

Regular Meeting

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Waddington Town Board Meeting scheduled for February 8, 2021 at 7:00 pm was held electronically via Zoom instead of a public meeting open for the public to attend in person. Members of the public were invited to join the meeting from their homes.

Present were: Supervisor Alex Hammond and Councilmembers: Travis McKnight, David McBath, Scott Loomis, and Shaun Prentice.

Also Present: Carol A. Burns, Town Clerk, David Putney, Highway Superintendent, Mark Scott, Phyllis Acres, Tenley Amo, Edith Ashley, Marjorie Todd, and Kelly Gatzke.

Call to order: Supv Hammond called the meeting to order @ 7PM.

Approval of Minutes: A motion was made by Loomis, seconded by McBath to approve the Organizational and Regular January minutes as submitted. Ayes: All

Public Hearing: The Clerk read the legal notice for the public hearings. Supv Hammond opened the public hearing for Local Law #1 of the year 2021 Providing for the Maintenance of Private Property. There were no public comments for this law. The Board discussed the recommendation from the Town's Attorney to give 10 days' notice after the date of mailing instead of 7. The Board approved this change and the following resolution passed.

Resolution #20

Motioned by: Loomis

Seconded by: McBath

RESOLVED, that the Waddington Town Board does hereby adopt Local Law #1 of 2021 entitled Providing for the Maintenance of Private Property with the change of 10 days' notice after the mailing.

Ayes: Hammond, McBath, Loomis, & Prentice

Naye: McKnight

Local Law #2 entitled Community Choice Aggregation Program. Supv Hammond opened the hearing to public comment. Mark Scott asked if the Board could give a brief overview as to what this law is intended to do. C Prentice told them that there was a public meeting in which the town discussed the possibility of a community solar farm. This is a step in the process driven by the state NYSEDA and the 3rd party Joule to engage stakeholders on our behalf. This is non-binding for the town and there will be more public hearings in the process.

Mark asked if this will have any impact on the private solar companies. C Prentice stated that this will have no impact on them. This is separate to involve town property to 1- generate revenue from the lease of property and 2- give customers the chance to opt in for 10% savings on their National Grid bill. No further comments were had and the following resolution passed.

Resolution #21

Motioned by: Prentice

Seconded by: Loomis

RESOLVED, that the Waddington Town Board does hereby adopt Local Law #2 of 2021 entitled Community Choice Aggregation Program. Ayes: All

SEQR Review: The Board reviewed the SEQR forms for the above local laws. No comments were had.

Resolution #22

Motioned by: Prentice

Seconded by: Loomis

RESOLVED, that the Waddington Town Board does hereby agree that there will be no environmental impact on Local Law #1 & 2 of 2021 and therefore declares a negative declaration. Ayes: All

Citizen's Comments: There were no comments at this time.

Committee Reports:

Highway: C McKnight reported that the Highway Department has been performing maintenance on trucks, helped village with water main break in front of library, plowed twenty three times and sanded once. They took 2 churches to hardware store to be worked on.

C McKnight reported that he was driving through where Waddington and Louisville meet and noted that the additive that the Highway Dept. is adding to the salt is making a considerable difference. He took pictures and you can clearly see the difference between the two towns. Supt Putney stated that it makes a big difference in the roads. The sun is hotter now and it melts much better. It is saving on sand and keeping more salt on the road. He is very happy with it.

Supt Putney reported that he had been watching a used brush chipper on Auctions International. It is a 1995 Brush Bandit. He has priced a couple new ones. The Moreback brand is \$48,000 and the Brush Bandit same size is \$50,000. He is asking permission to bid up to \$15,000. The auction ends within the next half hour.

C McBath noted that Supt Putney has purchased the bulldozer for \$3500 + the cost of trucking approx. \$3100. He asked the current equipment budget. \$55,000. He asked if there were more large purchases that would need to be made from this account.

Supt Hammond asked the year of the current chipper. Supt Putney noted it was a 1984 which the Town got used from the County. He also noted that every time they try to use it they have to put money into it. Right now the governor is gone. It will cost approximately \$1,000 to purchase the governor and install. The machine is only worth \$3-4,000. C Prentice asked if it would be worth putting the governor in to get more money when it's sold. C McKnight noted you just state that it needs a governor when you put it in the auction.

Resolution #23

Motioned by: Loomis

Seconded by: McKnight

Resolved that the Waddington Town Board does hereby authorize Supt Putney to purchase the 1995 Brush Bandit from Auctions International not to exceed \$15,000. Ayes: All

Supt Putney also reported that during one of the recent snow storms one of his drivers turned off CR 44 onto the Irish Settlement Road and saw some tracks in the ditch. Thought they were deer tracks and when he came back he realized they were human tracks and upon a closer look found a man in the field wandering around. He wasn't sure how long he had been there but his run took two hours before he came back that way. The man's body temperature was down and the rescue squad called. He wanted to let the board know that Justin's actions that day saved that man's life and he would like to recognize him for his awareness. The board was thankful for his awareness. Supv Hammond will draft a resolution for the next meeting.

