

Town of DeKalb Board Meeting

At a Public Hearing and regular meeting, of the Town Board, of the Town of DeKalb, St. Lawrence County, New York, held on the 21st day of September 2022, at the Town Hall in DeKalb Junction NY, there were present:

John Frary	Supervisor	Michael Livingston	Councilman
Connie Elen	Councilman	Andrew Fenton	Councilman
Wayne Holland	Highway Superintendent	Barbara Creazzo	Town Clerk/Collector
Bill Chambers	Building & Codes		

Absent: Ed Newcombe, Councilman.

Members of the community present: Janice Brabaw, Mark Stickney, Eathon Graham, Jordan Deleel, Dylan Klock, and Larry Denesha, SLC Legislator

Members of the community attending via ZOOM: Darccy Matthews

Supervisor Frary opened the Public Hearing at 6:46 PM.

The purpose of the Public Hearing was to discuss any questions regarding the proposed Local Law # 3 of the Year 2022. This Law, if passed, will allow the De Kalb Town Council, to adopt a budget which requires a tax levy that is greater than the tax levy limit imposed by General Municipal Law §3-c for the tax year 2023.

Councilmen had no questions regarding the proposed Local Law. Janice Brabaw asked how a proposed budget with an increase of 2.8% is not surpassing the 2.0% tax levy limit. Supervisor Frary responded, “for this year, as in past years, when the tax levy does not meet or exceed the 2.0%, whatever is remaining can be rolled over to the next year’s budget. If a budget tax levy is adopted at 1.5%, and the limit set for the year is 2%, then 0.5% can be rolled over to the next year, allowing for a 2.5% tax levy the next year”.

As there were no other questions or discussion, Supervisor Frary closed the Public Hearing at 6:55PM.

Supervisor Frary opened the regular meeting at 7:01PM.

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 August 17, 2022, as submitted by the Town Clerk, be and hereby approved. Seconded by Constance Elen and adopted unanimously.

Constance Elen moved that the minutes of the Budget Meeting, of the Town Board, held on September 7, 2022, as submitted by the Town Clerk, be and hereby approved. Seconded by Andrew Fenton and adopted unanimously.

Actions

1. Continue to work on grant applications for the Sewer Plant Upgrade Project.
2. Send letter of support with no objection to Saint Larry’s Bar & Grill, of Potsdam. **Completed 8/18/22.**
3. Send letter of support with no objections to Tanner Creek Farm. **Completed 8/18/22.**
4. Seek two (2) more bids for the Pipeline Park Enhancement Project. **Completed.**
5. Post Internet Assistance information on town’s website. **Completed 8/23/22.**
6. Supervisor Frary to speak with Dan Moyer regarding unlicensed dogs. **Completed 9/20/22.**

Public Forum:

Janice Brabaw asked the Board to explain the status of addressing the water issue along the ditch that runs from Josephine Street across her property.

Supervisor Frary responded by letting her now three (3) architectural companies have been contacted and invited to present the board with quotes, as to how much it will cost to have them come and evaluate the water flow concerns. To date, two quotes have been received, one from EDR and the other from Tisdell Associates Consulting Engineers. The quotes are to provide hydrogeologic analysis of the existing stormwater collection system, which will include walking the system and measuring the width and depth of the drainage swales, as well as determine if there are any obstructions along the system and develop/design an improvement that can be bid out.

Ms. Brabaw suggested the town look into the possibility of obtaining a grant(s) for the proposed ditching project. She believes there might be something available through the Clean-water Act. Supervisor Frary will contact DANC for information regarding such monies.

Ms. Brabaw referenced an email she had sent to members of the board earlier in the day, listing possible means to inform the public of town business, improve town morale and encourage civil participation: maintaining a town Facebook page, creating an email database, and sending out notifications via listserv, and distributing simple press releases to local media.

The town is required to publish at a cost, to the town's designated newspaper, public and legal notices. The town also maintains a webpage which post public and legal notices, along with board agendas, minutes, and other items of interest. Rachel Hunter, reporter for the Gouverneur Tribune Press, usually does a very good job reporting on the town's monthly meeting.

