

Regular Meeting

A regular meeting of the Waddington Town Board was held on Monday, November 2, 2020 @ 7PM in the Municipal Building. Due to Covid-19 regulations concerning the number of people able to attend a public meeting all citizens attending the meeting will be doing so via Zoom.

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, Heather Jock, Edith Ashley, Tom Tomlins, John Dinneen, Jacob Jock, and Marjorie Todd.

Call to order: Supv Hammond called the meeting to order @ 7:05PM.

Approval of Minutes: A motion was made by McBath, seconded by Loomis to approve the minutes with the correction of the campground committee. Ayes: all

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

Public Hearing: Supv Hammond opened the public hearing for the preliminary budget @ 7:10PM with the clerk reading the legal notice. There were no public comments at this time. The hearing was declared closed @ 7:15PM.

Supv Hammond asked for a motion to approve the 2021 Preliminary budget as the 2021 adopted budget. No motion was made.

A motion was made by Hammond to adopt the 2021 Preliminary budget as the 2021 adopted budget. No second was given.

Supv Hammond moved on with the meeting.

Committee Reports:

Recreation/Tourism: C Loomis reported that pickle ball is going well at the civic center. They play two nights a week. He noted that he had spoken with Lloyd Hargrave about the Waddington Fish and Game Club. He was told they had to cancel all events due to Covid but were trying to keep their membership up. Supv Hammond noted that when he first took office the Fish and Game Club came to the Waddington and Madrid boards looking for financial support. Both boards had agreed to contribute \$500 contingent on them bringing the kids fishing derby back. Nothing was heard from them again. He would like to see this discussion brought forth again.

The parking lot at the beach has been sealed. The walking paths will be done in the spring. The Board asked if there were any word from the Power Authority concerning the ash trees at the beach. They were told they would be notified if anything were to be done with them. Jeff Farrell from NYPA had the tree people look at the willows near the waterfront at the beach. He will have them remove if possible.

Rescue Squad: C Prentice reported that the Rescue Squad was meeting this evening. The new stretcher is installed in the rig. The new ambulance has been ordered. It will be here sometime in 2021. They don't have a date yet.

Library: The library board will hold their meeting on Wednesday evening.

Campground committee: Nothing to report from the campground committee.

Cemeteries/Safety: C McKnight had nothing to report.

Highway: C McKnight reported that the department has been busy doing maintenance on trucks and equipment. They blacktopped with Madrid for 1 ½ days, blacktopped the intersection of brown Church Rd & 37 and did some patching, dug two graves and one cremation, widened and made a turnaround at the end of Wayne Hunter Rd, cleaned up sand pit getting ready to haul sand for the winter, hauled sand for 4 days, and is helping Madrid put their sand up. All the sand for the Town of Waddington has been hauled.

The Board discussed leasing a new loader. They looked at the options presented by Supt Putney. After much discussion C McKnight noted that he would like to wait a year to see what next year looks like. There are so many things going on that could affect our economy. Such as the presidential election, COVID shutdown and the overall pandemic. It would be wiser to see where we sit when it all settles. The Board agreed and will look at it again at a later time.

Gallery/Clarke House: Supv Hammond reported that the Board had sent a request to the Clarke House to see what the money contributed to the Clarke House would be used for in the visitor's center. A response was sent by Russ Strait. The Board discussed and noted that it didn't give them the information that they were looking for. They are looking to see a line by line budget that tells exactly where our funds are being spent. Supv Hammond asked the board how they wanted to handle their request for funds for this year.

Resolution #58

Motioned by: Loomis

Seconded by: McBath

RESOLVED, that the Waddington Town Board will pay the Clark House \$2,500 for the year 2020 on the condition that they submit a line item budget showing exactly what the funding is used for. Ayes: All

Mark Scott reported that the Gallery is doing the best they can during the pandemic. They will be doing a virtual tour on the St. Lawrence County website between August 26- December 13th. They are opening when possible and ask that everyone wear a mask and remain socially distanced.

Mark also noted that at this time there are 20 new COVID cases with 7 hospitalizations. He stated that this a real concern and requests that people follow the rules and be extra careful.

Old Business:

Radio Tower: They are waiting for National Grid to run the wires. The conduit has been installed. Matt Denner doesn't have an in service date yet. Supt Putney noted that he had some concerns about the wiring behind the old town barn. The power is not under concrete as it is out front. He was told it was too expensive and it was being put in schedule 80 piping. They are going 1' deeper than the 4' requirement. This came from National Grid. The Board discussed and stated that something should be in writing from National Grid that they would be responsible for anything that happens to the pipe/wiring if damaged.