Rescue Squad: C Prentice reported that the Squad held their meeting last Monday via Zoom. They are preparing for the new rig. It is tentatively scheduled for March. They have a potential buyer for the 303 rig from Westville. They have a new associate member from Massena. They responded to 28 calls and 8 transports during January. On Martin Luther King Day a kids ice fishing derby was held and \$400 was donated to the Squad towards the new rig. They continue to train remotely and have had to get creative in doing so.

The window at the end of the building has water coming in. C Prentice asked if Supt Putney would come down and look at it. Hopefully we can come up with a solution and game plan to get it addressed.

Library: C Loomis reported that the Library met on Tuesday. He noted that the porch light is on a timer and is not working. They are having a panic button installed. The initial cost is \$980 and then \$18.00 per month after for the service. The fire extinguishers need to be checked. They have found someone to shovel the snow from the steps. He will be paid \$25 each time. The Town Clerk contacted the Town Attorney and he stated that an agreement should be written up stating that his is not an employee of the Town, will be paid by voucher and receive a 1099 at the end of the year, and is not covered by worker's comp or liability insurance. Vicki has finished the construction job that the library paid for from a grant at Senator Richie's Office in

the amount of \$50,000. An MOU was sent to Supv Hammond. He just got it to everyone today so there will not be any discussion on this until the next board meeting.

C McBath reported that the Sons of the Legion installed the solar light on the flagpole at the library. He noted that they should send a letter of thanks to them.

Grants/Alternative Revenue: C McBath reported that he submitted an article to the Waddington Recorder to see if there is any interest from the community to serve on a committee to explore grants/alternative revenue. He has been working with the Fire Department for the last couple weeks to secure a grant for \$50,000 to be used towards PPE. He will be attending a NYSERDA grant webinar on February 11th @ 11 AM. The RVRDA grant application is due April 16th. There is \$20,000 available for projects that bring economic development. The Board has been looking at potential land sales at Iroquois property. He would like to set up a meeting to pick up where they left off and be able to move forward. He would like to invite Tony to the discussion. He also noted that we could look at the lease agreements for town lands to see if that can produce further. It was stated that the leases are 10 years and done by sealed bid.

The Board discussed meeting dates and would like to hold one February 22nd 7PM via zoom.

Cemeteries: C McKnight reported that the Town didn't receive the grant that was applied for. They said to reapply next year. He did have the opportunity to speak with a committee member and was told that they were awarding grants to the cemeteries that aren't being taken care of because of funds such as churches etc. He will reapply next year when the time is up. In the spring he would like to look at the Old Brookside cemetery driveway and touch up the roads that have been done. It would take 6-8 loads of materials and would help the driveways hold up. There is money in the Haggett account that we can do this with.

Recreation: C Loomis spoke with the Recreation Chairman and was told there was no interest to put ice in this year. They will open the arena up to walking from 7AM – 7PM. Pickle ball will still be held in the arena as well. They will still investigate outdoor ice. C Loomis noted maybe the basketball/tennis courts could be flooded for ice.

Gallery/Clarke House: Supv Hammond reported that he had attended the meeting for the Clarke House. There is a big push to raise money to install a period correct ceiling on the 1st floor. They are looking to raise \$7,500 by June 1st. They are excited to do this so that donors will actually see tangible results from their donations. Mark Scott stated that the \$7,500 was a 50% match for a grant from the Sweet grass Foundation. The total project is \$15,000. Mark also reported that the gallery is working hard. There will be an exhibit of Paul Dixon who will bring 88 years of artistry in sketches, oils, land and sea scapes. This will begin April 17th.

Museum: Supv Hammond received an email that there will be a zoom meeting in the next few days. The new historian Kathy Putney posted a nice letter on Wonderful Waddington and in the Waddington Recorder. She is excited to get things rolling.

Agriculture: C McKnight noted that there isn't a lot reported on agriculture but he felt the information he had was worth sharing. There will be a webinar next week from 1-2PM about the spotted lantern fly. This is an invasive species that makes the emerald ash borers look like monarch butterflies! They attack trees, fruit plants, and sumac trees. They will be putting traps out to see if there are any in the area. There are 7 counties in Pennsylvania on quarantine for these flies.

Radio Tower Update: There was no update on the radio tower.

