

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 January January 11, 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, Tony McManaman, Code Enforcement Officer, Edith Ashley, Kevin Acres, Tenley Amo, Mark Scott, Margie Todd, Toby Bogart, and Mike Zagrobelny, Mayor.

Call to order: Supv Hammond called the meeting to order @ 7:03PM.

Pledge of Allegiance: The Pledge of Allegiance was recited.

Approval of Minutes: A motion was made by McKnight, seconded by Loomis to approve the minutes as submitted. Ayes: All

Citizen's Comments: No comments at this time.

Supv Hammond noted that he was going to change the agenda around a bit to give the board the opportunity to speak with their issues for the code Enforcement Officer.

Baildon Update: A judgement has been granted by the St Lawrence County Supreme Court against the Baidons. It has been ordered that they have to clean up the property and not allow any further deposits for scrapping, rubbish, trash or any other materials. There has also been a \$100,205 judgement placed on them.

C McBath asked where we go from here. Do we place a lien on the property?

Tony told the board that he had a similar situation in Louisville. They were told to clean it up. They didn't. It was sent to Supreme Court and the town was told to go in and clean up the property. It was later added to their tax bill. It took them 3 dump trucks and a pay loader to clean up the stuff. This is why the local law that Tony submitted to the board is so important. It gives the Code Enforcement Officer the teeth that he needs to enforce the law.

C Prentice asked if there had been any movement on the Baildon's part to do the right thing. Tony noted that nothing has been cleaned up. It's just stacked neater. Tony suggested that maybe the town could negotiate with them to put up a stockade fence to make the junk out of site to the public.

C McKnight asked if the Town passes the local law can it go back to the previous case. Tony noted that he would have to start from the beginning with a complaint. A summons would be issued and then 30 days later send it to the attorney for Supreme Court action. This time he would have the power to make them clean it up or it would be cleaned up.

C McKnight noted that there is no way the Town Highway crew would have the time to clean it up. They don't have the manpower. Tony noted the best way to clean it up would be to contract it out. That way there is no hard feelings on the employees.

Local Law Property maintenance: C McKnight noted that he was concerned about the portion of the law that specifies the length of the grass in someone's yard. He is concerned that another person would interpret it differently. They could go around enforcing mowing. Tony stated that this is actually in the NYS property maintenance code that was adopted already. This law is exactly what he uses in Louisville. The next step would be a public hearing. A motion was made by Loomis, seconded by McBath to send the draft to the Town Attorney for approval. If he approves it will be on their desks for a public hearing in February.

C McKnight noted that he is on the fence about this local law. He wondered how many other municipalities have something similar. Tony stated that under the NYS Property Maintenance Code the regulations are worse. This is no more regulations than already in place. It just gives the teeth to enforce.

Solar: The Board has been discussing enforcement that would make the solar companies applying for permits in Waddington to have to cover the attorney fees involved. C McKnight asked Tony if there were other municipalities that have any regulations to bill for attorney time on solar projects. Tony said he would do some research but hadn't seen this. C Prentice noted that by the time the project gets to the town board for PILOT and decommissioning the project is well underway. Tony noted if you change the current solar law to include this they would see this when they look at the local law to start.

A motion was made by Loomis, seconded by McKnight to amend the local solar law to read. All solar project submittals to the town, seeking town approval shall be reviewed by towns elected attorneys as needed. All legal fees associated with the review process shall be the responsibility of the project /developer. No legal fees shall be incurred by the town for approval process. This will also be sent to the Town Attorney for approval and put on for public hearing in February.

Tree Request Library: Supv Hammond reported that he had sent a proposal to the Board a couple of months ago from the new neighbor of the Library. They would like to plant trees on the town property between the two properties. The board was concerned about maintenance etc. They asked Tony if there were any regulations concerning the planting of trees. Tony noted that there is nothing about trees. If they are planted on the line they basically belong to both parties. There are court cases concerning limbs hanging onto a neighbor's property. The Board asked Supt Putney where the sewer and water lines were on the library property. He noted that the sewer is in the middle of the driveway. The water should be there also. Supt Putney also told the board that the snow is plowed into that middle portion between the driveways.

C Prentice noted that at this time it may not be a problem to plant them on Town property but could become an issue at some point. Further discussion ensued.

A motion was made by McKnight, seconded by Loomis to reject the request to plant trees on the town property between the library and the neighbor to the North. Ayes: McKnight, McBath, Loomis, and Prentice. Abstain: Supv Hammond

Committee Reports:

Recreation: C Loomis reported that he had spoken with Russ. The Recreation committee is advertising for the position of Rink Technician and Monitor. There will be both pickle ball and ice in the arena weather permitting. Supv Hammond asked if the Recreation Commission had a plan for COVID safety for the program. C Loomis also reported that he had two different complaints about the pickle ball people not wearing masks. The Board asked the Mayor if the Village had a mitigation plan for that facility and any events there.

Mayor Zagrobelny reported that there is a limit of 10 people and he would take the concerns about masks to the recreation commission and make sure this is being enforced.

