

Regular Meeting

A regular meeting of the Waddington Town Board was held on Monday, November 7, 2022 @ 7PM in the Old Town Hall.

Present were: Acting Supervisor Travis McKnight and Council Members: David McBath, Kelley Tiernan, and Thomas Hunter.

Also Present: Carol A. Burns, Town Clerk, David Putney, Highway Superintendent, Tony McManaman, Code Enforcement Officer, Katelyn Agen, Aubrie Liddell, Kevin Liddell, Susan Papasian, and Tracey Putney. Mark Scott and Marjorie Todd were present via Zoom.

Call to order: D Supv McKnight called the meeting to order @ 7:00PM>

Approval of Minutes: A motion was made by Tiernan, seconded by McBath to approve the minutes with the changes suggested by Tiernan and McBath. Ayes: all

Citizen's Comments:

Mark Scott told the board that the Gallery Lake St. Lawrence Arts were going to have an open house on November 17, 2022, between 5-7PM. They will serve light refreshments and begin collaborating on future projects. They will be looking at more ways to utilize the old town hall for events. They are inviting the Board and public to come down to see what they have been up to.

Local Law discussion: D Supv McKnight reported that he has talked with the Town Attorney and he is working on a typed copy of the proposed local law. They will have it hand delivered to the office as it is lengthy. He represents four municipalities that will all be passing the local law. He noted that there are things in the local law that may not pertain to the town at this time but could in the future, so he suggests that we leave them in.

C McBath asked Tony if they will need extra inspectors to help. Tony noted that the local law will have more inspections in the Village than the Town. He also asked what the impact will be on the farmers citing welding in section 10A. Tony told him that would only pertain to someone who operates a regular welding shop. It will affect outdoor events that have 1000 or more people such as homecoming. They will need to get an operating permit. Fire inspections need to be done annually to the churches, pavilion, and SLU Boathouse.

The fee structure can be passed at any time by resolution but should be in place before June when all the events ramp up. The board can decide how long they want the operating permits. They can also waive the fees for a church if they so choose.

Kevin Liddell asked what will happen to small groups such as the Masons whose food trailer doesn't have a suppression system. Tony said they will have to comply if they want to participate in the festivities. We can look at this when the law is passed.

If the Town doesn't pass the local law by the end of December they will not be able to enforce the codes.

Copies will be given to the Board and posted on the website as soon as we receive it from the Town Attorney.

Local Law #1 of 2022: Tax Cap

The Town Clerk read the legal notice posted in the newspaper. D Supv McKnight opened the public comment period @ 7:05PM. He also explained that just because the Town is passing the local law to exceed the 2% tax cap doesn't mean that they are going to. The budget looks good right now but you don't know if something can creep up that they weren't prepared for. He asked if the audience had any public comments. Having none the public comment period was declared closed @ 7:15PM. He asked the board if they had any comments on the local law. None had and the following resolutions passed.

Resolution #77

Motioned by: Hunter

Seconded by: Tiernan

RESOLVED, that the Waddington Town Board does hereby declare that there will be no negative impact on the environment by passing this local law. Ayes: All

Resolution #78

Motioned by: McBath

Seconded by: Hunter

RESOLVED, that the Waddington Town Board does hereby approve local law #1 of the year 2022 entitled "Exceeding the 2% tax cap". Ayes: All

2023 Budget: D Supv McKnight opened the public hearing for the 2023 budget @7:20PM. The Clerk read the legal notice posted in the newspaper. He asked if there were any public comment on the preliminary 2023 budget. There were no comments and the public hearing was declared closed @ 7:23PM.

D Supv McKnight reported that since the preliminary budget was passed there was an error found. When the division of the Power Authority money was done \$26,804 was accounted for twice. He originally proposed to use the money that the Town receives from High Flow. This year the High Flow was down considerably. The Town only received 30,000 making the general fund short by \$45,253. He had been told that we can expect approximately the same for 2023 so the error could be funded by that.

Today the 4th quarter sales tax check came in higher than expected. The check came in @ \$116,463.20. He proposed to use this money in the following way.