Baildon's Property: No updates

RFP Standby Generator: There were 4-5 vendors who came to the Municipal Building to look at the project. We received 3 RFP's. They will be scanned and emailed to the Board. The following RFP's were received:

Tel, Inc, Heuvelton, NY: \$59,500 w/ additional asbestos work \$2,595

AOK Engineering, Gouverneur, NY: \$187,388

Kahrs Co, Alex Bay, NY: \$73,450

This will be tabled until the next meeting when the Board has had time to review.

Court Security Officer: Supv Hammond reported that he had spoken with Justice Robinson in late January about putting together the left and right limits and to make changes so that we could review in a parallel path between the court security officer and constable. There are no actionable items yet.

Local Government Task Force: Supv Hammond reported that he spoke with Rob Daley from NYPA about the recreation project that the Town has picked and he was told the next steps are to have an approval resolution passed by the LGTF. He sent out an email to them. They will have to set up a meeting. They will have to get all the voting powers involve. They are the T/V Massena, T/Louisville, T/V Waddington, M/W school & Massena School.

Fire Detection System: C Prentice noted that he had gotten a quote for the fire detection system for the Municipal Building Complex. He has been in touch with the company and they will still honor the quote given. He will send it back out to the Board.

EastCoast Water Cross: C McBath asked about the Jet Ski Races. We had tentatively given a date of June 26 & 27 of this year. He noted that there are new people involved in the Fire Dept. and Rescue Squad that would need to be advised. Supv Hammond noted that we had contacted them before we rescheduled. He hasn't heard anything from them and nothing has been signed. He will reach out to see where it sits.

NYSERDA Grant: C McKnight reported that he will meet with Rob Campany from Fourth Coast, Clayton. He will schedule a site visit to see what is the most feasible for the town and come up with a proposal for the next meeting. The grant should reduce our carbon foot print. The grant was for \$50,000.

PE Health Management Plan: The Board discussed the Public Employers Health Management Plan that has been completed. Supt Putney included his department's procedures to the plan. C McBath reported that he read an article on it in our Association of Town's magazine that says we have to have the union's approval before we adopt. Further discussion held and it was decided to send to the union for approval. If there are no objections from them we should receive a letter stating so and then we can proceed with final approval.

NYS DOT Shared Service Agreement:

Resolution #24

Motioned by: Prentice

Seconded by: McBath

RESOLVED, that the Waddington Town Board does hereby renew the Emergency Shared Services Agreement with the NYS DOT for a four year period commencing on March 1, 2021 and ending on February 28, 2025. Ayes: All

Hold Harmless Agreement:

Resolution #25

Motioned by: McKnight

Seconded by: Prentice

WHEREAS, the Town of Waddington is desirous of St. Lawrence County Department of Highways providing shared services such as paving, signage, road stripping, blasting, and other routine maintenance activities to the Town, and

WHEREAS, both the Town of Waddington and the County of St. Lawrence are desirous of promoting partnering efforts for the safety of the traveling public in St. Lawrence County, and

WHEREAS, in this joint cooperative endeavor the Town of Waddington and the County of St. Lawrence desires to be reimbursed for their expenditures, and

WHEREAS, the Town is aware that the County may incur liability in the providing of the services and wishes to indemnify the County in this regard,

NOW, THEREFORE, BE IT RESOLVED that to the fullest extent permitted by law, the Town of Waddington will indemnify and hold harmless the County, their officers, directors, partners, representatives, agents and employees from and against any and all claims, suits, liens, judgments, damages, losses and expenses, including legal fees and all court costs and liability (including statutory liability) arising in whole or in part and in any manner from injury and/or death of person or damage to or loss of any property relating to or arising out of any negligent or intentional acts and/or omissions of the Town of Waddington or any of its directors, officers, employees, contractors, representatives, or agents.

BE IT FURTHER RESOLVED that the following request for General Liability (GL) coverage is as follows:

General Liability Insurance

On an "Occurrence" basis, with the following limits:

\$1,000,000 Each Occurrence

\$3,000,000 General Aggregate

\$1,000,000 Products Aggregate

\$1,000,000 Personal Injury

\$ 50,000 Fire Damage Legal Liability

\$ 5,000 Medical Payment Expense

BE IT FURTHER RESOLVED, that St. Lawrence County shall be an additional insured on the GL Policy, via ISO endorsement CG 2026. Ayes: all

Iroquois Dam Gate: Supv Hammond noted that the Board said it would open the gate at Iroquois Dam when the ground was frozen. He is asking that the gate be opened for ice fishing and closed when the frost is gone.

Resolution #26

Motioned by: Hammond

Seconded by: Loomis

RESOLVED, that the Waddington Town Board does hereby approve the opening of the gate at Iroquois Dam to allow access for ice fishing. The gate will be closed once the frost is gone and mud season arrives to avoid any damage by vehicles. Ayes: All

Court Audit: The clerk asked for a committee to perform the annual audit of the court system. C Prentice and McBath have volunteered. The Clerk will give Kerri their email to contact and set up a date.