The board thanked Ms. Brabaw for her input and suggestions.

Eathon Graham asked why his water bill is as high as it is. He stated there was no one there for 30 days; however, the bill for this quarter is the same as the previous quarter.

Supervisor Frary responded with the meter is reading and believes the bill to be correct. The only thing the town can do is to change the meter if Mr. Graham believes the meter is incorrect. Mr. Graham has requested a new meter be installed. Scott McConnell will be contacted to change the meter.

Darccy Matthews, attending via zoom, asked when could rebate checks be expected. Another round has just been sent. Hopefully she will receive hers soon.

A question was asked about the ability for an individual to record the town meeting via zoom. Not sure if that is available, will check with the town's IT Specialist.

Jordan Deleel asked when the public will begin to see any type of reduction in electricity bills because of the local solar arrays that are being installed. It is anticipated that the arrays will be completed by October or November, but there is still a process that must occur before the generated power is accepted into the general powerlines. Once this is nearing, there will most likely be public meetings regarding what is available to the public for savings.

Larry Denesha, SLC Legislator

-Tentative budget will be presented at Monday's meeting. There is no proposed tax increase for 2023.

-COVID, 1033 new cases were reported, which averages about 33 per day. It is believed the positive cases are underreported and there continues to be the belief positive home test do not need to be report. This is not the case, as all positive cases should be reported to SLC Public Health. The Counties vaccination rate remains a 61.7%, well under the percentage needed for herd immunity. This has not changed over a four (4) month period. Public Health is offering both the Pfizer and Moderna Boosters. People are encouraged to call and make an appointment, but walk-ins are accepted as time permits. Governor Hochul has not extended the State of Emergency regarding COVID.

-The Legislators have appropriated \$900,000 of the ARPA money received, to be used for the removal of dead and dying ash trees along County roadways. As they die and decay, they become a safety hazard. SLC Soil & Water will be doing the removal and new native trees will be planted in their place.

-Narcan is now available through Public Health.

-The proposed County's Centralized Biosolids Composting Facility Feasibility Study, resolution will be voted on at the next meeting. Out of twenty-two (22) towns in the county, twenty (20) have expressed a strong interest in participating. It is anticipated this resolution will pass because of such an interest from the towns responding.

-Passed a Resolution in opposition of the new Concealed and Carry Act. The Resolution will be presented to Albany.

-Passed a Resolution in opposition of the new NYS Climate Action Council which wants all new construction to be entirely dependent on electricity, and bans the burning of wood and wood products as a source of fuel. Currently, 36% of homes are fueled by natural gas, 28% by either fuel oil or kerosene, 14% by wood, 9% by LP gas, and 11% by electricity. It is estimated it would cost the average home, \$20,000 to \$30,000 to be retrofitted for heating with electricity.

Financials:

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

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

Clerk Report: Barbara A Creazzo

A total of \$2,358.50 was collected for the month of August. The town was able to retain \$563.83 for its coffers. The breakdown is as follows: NYS DEC received \$1,794.80, town \$ 66.33 for licenses, NYS Ag and Markets, \$46 and town \$157 for dog licenses, the town received \$202 for building permits, \$90 for death certificates, \$22 for a genealogy search, and \$26.50 for copies made.

A total of \$903.82 was collected for the Water District and \$535.88 was collected for the Sewer District.

Deputy Wanda Law worked a total of 10 hours during the month of August.

Supervisor Frary distributed this month's Year to Date Financial Report for review.

Supervisor Frary informed the board he has been in touch with Dow Electric regarding the number of streetlights that are nonfunctioning since the recent storms. The affected areas are Green Street and a portion of US Highway 11.

Supervisor Frary asked if there were any questions regarding the proposed Local Law #3 of the Year 2022, exceeding the Tax Levy Limit imposed upon Real Property Pursuant to General Municipal Law §3-c (5). Local Law #3 is located at the end of these minutes.

A motion was made by Constance Elen and seconded by Andrew Fenton, to pass said Local Law #3 of the Year 2022. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Supervisor Frary asked for a date to review the changes for the 2023 Budget that have been made by the accountant. The board will meet October 12, 2022, beginning at 7PM, at the Town Hall for a review session of the 2023 Budget.