	\$116,463.20	
-	25,693.24	sales tax owed to General Fund
-	<u>45,253.00</u>	to General Fund to offset shortfall from high flow
	45,516.96	balance surplus funds 2022
Recommend -	<u>26,804.00</u>	use in unexpended balance to cover error
Balance	18,712.96	deposit in DA Highway to cover extra fuel expenses incurred

The fuel expense will be discussed later in the meeting.

The board discussed the library budget. At the last meeting there was concern about a new line item called library substitute. This line is to fill in for the two people when they attend training sessions etc. The library board revised their budget request and noted that they could drop that line by \$200 making the request 800.

C McBath noted that he is not being negative on Bonnie or Aubrie and is not against the library but feels that it is his fiscal responsibility as a board member. He noted that there were 5.3% raises in personal services. This along with added money for fuel costs causes great concern. Inflation is at a 40 year high and the board was unsure about sales tax until just now.

Margie Todd reminded the board that the library didn't ask for an increase in their 2022 budget. If they needed money for the substitute, they would move it from another line item. Unfortunately, with the cost of supplies etc. there is no extra wiggle room to move the money around.

Mark Scott noted that he supports all that Margie had told the board. He asked the board to keep in mind that the library board discussed the substitute salary in depth and felt comfortable with the \$800 they have submitted.

C Tiernan noted that she would rather see the line item for substitute so the money is being spent from the line item it should be rather than moving from lines to lines.

D Supv McKnight noted that the library has worked very hard to get to this point to work with the Town. He appreciates their hard work and understanding.

D Supv McKnight asked if there was any further discussion concerning the 2023 preliminary budget. None had the following resolution was adopted.

Resolution #79

Motioned By: Tiernan

Seconded by: Hunter

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 as the annual budget for this town beginning January 1, 2023. 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:

D Supv McKnight: Aye Councilmember McBath: Aye
Councilmember Tiernan: Aye Councilmember Hunter: Aye

Committee Reports:

Library: C Tiernan reported that the library board is looking for a debit card use policy from the Town. The Clerk noted she didn't know if there was one in place but would look into it. The Board discussed the electric bills and the letter stating that the library could go on demand charges if not changed. They have requested an energy audit from National Grid. They discussed the new air conditioning but didn't think that would make it go over compared to the three window units that they had prior. D Supv McKnight noted that he had been speaking with Shaun Prentice on the subject. This is his area of expertise. He would like to see the electric bills and get the amperage data off the AC unit. In the meantime, the library is being very conscious about energy efficiency.

Bruce MacDonald has built a new bench with plaque for the children's library section in memory of board member Donald Finen. The board has also had another member resign. They would like to fill the position with Richard Hinkle.

Resolution #80

Motioned by: McBath

Seconded by: Tiernan

RESOLVED that the Waddington Town Board does hereby appoint Richard Hinkle to the library board. Ayes: All

Cemeteries: D Supv McKnight reported that a copy of the new bylaws has been distributed to the board members at this meeting. These will cover all cemeteries in the Town. He would like to Board to review and comment for the next meeting. These need to be in place for the Cemetery Committee to apply for 501.C.3 status. The Committee name will be "Waddington Cemetery Committee".

Grants/Alternative Revenue:

RVRDA grant –

RVRD grant agreement was signed and returned to them. C McBath will be creating a scope of work with Vicky MacDonald's assistance after the Nov mtg to address the stonework being considered. It will be presented at Dec board mtg for approval and the town can then put it out for RFPs with the stipulation that the stonework will need to be done in CY 2023.

ARPA Grant:

C McBath had a brief meeting with the Highway Superintendent and Town Clerk just prior to the October (17) monthly town board meeting to review expenditures to date and discuss allocation of any of this funding during the upcoming budget process. The updated project spreadsheet from that meeting has been emailed to the board members. As of Nov 22 mtg, at the end of phase 2 (with no additional revisions) all but \$11,715.00 of ARPA grant money has been committed or spent. Phase 3 project was estimated at \$36,726. The board will need to decide on how to move forward with the remaining grant funds. (Right now, there is a \$25,011 shortfall on completing the projected phase 3 parking lot paving project).

C McBath will be doing a project / budget update with US Treasury. Annual report will be due to US Treasury on status of these funds no later than April.