Local Community Planning: Supv Hammond noted that he didn't think to tell Kevin Kitzman that the Board's monthly meeting was changed. He will have a report from him with the results of the community planning for next month.

Local Government Task Force: Supv Hammond reported that they will be doing the paving at the Massena Intake next week. He has scheduled a meeting with Jeff Farrell to meet with him on Leishman Point to see where the Power Authority property lines are for a walking trail. He noted that they had a heated discussion about the annual payment timeline. NYPA told him that they don't have to give it to the towns until February according to the contract. He noted it has been precedence to receive it before December 31st.

Rob Daley (the new Mark Slade) will take a look at it before the review comes in. The next meeting will be early December. The Board would like to be informed when it is scheduled. The Shoreline Stabilization Committee will be meeting. Jim Houmiel is the Town's representative.

Baildon's Update: There was nothing to update at this time. C McBath noted he had looked at the copy of the local law submitted by Tony that is used by the Town of Louisville. He felt that there is a lot of good information that can be used by the Town of Waddington to give us the teeth to enforce the property maintenance code. The Board further discussed the submittal. He asked that each board member look further at it and either add or delete what they don't want/like and we could come up with something for Waddington.

RFP's Solar/Generator: C McBath has been working on the RFP for the stand alone generator system. He found a template on line and is 2/3 of the way there. He has met with C Prentice to collaborate what electrical capacity etc. we will need.

He has also looked at the sample document for solar requests received from Potsdam. There is a lot more information in that document than the Town will need. He will begin work on that. The board will need to clarify the exact spot they are looking at for the project. The Board also discussed changes to the solar portion of the local law. They have expressed that they would like Tony to attend the next meeting. The Clerk will contact him.

Old Town Hall: They will be pouring the concrete for the sidewalk at the end of the week when the weather will be warmer.

Supv Hammond reported that at this time the board will plan to have the meetings at the municipal building with the public on zoom instead of heating the space at the old town hall. This is the safest way at this point. If the second wave happens the board will go total zoom.

Court Security Officer: C McBath reported that he had done some more research on qualifications for different levels of court security officer. The board had discussion on the subject and decided that they needed to sit down with the Justice and Court Clerk to see exactly what they were looking for and if they had any qualified people in mind.

Dog Control: The Board discussed the new form of dog control to be used in the Town. The job description has been written and the form has been drawn up. Further discussion was held to advertise for the position. Supv Hammond noted he would like the opportunity to speak with the current dog control officer to let him know how the new system will work and leave it up to him if he wants to continue. The Board agreed with him.

Resolution #59

Motioned by: Prentice

Seconded by: Loomis

WHEREAS, budget constraints has the Town Board looking at all aspects of the costs to the Town of Waddington; and

WHEREAS, the financials of dog control is an area that the board feels can be reduced;

NOW, THEREFORE BE IT RESOLVED, that the Waddington Town Board will implement the following dog control procedures:

1. Dog control officer will be appointed by the Board on an annual basis in order to perform dog control in the Town of Waddington.
2. For services rendered, compensation will be given on a per case basis. \$50.00 will be the rate per case. "Per case" is defined by a call or written complaint to the dog control officer or the town clerk, about requested services of the dog control officer. Compensation is to be paid once the case or complaint is resolved and a case form has been filed with the Town Clerk.
3. The first 20 miles is included in the \$50 rate. Additional mileage for follow up etc. must be documented on case form in order to be reimbursed at the current allotted fee passed annually by the Town Board.
4. All case forms need to be turned in by the first Friday of the month so that the Town Board can approve payment at their monthly meeting. Ayes: All

Solar updates: The Town Attorney sent letters to the Board noting that they could approve the decommissioning and pilot consent resolution for both solar projects. The Board discussed both decommissioning plans and felt that Omni Navis' plan didn't have good numbers where the removal was concerned. They also didn't submit a sample bond.