Water/Sewer Reporting

DANC – Water, a total of 676,600 gallons of water were metered in the month of August, with an average daily flow of 21,826 gallons. Five gallons of sodium hypochlorite were used in the treatment of the water produced. All daily, weekly, and monthly inspections and maintenances were completed as scheduled. The complete report contains all flowchart graphs for the month. One random distribution sample was collected and sent to Converse Labs, for bacteriological testing. The result is reported as satisfactory.

Sewer, a total of 980,000 gallons of wastewater were treated in the month of August, with an average daily flow of 31,613 gallons. There was 1 SPDES permit violation reported for low Dissolved Oxygen (DO) levels. A copy of this NYSDEC report is included in the monthly report from DANC, as well as all daily flow charts. All daily, weekly, and monthly inspections

and maintenances were completed as scheduled. RBCs continue to be reversed for one hour per day.

Supervisor Frary will be meeting with USDA regarding grant funding for the proposed sewer plant updates.

Have received a call from Carrie Tuttle, informing Supervisor Frary, that yes indeed, the town must apply for, and conduct a survey of all water piping leading to and including inside homes within the water district for lead. The application covers the anticipated \$20,000 cost of the survey.

Supervisor Frary asked for a motion from the board approving Resolution # 9, which is a Resolution in Support of a 2022 St. Lawrence County Centralized Biosolids Composting Facility Feasibility Study.

A motion was made by Michael Livingston and seconded by Constance Elen, for the approval of Resolution # 9, Support of a 2022 St. Lawrence County Centralized Biosolids Composting Facility Feasibility Study. Resolution at the end of these minutes. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Due to recent fire hydrant flushing, and unseen damage to a hydrant, there was a sudden high pressure that was experienced by the water system. As a result, the sudden pressure caused a watermain break in the line just prior to the section that was replaced a couple of years ago along US Highway 11. The affected area has been patched and new piping has been ordered with an estimated delivery time of 20 weeks at a cost of \$13,000. Will continue to look for a quicker delivery time and cost. Three known minor home incidents were most likely caused by this sudden pressure, all have been addressed.

A new hydrant needs to be purchased to replace the affected one. It is thought that at some time, it must have been backed into or bumped in some manner. The replacement cost is quoted at \$3,750.00. The affected hydrant has been wrapped and cannot be used.

A motion was made by Constance Elen and seconded by Andrew Fenton for the approval of purchasing a new fire hydrant. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

A motion was made by Andrew Fenton and seconded by Michael Livingston to purchase new pipe at an estimated cost of \$13,000, as the patched pipe has the potential to break again. It is better to be prepared to replace as soon as possible. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Highway Report: Wayne Holland (08/18/22 – 09/21/22)

- Finished up mowing roadsides.
- Cut shoulders for the County.
- Hauling sand (121 loads to date).
- Fixed watermain break across from the Family Dollar Store with the help of Duck Brown.
- Fixing up shoulders for town roads.

Safety Training will be provided in October at Cranberry Lake. However, it is on a Saturday. Supervisor Frary urged participation and overtime will be paid for the highway crew that attend. This is mandated training and needs to be completed before the end of the year, as it is annual training. Superintendent Holland will relay the message to those who have not yet completed the training.

Superintendent Holland has obtained a quote to purchase a Hotbox, at a purchase price of \$7,250.00. During discussion, the board was informed that road patching holds better when hot versus cold patching is used. Therefore, having the potential to save money over time. Also, purchasing hot-patch cost less to purchase than cold-patch.

A motion was made by Constance Elen and seconded by Andrew Fenton for Superintendent Holland, to purchase the Hotbox at a cost of \$7,250.00. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

Superintendent Holland reports that the old excavator has had the repair work completed at a cost of \$18,000+. Once the department has received it back from the garage, it will be placed for bids, as the new excavator is anticipated to be delivered in December.

Supervisor Frary reminded the board of the decision to participate in DANC's GSI mapping of roadways, which includes tracking road signs, culverts, etc. The cost is \$700.00 and DANC will be sending an invoice for payment.