Iroquois Land:

Town Planning Board (TPB) met on Nov 1 and C McBath attended. TPB approved the SEQR prepared regarding the Iroquois land. TPB voted to send the town proposal to the county planning board for their review / comment as required by law. TPB was advised of the letter the Town Board received from NYPA stating that docks will not be allowed on waterfront of "phase 2" portion of proposed subdivision due to the river current and proximity to the Iroquois Dam. TPD also has concerns about the width of the road from SH 37 to the dam. Town codes require roads to be wide enough for school buses and emergency vehicles to traverse and be able to turn

around. Town Board needs to prepare to answer these questions when TPB reconvenes on this issue. C McBath recommends that the Highway Superintendent plan to attend the next TPB meeting to discuss the road concerns. TPB will re-visit this when comments are received back from the county. TPB also approved a subdivision proposal for 4 building lots on waterfront land owned by Tom Snider on River Road.

HIP CAMP:

From last meeting - HIPCAMP requires the town to set up a checking account to deposit the monies they collect electronically. Town Clerk was going to establish checking account for this purpose and close the savings account established. Town needs to get these funds from HIPCAMP and into this checking account. Town Board should decide now if they plan to change the footprint of the campsites at Leishman Point (relocate to parallel to the shipping channel vs the way they are now as was discussed – will require funding to be appropriated) or leave as they are now for the 2023 camping season.

County ARPA Facility and Infrastructure Improvements Fund (grant):

From this report last month - the library (as a not for profit) would be an eligible party to apply for a grant. C McBath shared all this info with Ms. Liddell by email on Sept 16 and gave her some additional feedback on Sept 20. Applications were due by October 17. C McBath has asked C Tiernan as library liaison if she could inquire to see if they applied for a grant.

Rescue Squad:

C Hunter reported that that during the month of October the Rescue Squad responded to 18 calls, 5 turnovers, and 78% coverage. The windows and doors were delivered today for the Rescue Squad Building.

Highway:

The highway department has been doing general maintenance on trucks and equipment. Sand has been hauled for three days with the help of two trucks from Norfolk and three trucks from Madrid. Cleaned up sand pit with excavator. Three trucks hauled sand for Madrid. The Highway Superintendent ran the excavator for one week. 1 man w/truck and payloader helped remove seaweed from the beach. Two men put plugs in holes for air conditioning at the library. Moved the stage for the pumpkin contest and harnessed all trucks for winter.

Historian:

The historian was busy during the month of October. She logged over 60 hours throughout the month of October. They had 2- five-hour work details with Clarkson honors students at the museum. ½ hour zoom meeting with the students. She and Matt Daley met with Professor Backus and the Clarkson Engineering students in their classroom for 2 ½ hours going over possible ideas for a floor plan for the new museum.

She attended the St Lawrence County historian meeting and book signing at the Fairfield Inn in Canton.

Hele the last walking tour of the season on the 8th of October to go along with October Fest.

They had six people attend and received \$30 in donations.

Helped with the WHA Paint and Sip on Sunday the 9th. Thank you to Patty VanPatten. It was the largest class that she has instructed.

Took part in the Village tour with the Mayor and the New York Forward grant representative on October 13th.

Worked throughout the month assembling items for the four exhibits that we showcased for the WHA event on the 30th of October. This event was attended by 60-70 people in the upstairs of the old town hall. Thanked the Clarkson Honor students for their help with the exhibits and for their help the day of the event. Thank Mary Brady, Marianne Martin, Patty VanPatten, Mary Hamilton, Kay-C Hayes, James Miller, the Madrid Waddington Drama students, Sue Hunter Papasian, Tom Hunter, Katelyn Osoway, Ashlee Dumas, Molly Bogart, Matt Daly, and Mayor Mike Zagrobelny. Sunday's event was a big success and look forward to working on more future events to share Waddington's history with the public.

The Historian requested that the Town board address the repair and maintenance of the town hall elevator. IT was not working and two older people couldn't attend the program because they couldn't get up the stairs.

