed 11/17/2022.**
4. Follow-up with Order of Remedy. **On-going.**
5. Follow-up with whose responsibility it is to clear UFPOs for the waterline in the Town of Hermon in the direction of De Kalb.
6. Councilman Elen to appoint two community members to the Town of De Kalb Board of Ethics.
7. Have the town property off County Route 17 surveyed.