Supv Hammond noted that he is working with NYPA to be a solution to the seaweed issue at the beach. C McBath noted that years ago they used a set of bedsprings and a boat to drag the weeds. Supv Hammond noted they were looking at a version of an atv to pull from the land. C Loomis noted that he has a set of chain drags that a friend of his uses with a winch on the tractor to clean the seaweed at their property. Supv Hammond also reported that NYPA has removed the willow tree on the waterfront. He asked the tree crew if NYPA was going to cut or preserve the white ash trees in the park. They heard that they will be coming out at some point. Supv Hammond noted that he will be pushing for NYPA to replace them with some big trees not saplings.

Rescue Squad: C Prentice noted he had nothing to report.

Library: C Loomis reported that he was unable to make the library meeting due to the joint meeting with the Village Board. Margie Todd asked why the library was dropped off the solar power. C Prentice noted that they had a line item in their budget for utilities. C Loomis noted

that they passed their budget thinking they had solar for electricity and then the Board takes it away from them. He noted it was just food for thought.

C McBath reported that the library had requested lighting on the flag pole. He took it to the Sons of the Legion and they have decided that it was a project they would like to do. They will purchase and install a solar light on the library flag pole. Putney Tree Service will install. The Board thanked the Sons for their contribution.

Grants/Alternative Revenue: C McBath asked Supv Hammond what his vision is for this committee. Supv Hammond noted that C McBath is skilled in writing grants. He has helped the Town get the grant for the new truck and also helped the fire department and the rescue squad. If he wanted to make it a committee to get some people together to discuss alternative revenues that is also a possibility.

C McBath noted that the board has talked about solar project, putting some property back on the tax roll. This would give instant revenue as well as consistent revenue after that. C McBath asked Mark if he could put something in the recorder to see if there are any people that would like to help.

Cemeteries: C McKnight reported that he hasn't heard anything about the grant awards.

Highway: C McKnight reported that the Highway Department has been doing maintenance on trucks, did safety training by video, installed the mailboxes for the Town and Village, changes road signs, took the Christmas Decorations down, plowed and sanded 10 times, sanded only an additional 5 times, and hauled sand for the Village to backfill for the water main break on Main St.

C McKnight reported that there is a dozer on the federal military surplus. It is in New Jersey. The town put in for one a year ago but was not chosen. The cost of the equipment is 5% of the initial cost. This would be \$3600. It would be able to be utilized at the sand pit as well as the gravel pit.

Supt Putney noted he was comfortable with the description of the dozer. It has new tracks. It would cost approximately \$2000-2500 to bring it home. It needs new batteries.

Resolution # 17

Motioned by: Loomis

Seconded by: McKnight

RESOLVED, that the Waddington Town Board does hereby give permission to Supv Putney to apply for the surplus dozer through the military surplus not to exceed \$7,000 for purchase and shipping. Ayes: All

Supt Putney reported that he will attend a zoom meeting with emergency services concerning COVID. What happens if COVID hits your department? He told the board that he has a plan put together and the routes are all mapped out so someone could come in and plow them if need be.

He was asked the status on the new truck. Supt Putney reported that the truck was due to get harnessed next week. He was unsure when the box will be here. It is coming from Canada and they are on a two week shut down due to COVID. He doesn't expect to see the truck much before the end of March.

Gallery/Clark House: Mark Scott reported that there wasn't much going on right now. They are getting ready for the summer. Hopefully COVID will be under control by then. Mark noted that he appreciated being on the agenda but would like to have it changed to business development. This would give the board the happenings with business in downtown.

Museum: Supv Hammond noted that there was no representative from the museum available. Kathy Putney, Town Historian wrote a letter to the public explaining plans for the museum. She noted that they will be soliciting help and would be working as quickly as possible.

Municipal Building Trees: C McBath asked if Supt Putney had received a quote to have the big maple tree removed at the Municipal Building. Supt Putney noted that it would be \$1,000.

Resolution #18

Motioned by: McBath

Seconded by: Prentice

RESOLVED, that the Waddington Town Board does hereby approve the removal of the maple tree at the municipal building in the amount of \$1,000 by Putney Tree Service. Ayes: All

Tower Update: Supt Putney reported that he had spoken with Rita Curran and Matt Denner regarding the antennas on the tower. They both stated that once the new chairman has taken over they will see where they stand. They are looking at some unanticipated sales tax revenue to cover the costs.

Generator RFP: C McBath and Prentice will meet with an engineer that has requested an in person visit for the generator RFP. They will meet on Wednesday.

Draft Local Law Solar: C Prentice reported that as a follow up to the discussion last month with Louise he has distributed the local law that must be passed as the first step in the process that will enable us to move forward, Once the local law is passed there will be a detailed agreement between the town and her company. They will then look at the properties for sizing of solar. It will be done within a 5 -6 month window. The board noted they were all comfortable with what she brought to the table. A motion was made by Prentice, seconded by Loomis to have the draft local law reviewed by the town attorney and set up for a public meeting at the February meeting. Ayes: All

Court Security Officer: Supv Hammond asked what the next steps are in the court security officer pursuit. Discussion was held and determined that the first thing we need is a list of duties and responsibilities. Supv Hammond will get these from Judge Robinson and Kerri O'Bryan for the next meeting. The board can then review and put in place. C McBath noted that there are templates available on line and he would be willing to work with them if they need help.