Resolution #60

Motioned by: Loomis

Seconded by: McBath

WHEREAS, Waddington Solar, LLC, a New York limited liability company (the "Company"), has requested the assistance of the St. Lawrence County Industrial Development Agency (the "Agency") with a certain project (the "Project") consisting of (A) the acquisition of an interest in approximately 215.6 acres of land located at 1497 County Route 31, Town of Waddington, St. Lawrence County, New York (the "Land"); (B) the installation on approximately 41.7 acres of the Land of a 2.5 mW-AC ground-mounted photovoltaic solar energy system including panels, racking, inverters, electrical cables, grid

interconnection, site preparation, access roads and any other required improvements (collectively, the "Improvements") (C) the acquisition and installation in and around the Improvements of certain items of machinery, equipment, fixtures, furniture and other incidental tangible personal property (collectively, the "Equipment", and together with the Land and the Improvements, the "Facility"); and (D) the lease of the Issuer's interest in the Facility back to the Company pursuant to a project/leaseback agreement; and **WHEREAS**, pursuant to the Application for Financial Assistance (the "Application") submitted by the Company to the Agency, the Project will (i) entail a capital investment of approximately \$1,513,000; (ii) create 20 construction jobs; and (iii) create 2 part time jobs; and

WHEREAS, the Agency's Uniform Tax Exemption Policy provides that sponsors of non-industrial projects and projects whose terms deviate from the standard must secure the consent of local taxing jurisdictions in order to structure the terms of a payment in lieu of tax agreement (the "PILOT Agreement"); and

WHEREAS, in connection with the Application, and in furtherance of the Project's positive financial impact within the Town and the County of St. Lawrence, the Company has requested the Town's support and consent in establishing the terms of the PILOT Agreement as outlined below.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WADDINGTON AS FOLLOWS:

Section 1. The Town hereby authorizes the Agency and the Company to enter into the PILOT Agreement whereby the schedule of payments to be made under the PILOT Agreement is more particularly described in Schedule A, which is attached to the Certificate (as hereinafter defined).

Section 2. The Supervisor of the Town is hereby authorized to execute and deliver a consent certificate (the "Certificate"), in the form attached hereto, such Certificate to be delivered to the Agency as evidence of the Town's consent to enter into the PILOT Agreement.

Section 3. This resolution shall take effect immediately.

Roll Call Vote:

Supv Hammond: Aye	C Loomis: Aye
C McKnight: Naye	C Prentice: Aye
C McBath: Aye	

Resolution #61

Motioned by: Loomis

Seconded by: McBath

RESOLVED, that the Waddington Town Board does hereby approve the decommissioning plan and bond as submitted by Nexamp for the Waddington Solar, LLC Project. Ayes: Hammond, McBath, Loomis, Prentice. Naves: McKnight

Resolution #62

Motioned by: Hammond

Seconded by: Loomis

WHEREAS, GSPP COUNTY ROUTE 31, LLC, a New York limited liability company (the "Company"), has requested the assistance of the St. Lawrence County Industrial Development Agency (the "Agency") with a certain project (the "Project") consisting of (A) the acquisition of an interest in approximately 215.6 acres of land located at 1497 County Route 31, Town of Waddington, St. Lawrence County, New York (the "Land"); (B) the installation on approximately 41.7 acres of the Land of a 2.5 mW-AC ground-mounted photovoltaic solar energy system including panels, racking, inverters, electrical cables, grid interconnection, site preparation, access roads and any other required improvements (collectively, the "Improvements") (C) the acquisition and installation in and around the Improvements of certain items of machinery, equipment, fixtures, furniture and other incidental tangible personal property (collectively, the "Equipment", and together with the Land and the Improvements, the "Facility"); and (D) the lease of the Issuer's interest in the Facility back to the Company pursuant to a project/leaseback agreement; and **WHEREAS**, pursuant to the Application for Financial Assistance (the "Application") submitted by the Company to the Agency, the Project will (i) entail a capital investment of approximately \$1,513,000; (ii) create 20 construction jobs; and (iii) create 2 part time jobs; and

WHEREAS, the Agency's Uniform Tax Exemption Policy provides that sponsors of non-industrial projects and projects whose terms deviate from the standard must secure the consent of local taxing jurisdictions in order to structure the terms of a payment in lieu of tax agreement (the "PILOT Agreement"); and

WHEREAS, in connection with the Application, and in furtherance of the Project's positive financial impact within the Town and the County of St. Lawrence, the Company has requested the Town's support and consent in establishing the terms of the PILOT Agreement as outlined below.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WADDINGTON AS FOLLOWS:

Section 1. The Town hereby authorizes the Agency and the Company to enter into the PILOT Agreement whereby the schedule of payments to be made under the PILOT Agreement is more particularly described in Schedule A, which is attached to the Certificate (as hereinafter defined).