Dog Control Report:

Supervisor Frary has spoken with Dog Control Officer, Dan Moyer, regarding dog enumeration. Mr. Moyer has agreed to conduct the enumeration at a cost of \$1.00 per dog and mileage. He will begin the process in 2023.

Code Enforcement Report: William Chambers

- The three solar projects should be completed no later than November of this year.
- Corning's construction continues but is lagging due to delays in receiving construction materials. They are currently working on Row 4 and plan to begin Rows 3 & 2 in the Spring.

Thirty-two (32) permits have been issued for this year with a total project cost of \$589,696.00 and fee amounts to be collected is \$4,304.80.

Assessor Report: Suzanne Arquette

- Attended Fall Conference in Lake George.
- Continuing to review deed transfers on a regular basis as they come in, address changes, and keeping up with the Income Verification Program (IVP) to ensure that our Enhanced Star recipients are up to date on the New York State Website.
- In the following months, I will be working on reviewing building permits, data collection of new construction and with sales verification.

New Homeowner Tax Rebate Credit. Information that was obtained from Assessment Community Weekly. In the upcoming days, NYS will begin mailing a new letter (RP-5303) to homeowners from whom they need additional information to determine their eligibility for the homeowner tax rebate credit. The letter asks the homeowners to register for the credit using our new HTRC registration online application. Only homeowners who receive the letter need to register for the HTRC. Other homeowners will not be able to access the application. In order to receive a Homeowner Tax rebate credit check... First, you must receive the Star exemption or credit. Secondly, you must pay on your school taxes. The State determines the amount as it is also based on your income.

Communications:

- Solar, discussed earlier.
- Streetlights, final payment to Dow has been sent.
- Town Code of Ethics Policy review. Copy of the policy was distributed to each member of the board and should be ready to discuss at next month's meeting regarding any necessary changes.
- ARPA items to discuss – Pipeline Park Pavilion. Have now received three (3) quotes for architectural services for new pavilion and playing field site upgrades. Quotes received: Brooks Washburn, Architecture, DPC \$7,540.00, EDR, \$17,818.00, and AOK Engineering, \$25,310.00. Quote packets were distributed to the board and will be discussed at next month's meeting.
- Charging stations are not working and have not since the last electrical storm. Have been in contact with EV Connect who monitors them. It is time for a new contract, the best offer is to agree to a 5-year Operate contract at \$225 per connector, paying for the first two years of the contract now and the other three years later.

A motion was made Constance Elen and seconded by Andrew Fenton, to enter into a 5-year agreement with EV Connect for monitoring and trouble shooting problems at a cost of \$225 per connector per year. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

- Meetings using ZOOM. A policy needs to be in place if the board wishes to continue to make attendance available to the meetings via ZOOM. This will also require a Local Law. Will discuss with Attorney Nash and discuss at next month's meeting.

-Councilman Fenton, and Supervisor Frary, have been working to develop Safety Data Sheets for the Town Barn, as well as for the Town Hall. They have been in touch with companies that can provide a service, but it appears, the town would need to provide the company with the information, then the company provides the information for the book. It was decided that Councilman Fenton, along with Supervisor Frary's assistance, will develop and maintain the SDS books for the town. Each company that a product is purchased from, must provide the SDS sheet for that product upon request. Will also work toward limiting the number of similar products used.

-Holiday pole lighting decorations were discussed. A total of five decorations will be purchased. Two (2) will be purchased by the town and three (3) will be purchased and donated by anonymous donors.

-Each member of the board was given a copy of the St. Lawrence County Office of Emergency Services Bureau of Emergency Medical Services response record of all Rescue Squads for the months of July and August.

-Concealed Carry Improvement Act, the board opposes this new Act which was recently passed in New York State.

A motion was made by Michael Livingston and seconded by Constance Elen, to send a letter of support to the County Legislators, as well as representatives in Albany, indicating their opposition to this Act. Supervisor Frary will draft the letter, opposing the Act. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

-A School Resource Officer has been hired for the Hermon-De Kalb Central School District, through the County.