Snider Subdivision: C McBath noted he wanted to touch on the package from Tom Snider related to the codes and his subdivision. He wanted to acknowledge that he has received it and read through. He asked what the next step would be. Supv Hammond reported that the Planning Board Chairman, Ted Ritzko has sent the Town Clerk a letter in response to be mailed to Mr. Snider.

C McBath also reported that our local food pantry received \$1600 cash and come cases of food from the Lights on the River. They only held the display two weekends due to COVID.

NYPA Recreation Project: Supv Hammond reported that there were three community sessions held by Kevin Kitzman. The overall community response from the meetings was for the joint marina project between the Town and Village. The board held a joint meeting with the Village to discuss. The village's engineer Rob Campany was present to help explain the project. He asked the Board what there thought process was on the project.

C Prentice asked if the board was dismissing the Brandy Brook project. Supv Hammond noted what the committee wanted over the sessions. Brandy isn't a NYPA facility run by the town. It's run by Parks & Recreation and we have no say.

C Prentice asked what the timeline is going forward. Is this a conceptual plan? Have the other agencies looked at the project?

Supv Hammond noted that the Village was awarded Ready money for the project through the state and the Governor wants projects done ASAP.

Mayor Zagrobelny stated that the other agencies have not been approached yet. If it is accepted by FERC as a NYPA project it would go to all the agencies necessary.

C McBath stated that there were 38 people who attended all three sessions. He supports the project. He has experienced not being able to dock. He doesn't support the sale of gas on the river. There are many regulatory rules and it would compete with the local private business at Coles Creek Marina. He also supports the Brandy Brook project. There is not enough space there e for the use that the launch area gets. With 2.2 million there ought to be enough money for both projects. We could expand the Brandy Brook parking lot and put in a kayak launch. It wouldn't break the bank.

Supv Hammond stated that he was not opposed to the Brandy Brook project but was opposed to use this recreation money for it. It is not a facility run by the town.

C Loomis stated that he was a fan of the Brandy Brook project before the marina project came up.

C McBath stated that 38 people out of 2200 people came out for an overall of three meetings and the dock project came out above but the Brandy Brook Project was listed.

C McKnight noted that there may have only been 30-40 people in attendance but the whole community had the opportunity to attend. He also agrees with no gas at the marina. He agrees with the parking lot and the kayak launches but is leaning towards the marina project we are doing an unjust service by not listening to the community that attended.

C Prentice asked what the fall back plan is if the marina project isn't approved.

Supv Hammond stated that if we show we are in support of the project and that the community is behind it they would have no way to say no.

Further discussion ensued and the following resolution passed.

Resolution #19

Motioned by; Hammond

Seconded by: McKnight

RESOLVED, that the Waddington Town Board does hereby declare their recreation project to be a joint venture with the Village of Waddington for their marina project.

Ayes: Hammond, Loomis, and McKnight

Nays: McBath noting he was opposed to just one project

Abstaining: Prentice

Part Time Employees: Supv Hammond reported that there have been some discrepancies concerning part time employees at the library and the definition and rules for part time employees in the Town's employee handbook. The clerk contacted the Association of Towns to receive clarification as to which board has the authority on part time employees. It has been reported that the library board has the authority over part time employees at the library. The Town has authority over all other part time employees. The employee handbook needs to be updated to state that the library contracts and union contracts supersede the handbook. Discussion was held concerning updating. C Loomis told C McBath that he would work with him to do the updates. A quote of \$1700 was received to update the handbook by the company that produced it. C McBath asked if the clerk could get a cost to review our existing policy once it is revised.

PE Health Emergency Plan: Supv Hammond reported that C McBath had made some updates to the plan that he submitted last month. The governor has required a plan be filed for municipalities by the end of April. Discussion was held and a motion was made by Hammond, seconded by Prentice to table a decision until next month. Supt Putney will have had his meeting with the county and they can make sure the document is not in conflict with anything from his plan. Ayes: All

Citizen's Comments:

Mark Scott reminded people that any issues for the Recorder must be received by January 18th.

Tenley Amo told the board that it was a good decision for the Municipal marina. All of the session was good and this project will be good for the community.

Mayor Zagrobelny thanked the board for their consideration and patience while talking about the marina project. He looks forward to working on this together.

Bills: A motion was made by Prentice seconded by McKnight to approve bills #20-00125-20-00126, 21-0001-21-00031 in the amount of \$107,532.41. Ayes: All

Adjourn: A motion was made by Prentice, seconded by Loomis to adjourn the meeting @ 9:20PM. Ayes: All

Respectfully submitted,

Carol A Burns, Town clerk