Local Government Task Force: D Supv McKnight reported that the next LGTF meeting will be on November 17th. He has discussed the marina project with the mayor. The Town is contributing 2.2 million from our Power Authority money and we have no one sitting at the table. C Hunter has agreed to participate in the meeting to represent the town. They are currently talking about the docks for the project. C McBath asked if the boat ramps are on the list of items for the NYPA review. D Supv McKnight noted that they are on the list.

Fuel Expenses: D Supv McKnight reported that to date the fuel expenses line item is \$8,428.05 in the hole. The sand has been put up using a fair amount of fuel doing so. He would recommend that the board increase the fuel line item by the balance of the sales tax check, \$18,712.96. This will leave \$10,248.91 for fuel usage in November and December. Supt Putney noted that the tank is now full and it will depend on the weather we get during the next couple of months for the fuel usage.

Resolution #81

Motioned by: McBath

Seconded by: Tiernan

RESOLVED, that the Waddington Town Board does hereby agree to deposit balance of sales tax check in the amount of \$18,712.96 into the highway DA savings account;

FURTHER RESOLVED, that the line item 5130.41DA will be increased in the same amount. Ayes: All

Charter Franchise Agreement: D Supv McKnight has spoken with the Town Attorney. To date he has had no correspondence from Charter. We are still working off the old agreement and receiving our franchise agreement payments. He noted that the ball is in their court and we should just wait until they contact us.

Beach Seaweed: D Supv McKnight reported that they cleaned out the weeds with a good result. He thanked the highway department for being flexible. The first day they blew a hydraulic hose and brought their bigger boat down. The weather was bad so they waited a for a better day. They were able to harvest a 10-wheeler load of seaweed. Hopefully the town will only have to cut once in 2023.

Land Purchase Request: D Supv McKnight reported that he could find no right of way for the property located next to the memorial park unless the board was to do a full-blown title search. He spoke with the Town Attorney and was told to keep in mind that if the Town does decide to sell that small portion of land it is subject to permissive referendum. This means if the public puts forth a petition not to sell the board would be forced to hold a public vote. This could cost upwards of \$10,000. He did use an app on his phone to find the line and measured from the back of the fencing. The town only owns 33' from the back angle of the fence. The board further discussed the posting that was on social media stating that they take care of the property and the Town does nothing. Jason Curran's company does the mowing and raking for town in the square. He probably doesn't realize the town owns the property because the prior owners took care of it as part of their yard. He will be sure to contact Jason to have it taken care of by us.

The Board noted that they should contact the owners to see if they have a right of way. They need to have more facts. D Supv McKnight will contact them.

Supv Association Update: D Supv McKnight reported that the Association met to discuss the County Plow contract. The supervisors appointed to meet with the County brought back information that had been offered. For the 23-24 contract the County wants to increase the price per mile by \$1.00. This doesn't cover the salaries for the maintenance. They are including a range for fuel & salt increases of \$20 per mile. The current contract has a two-tier system with towns like Fine, Cranberry Lake being paid more due to the snowfall they receive. These towns are paid \$500 more per mile. He noted that the towns near Waddington may not deal with the amount of snow they receive but we deal with more ice. The Supervisors are suggesting that they do away with the two-tier system and everyone is paid the higher rate.

The also discussed the chargebacks that are on your town & county taxes. These charges are from the county for election charges, real property charges, community college, and worker's compensation. The total charges for the town were \$31,155 elections, \$11,529.28 Real Property, \$22,835 worker's compensation, and \$25,363 community college. They are looking at a way to reduce or eliminate these charges.

The County is also looking at portable emergency response trailers for pets/animals. Other counties have one or two of them the houses pet supplies and generators to help with animals that can't be taken with the owner in an emergency.

Open Meetings Law Changes: The board discussed the information given to them at the prior meeting concerning changes to the open meetings law. These changes would allow a member of the board to attend a meeting via zoom. For this to happen the town would have to pass a local law. At least three people must meet in person, it must be posted to the website within 5 days that a member will be attending via zoom. C McBath obtained a couple of different local law templates for the board to review to decide if this is something they want to participate in. He will email them to members and can discuss at the December meeting.