After reviewing all bills presented, and signing all bills over \$500.00, a motion was made by Constance Elen and seconded by Andrew Fenton to approve payment of the bills as entered on Abstract #9-2022. Vote: Michael Livingston yes, Constance Elen yes, Andrew Fenton yes, John Frary yes.

A motion was made by Michael Livingston and seconded by Constance Elen, to adjourn.

Meeting adjourned at 9:45 PM

Local Law Filing

New York State Department of State
Division of Corporations
One Commerce Plaza, 99 Washington Ave.
Albany, New York 12231

Town of DeKalb

Local Law No. 3 of the year 2022

A Local Law Exceeding the Tax levy Limit Imposed upon Real Property
Pursuant to General Municipal Law §3-c(5)

Be it enacted by the Town Board of

Town of DeKalb as follows:


SECTION 1. Text.

Pursuant to General Municipal Law §3-c(5), the Town Board of the town of DeKalb elects to have the ability to adopt a budget which requires a tax levy that is greater than the tax levy limit imposed by General Municipal Law §3-c for the tax year 2023.

SECTION 2. Effective Date.

This Local Law shall become effective upon filing with the Department of State.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. 3 of 2022 of the Town of DeKalb was duly passed by the Town Board on September 21, 2022, in accordance with the applicable provisions of Law.

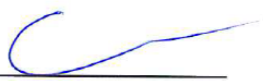

Barbara Creazzo, Clerk
Town of DeKalb

(Seal)

Date: September 21, 2022

STATE OF NEW YORK)
) ss.:
COUNTY OF ST. LAWRENCE)

I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.


Charles B. Nash, Esq.
Town Attorney
Town of DeKalb

Date: September 21, 2022

Town of De Kalb
Resolution # 9
Resolution in support of a 2022 St. Lawrence County Centralized Biosolids
Composting Facility Feasibility Study


Whereas, the St. Lawrence County Board of Legislators (County) have entered into an agreement with the Development Authority of the North County to complete a Feasibility Study for a Centralized Biosolids Composting Facility, and

Whereas, the Town of De Kalb will act as a participating municipality for a shared services project, involving multiple local governments in the North Country and will provide 3 years of data from their wastewater operations to assist in completing the feasibility of a centralized biosolids facility, and

Whereas, the Development Authority will compile the participating municipalities data, identify centralized facility permitting requirements, prepare a basis of design, prepare an operational model, develop project cost estimates, determine a project funding strategy, and issue a final report, and

Whereas, the Town of De Kalb understands that they are not obligated to any monetary match for this study nor do they have to continue to be part a subsequent project after the feasibility study is completed.

Now, Therefore Be It Resolved, that Town of De Kalb will provide the required documentation and the support of its staff (as necessary) to the Development Authority of the North Country by October 15, 2022 in performance of compiling the operational data needed to complete the Centralized Biosolids Composting Facility Feasibility Study.

 Town Supervisor
Signature/Title

9/21/22
Date

Respectfully submitted by

Barbara A. Creazzo
Town Clerk

Actions

1. Supervisor Frary to follow-up request for the third quote regarding the ditching. **Completed.**
2. Supervisor Frary to contact DANC regarding the availability of grants through the Cleanwater Act.
3. Change out the water meter for Eathon Graham per his request. **Owner has requested to wait for a billing cycle.**

4. Follow-up with IT for information regarding the ability for the public to record ZOOM meetings.
5. Budget Review meeting October 12, 2022, send for publication. **Completed 9/22/22.**
6. Mail copy of Local Law #3 of Year 2022 to Albany and Attorney Nash. **Completed 9/22/22.**
7. Mail signed copy of Resolution #9, St. Lawrence County Centralized Biosolids Composting Facility Feasibility Study to the Legislators. **Completed 9/30/22.**
8. Order new hydrant. **Ordered 9/26/22.**
9. Order new waterpipe. **Ordered 9/26/22.**
10. Purchase hotbox. **Completed.**
11. Attend Safety Training.
12. Place ad for bids on excavator.
13. Be prepared to discuss Ethic Policy at the October meeting. **Completed.**
14. Continue to work on SDS. **Ongoing.**