

TOWN OF JAY BOARD MEETING

APRIL 11, 2013

COMMUNITY CENTER

PRESENT: Supervisor Randy Douglas; Town Clerk Bea Pelkey; Councilman Gerald Hall; Councilwoman Amy Shalton and Councilman Thomas McDonald.

ABSENT: Councilman Archie Depo- Sick

OTHERS: Chris Garrow; Arthur Dolaway; Fred Balzac; Paul Mintz; Mike Goddeau; Lorraine Vincent; Attorney Manning.

Supervisor Douglas called the meeting to order at 7:04 P.M.

PLEDGE TO THE FLAG: Led by Councilman Hall

APPROVE MINUTES OF MARCH 14, 2013

Supervisor noted that Deputy Supervisor Howard Aubin should be added to the list of people who attended the meeting under Town of Black Brook Discussion update. Add trying to save Jerry Hart's life. Spelling of Charlie Lewis should be Charli. The Safe Act Resolution made to go back to the drawing Board. Motion made by Councilman McDonald, 2nd by Councilwoman Shalton to approve the minutes with the noted changes. All in favor, none opposed, carried.

Res. # 41113-1

APPROVAL TO PAY AUDITED BILLS:

Motion made by Councilman McDonald, 2nd by Councilman Hall to approve the following audited bills: General: \$75,580.50; Highway \$\$121,366.04; SW1 \$4,249.83; SW2 \$ \$1,155.98; SW3 \$1,092.33 and SS \$33,809.73 for a total of \$237,254.41. All in favor, none opposed, carried.

Res. #41113-2

AUDIENCE COMMENTS: NONE

CORRESPONDENCE OUT:

1. Letter for Andrew Bombard
2. Letter for Andrew McCormick, both letters for job recommendations.
3. Greg Borzilleri- Ironman Approval for race on July 28th.
4. Mr. & Mrs. Slaunwhite- Red Cross Banquet
5. USDA Letter- Waterline River Crossing Emergency Funding \$150,000.
6. Letter to Doctor Bremer: Six or Seven years ago I met with Elizabethtown Community Hospital about their interest in setting up a clinic in the Town of Jay. I didn't feel it was appropriate to bring in competition for Dr. Bremer at that time. Councilman Depo and I talked with Dr. Bremer today; he will be announcing that he plans on retiring June 1, 2014. It takes a little while to get approval for another Doctor certificate of need from NYS D.O.H. The Elizabethtown Hospital Board will be meeting on Monday to discuss the possibility of bringing a clinic to the Town of Jay. I had a conversation with

Rod Boula CEO of the Elizabethtown Community Hospital today. We will be working on the efforts to bring an Elizabethtown clinic here. We will be having a meeting with Dr. Bremer and the ELZT Hospital in the future.

7. Letter to APA-Quonset Hut regarding: Replacement of Quonset Hut at Sewer Plant.
8. Letter to Kyle Legones-Ragner Relay race in September.
9. Letter to Chris Garrow, Dan Manning and Bea Pelkey – Research information on Dolaway Property-road request approval.
10. Letter to Mad River Pizza and 20 Main regarding proposed closing hours. The County has been approached regarding closing hours for bar establishments. The County had discussed changing the time to stop serving alcohol from 4 A.M to 2 A.M. I sent a letter to Mad River and 20 Main, the compromise at the County is changing the time to stop serving alcohol from 4 A.M. to 3 A.M. You can get a waiver from the State for New Year's Eve.
11. Letter to Steve Smith regarding a job recommendation.

CORRESPONDENCE IN:

1. NYS DOH Susan Kennedy Emergency Water Crossing work Complete, received an approval letter.
2. APA Quonset Hut- Accept the terms of the agreement. Motion made by Councilman McDonald, 2nd by Councilwoman Shalton to pass a resolution to approve the agreement with the Quonset Hut as written. All in favor, none opposed, carried.
Res. # 41113-3
3. AES – Resolution Verbiage needed for water crossing- accepting project as complete. Motion made by Councilman Hall, seconded by Councilwoman Shalton to pass a Resolution to accept the water crossing project with AES as complete. All in favor, none opposed, carried.
Res. #41113-4
4. Cassandra Hamilton request- Emergency Day Care Usage of the Community Center: Cassandra Hamilton wrote a letter requesting the use of the Community Center as an alternate Day Care in the event of another disaster. This was discussed by the Board and the consensus of the Board is that we can't designate an area of the Community Center for a day care. Randy will send a letter to her with the Board's decision.
5. Thank you letter from a family that we helped at Christmas.
6. DEC BTI Approval: We did receive approval for the application of BTI from the DEC.

RESOLUTIONS:

1. AVCS Varsity Boys Basketball: Motion made by Councilman Hall with a unanimous 2nd to offer a Resolution of congratulations to the AVCS Boys Basketball team for winning the Varsity Class C. Sectional Championship. This is the first win in 18 years. All in favor, none opposed, carried.
Res. #41113-5
2. AVCS Varsity Girls Basketball: Motion made by Councilman Hall with a unanimous second to offer a Resolution to the AVSC Girls Basketball team Who won the Class C Sectional Championship and went on the final 4 where they lost to the eventual State Champions. All in favor, none opposed, carried.