Section 2. The Supervisor of the Town is hereby authorized to execute and deliver a consent certificate (the "Certificate"), in the form attached hereto, such Certificate to be delivered to the Agency as evidence of the Town's consent to enter into the PILOT Agreement.

Section 3. This resolution shall take effect immediately.

Roll Call Vote:

Supv Hammond: Aye C Loomis: Aye
C McKnight: Naye C Prentice: Aye
C McBath: Aye

Drug Testing: The Clerk reported that she had received a request from Mountain Medical services to renew our annual drug testing contract.

Resolution #63

Motioned by: McKnight

Seconded by: Prentice

RESOLVED, that the Waddington Town Board does hereby approve the renewal of the random drug testing contract with Mountain Medical. Ayes: All

Iroquois Dam: Supt Putney reported that there has been more damage at the Iroquois Dam. All the work that the fishermen have done to fill in the ruts made by people mud bogging their trucks has been for nothing. It is all rutted up again and they are spinning out on the gravel road. If the Board doesn't do something about this there will be no incentive for the horse people to keep the trails up and keep coming. The board discussed the options and the following resolution passed.

Resolution #64

Motioned by: Prentice

Seconded by: Loomis

RESOLVED, that due to the destructive nature and disrespect for the property located at the Iroquois Dam the gate will be closed and locked until the ground freezes up and it can be reopened for winter fishing.

Roll Call Vote:

Supv Hammond: Naye C Loomis: Aye
C McKnight: Aye C Prentice: Aye
C McBath: Aye

The clerk will post an announcement and the pictures of damage done on the Town's website.

Budget: Supv Hammond once again brought up the Preliminary Budget. He read the timeline for the final budget from the Association of Towns Town Law book. The final budget needs to be in place by November 20th. If a final budget fails to be adopted by the board the preliminary budget as passed will become the final budget. He once again asked the board what the problem with the budget was.

C McKnight noted that he didn't agree that both sides of the steps at the library needed to be cleaned. The people who did the concrete stated that if you only use one side in the winter it will save the steps. There is no reason for the extra snow removal.

Mark Scott spoke up and said that in the 20 years he has been coming to meetings he has never seen a town board not pass a budget. There were different decisions to be made over the years but doesn't understand the problem.

Supv Hammond noted that three members passed the preliminary budget and two were against it with the caveat that a special meeting be held to make changes. A special meeting was held and no changes came from it.

Supv Hammond noted that he will not hold another special meeting unless there is a request from two councilmembers and if no action is taken the preliminary will stand. Edith Ashley noted that she has consistently received .50 per hour. She even received 1.00 per year. C Prentice noted that rates of increase are generally percentages. It's hard to give more of a percentage to one employee when there is a flat rate across the board.

C McKnight asked about the library budget in the preliminary. Supv Hammond stated that in the beginning of the process the library submitted their budget and C McBath submitted his version. Both versions were in the original worksheet. After the 1st meeting Edith submitted another budget to make a compromise. C McKnight asked why we hadn't even considered that. Discussion was held and the board agreed that they would support the library's compromised submittal.

Resolution #65

Motioned by: Loomis

Seconded by: McKnight

RESOLVED, that the Waddington Town Board does hereby accept the second budget or "compromise" budget submitted by the library in which the Town of Waddington will raise \$75,883 in taxes for 2021. Ayes: All

Resolution #66

Motioned by: Loomis

Seconded by: Prentice

WHEREAS, the Waddington Town Board has met at the time and place specified in the public notice on the preliminary budget and heard all persons desiring to be heard thereon;

NOW, THEREFORE BE IT RESOLVED, that the preliminary budget is hereby adopted with the changes in the amount to be raised by taxes to the library budget as the annual budget for this town beginning January 1, 2021. Such budget as so adopted will be entered in detail or physically placed therein the minute proceedings of the Town board and be it

FURTHER RESOLVED, that the Town Clerk of this Town shall prepare a certified copy to the Clerk of the County Board of Legislators.

Roll Call Vote: Supv Hammond: Aye C. McKnight: Aye C. Prentice: Aye
 C. McBath: Aye C. Loomis: Aye.

Bills: A motion was made by Loomis, seconded by McKnight to pay bills #13657 -13693 in the amount of \$62,328.46. Ayes: All

Adjournment: A motion was made by Prentice, seconded by McKnight to adjourn the meeting @ 10:00PM. Ayes: All

Respectfully submitted,

Carol A. Burns, Town Clerk