Grievance Board of Assessment Review: The clerk reported that Stephen McKnight's term on the Grievance Board of Assessment Review was expired and he has said he will take a reappointment.

Resolution #27

Motioned by: Hammond

Seconded by: Prentice

RESOLVED, that the Waddington Town Board does hereby reappoint Stephen McKnight to the Grievance Board of Assessment Review for a term of 5 years.

Ayes: Hammond, McBath, Loomis, & Prentice Abstain: McKnight

Dog Control: Maurice LaRock the newly appointed Dog Control Officer has requested a few items to do the dog control job safely. He would like to order Bite Proof Gloves, a Ketch all ketch and release pole, and 3 different size muzzles. Discussion was held.

Resolution #28

Motioned by: Hammond

Seconded by: McKnight

RESOLVED, that the Waddington Town Board does hereby to allow the purchase of bite proof gloves, Ketch All pole, and 3 different size muzzles with the understanding that this is all town property and will be turned in should the Dog Control Officer decide that he no longer want the position or is not reappointed. Ayes: All

Town Clerk/Code Enforcement Reports: The Board noted that they just received these reports and would like to table until the next meeting. They did have a question on the number

of permits issued. The total didn't add up. The Clerk will check with the Code Enforcement Officer and resubmit.

CCA Administrator Agreement: This agreement is part of the process for the solar farm. It would allow Joule to be our third party agent.

Resolution #29

Motioned by: Prentice

Seconded by: Loomis

RESOLVED, that the Waddington Town Board does hereby agree to sign the CCA Administrator Agreement w/Joule to provide consulting and program administration services for Community Choice Aggregation. Ayes: All

Local Law #3: The clerk read a letter from the Town Attorney in which he stated that he could establish a new section in the solar law and entitle it "Section 7.7, Reimbursement of Town Legal Fees". The Board discussed and asked the clerk to proceed with Local Law #3 of 2021

Resolution #30

Motioned by: Loomis

Seconded by: Prentice

RESOLVED, that the Waddington Town Board does hereby authorize the Town Attorney to make revisions to the Town of Waddington's Solar Law to include reimbursement of town legal fees. Ayes: All

Employee handbook: C McBath noted that he hasn't had time to get with C Loomis to compare notes and see what revisions need to be made to the Employee Handbook. He also asked if the clerk had checked to see if the company that did the handbook would do a review of a draft if the town gave it to them. She had not but will contact them.

Citizen's Comments: Mark Scott asked about Local Law #3. He noted that NYS is putting forth an effort to fast track solar projects. How will this affect our local law?

He also noted that the voting members of the LGTF include a County voting member. Supv Hammond stated that NYPA says they do not.

He also stated that Supv Hammond might want to check with the County Chamber of Commerce concerning the water cross competition. Johnnie is no longer there and not sure where the county stands on it.

He asked about the Dog Control Officer. Why are there two. Supv Hammond reported that Maurice Larock and Jim Pipher are both appointed. Dog control is now done on a per case basis not salaried as was before. Jim is expected to retire soon.

Mark also asked why the board will be going into executive session at the meeting on the 22nd. C McBath noted that there are 8 reasons to go into executive session and one of them being to discuss the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof. There will be plenty of public meetings on the subject as the Board progresses.

Marjorie Todd asked why the Library had been removed from the solar benefits. They were not aware that this was going to happen when they were preparing their budget and how will this affect us. C Prentice stated that they had a line item for utilities that was fat. They asked several times for clarification but not were given. She stated that the Board was adding something into their budget that they were not aware of. Further discussion ensued.

A motion was made by Hammond, seconded by Loomis to reinstate the library under our solar umbrella. C Loomis noted that he feels that the Town changed the game after the start. We changed it after their budget was adopted.

C McBath asked what else was paid for from that line item. Marjorie reported that they pay for gas, NCLS Fees, fiber optic, computer books, and eBooks and now electricity. C McBath noted that we are 5 weeks into the new budget are they projecting a budget shortfall? C McKnight noted that at the end of the day we did discuss it before the budget passed and would like to rescind the motion to remove them. Supv Hammond noted that since we can't do anything about it now because we can only change our accounts once a year the library should keep

diligent notes and bills due to no solar and see how the funding actually works. At the 6 month mark if it needs to be addressed we will take a look at it just like any other board item.

Bills: It was noted that the Clerk didn't email the abstract of bills. She will send and approve at the Feb 22nd meeting.

Adjournment: A motion was made by Prentice, seconded by Loomis to adjourn the meeting @ 9:15PM. Ayes: All

Respectfully submitted,

Carol A. Burns, Town Clerk