Elevator: D Supv McKnight reported that the historian had contacted him to let him know that the lift in the old town hall was not operational. They were having a gathering and a few people could not attend because they couldn't climb the stairs. He got the information for the elevator repair and contacted the company out of Syracuse. The person they were dealing with before no longer works for the company. The Clerk filled out paperwork and emailed it back to them to have a date set up for repair. They haven't heard back from them yet. The clerk will email to find out the status.

The Code Enforcement officer noted that he would like to be present when the company comes for repair so he can see what is going on with it. He also had some concerns with the amount of stuff that has accumulated in the hallway leading to the lift. The board noted they would look at it and have it cleaned up. Not sure if it belongs to the chamber of commerce or the historian's office.

Kevin Liddell asked if anyone had an idea of what happened to all the files from the Chamber of Commerce. He and Brittney Bush have been working on events such as the fall festival and Christmas in Waddington that would be done by the chamber. They would like to see if they can find the charter from the Chamber and possibly revive it. It was noted that the file cabinets are still downstairs. He would like to look at them at some point.

Covid Grant: At the beginning of the pandemic the Town Supervisor filed an application for a reimbursement grant for COVID related items needed through FEMA. The threshold for reimbursement is \$3,300. They are looking to close out these claims and have contacted the Town about their intent. The Clerk did a spread sheet and the town doesn't meet the \$3300 threshold. Since the Town Supervisor is on active duty the town will have to fill out forms to make D Supv McKnight the person in charges and a form to withdraw from the funding.

Resolution #82

Motioned by: McBath

Seconded by: Tiernan

RESOLVED, that the Waddington Town Board does hereby agree to close the application through FEMA due to not being able to meet the \$3,330 threshold. Ayes: All

Citizen's Comments

Mark Scott and Marjorie Todd thanked the board for their support with the budget.

Executive Session: A motion was made by McBath, seconded by Hunter to enter executive session to discuss. A motion was made by McBath, seconded by Hunter to return to regular session @ 9:30PM. Ayes: All. No action was taken during executive session.

Payload resolution:

Resolution #83

Motioned by: Tiernan

Seconded by: McBath

BE IT RESOLVED that the Town Board does hereby approve the form and format for the Statutory Installment Bond in the total sum of ONE HUNDRED TWENTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$128,000.00) to be issued with respect to the Township's new 2022 CAT Payloader as presented by Roger B. Linden, Esq., bond counsel for the Township; and be it further

RESOLVED that such Statutory Installment Bond shall reflect the number of payments, the amounts thereof and the dates thereof as is set forth on the annexed maturity schedule prepared and presented by Roger B. Linden, Esq., bond counsel, and Denise Barber, Area Specialist of the U.S. Department of Agriculture, New York Rural Development; and be it further

RESOLVED that the Town Supervisor, or the Deputy Town Supervisor in the absence of the Town Supervisor, as Chief Fiscal Officer of the Town of Waddington, shall duly execute such Statutory Installment Bond and all such other and related documentation necessary to effectuate such purpose; and be it further

RESOLVED that the previous Resolution of this Board dated August 8, 2022, authorizing the issuance of such Statutory Installment Bond is in all respects affirmed and continued and the Chief Fiscal Officer shall have all of the powers enumerated therein with respect to the issuance of such Statutory Installment Bond. Ayes: All

Cemetery Account: D Supv McKnight reported that in the 2021 budget \$5,000 was budgeted for the cemetery line. This money was supposed to be put into a separate savings account for the maintenance of the cemeteries. It was not put in and there was not money spent. He would like to have this \$5,000 moved to the savings account. The Board asked if there was enough cash to do this. He noted that it was. Ayes: All

Resolution #84

Motioned by: McBath

Seconded by: Tiernan

RESOLVED, that the Waddington Town Board does hereby approve the movement of \$5,000 from the General Fund Cash to the Cemetery savings account. Ayes: All

Bills: A motion was made by Tiernan, seconded by Hunter to pay bills #22-00714 – 22-00767 in the amount of \$73,284.44. Ayes: all

Adjournment: A motion was made by McBath, seconded by Tiernan to adjourn the meeting @9:40PM. Ayes: All

Respectfully submitted,

Carol A. Burns, Town Clerk