Res. #41113-6

3. Excavator BAN Renewal Approved to put out for bids and banks: Motion made by Councilman McDonald, seconded by Councilman Hall to offer a Resolution to put the Excavator BAN renewal out for bids and banks. All in favor, none opposed, carried.

Res. #41113-7

4. Employee overnight Approval: Paul Mintz- Sewer Training: Motion made by Councilman McDonald, with a unanimous second to approve overnight travel to sewer training for Paul Mintz. Supervisor Douglas stated that Paul has great work ethics and we are glad to have him aboard. All in favor, none opposed, carried.

Res. #41113-8

5. Accept \$25,000 Justice Court Rehab. Grant: Motion made by Councilman Hall with a unanimous second to accept the \$25,000 Justice Court Grant. All in favor, none opposed, carried.

Res.#41113-9

DEPT. HEAD REPORTS: Town Clerk: Monthly Report- Motion made by Councilman Hall, 2nd by Councilwoman Shalton to accept the Town Clerk's monthly report as presented. All in favor, none opposed, carried.

Res. #41113-10

Clerk to Supervisor/Budget Officer- Monthly Report

Motion made by Councilman Hall, 2nd by Councilman McDonald to accept the monthly report as presented. All in favor, none opposed, carried.

Res. #41113-11

DPW DIRECTOR: Chris Garrow

1. Supervisor Douglas gave Chris a report on NYS Culvert replacement on Route 9N, work will not be started until 2014.
2. Updates from SEMO/FEMA Irene Projects: Chris stated cleaning of sewer lines approved, not sure of the amount that has been approved. \$315,000 to repair culverts. The cleaning of lagoons has gone out to bid. They will be opened on April 23rd and will need to schedule a special board meeting to award the bid.
3. The only outstanding PW is for the water crossing in the amount of \$495,000.00. Supervisor Douglas stated we have gotten a great return on our recovery efforts. We had 52 PWS for the Town of Jay and we are down to the final 3 that we are working on. This is separate from the property acquisitions. Harry Goff is the SEMO representative and is working on the PW for the river crossing.
4. Snow removal Vouchers- County- Supervisor gave the Board a copy of the vouchers.
5. Chris stated when we start cleaning the lagoons we will need something in place to fix the aerators if needed.
6. Councilman McDonald asked if the CDBG grant could be used for people who did not get help from FEMA after Irene. Supervisor Douglas stated that priority for low, medium income families as well as people who were

flooded and did not get help from FEMA. Those who did not get help from FEMA and meet the income guidelines will get top priority with the CDBG grant.

7. Discuss new water truck- Need Resolution

Chris gave the Board the breakdown cost for the 3 Water Districts, which would be \$9,719.00 for each District. We need approval to take the money out of the 3 accounts. Motion made by Councilman Hall, 2nd by Councilman McDonald to offer a Resolution to give Chris approval to take \$9,719.00 from each water account to purchase a new water truck by State Contract. All in favor, none opposed, carried.

Res. # 41113-12

8. DEC did an inspection of the Sewer Dept. and we got a great report. Tammy Venne was thoroughly impressed with the whole system. We explained the whole system and how it works.

9. Chet is going on vacation Friday night for 2 weeks. Paul will be taking over making sure the sewer stations are working properly. Stuart will be doing the daily testing for the week. If a pump system happens to go down we have backup. We did keep Stuart on payroll until someone is certified; he works one day a week.

10. A flo meter on Valley Road went down and we changed the meter.

11. I want to thank Archie for helping out with the hall floors, he and Sleepy worked all night on them and they look great.

12. We are brooming roads and will continue to until they are finished. We have gotten one of the Grove fields and 2 of the parks raked.

13. We received a 29% increase in CHIPS money, which is super.

14. We have started crushing at the garage, and it is going very well.

15. I had Glenn ask the Jay Fire Dept. if we could do a joint car wash with the Fire Dept. from 9-3 on April 27th. All proceeds will go to the Sarah Trombley family to help them with expenses due to her illness.

16. I am rebuilding a hydrant for Church Street.

17. I have 3 people committed to work

Clean Up Day. Supervisor stated the flyers about Clean Up Day went to the media today

18. We have a dumping issue on Nugent Road again. I am going to be scheduling to have inmates come and help get it cleaned up.

LEGAL ACTION- AGAINST TD BANK- Former Scriver Property

Supervisor stated that this is an unsafe building and needs to be removed. The deed is still in the Scriver name, but they say that TD Bank foreclosed on the property. I have not been able to get ahold of TD Bank. We have a lot of documentation, but it looks like possibly Chris and crew will eventually have to tear the building down. Attorney Manning stated that the best way to go is to deem the property unsafe and send a notice to the Scriver and TD Bank. Let them know that if something isn't done with the building it will be torn down and the cost of removing the building will be assessed to the Land Taxes. You can determine the amount of days you want to give them to remedy the problem. No less than 30 days and no more than 90 days.

SEWER BILLING DEPARTMENT

1. Letter to Doug Robbins regarding sewer rate.
2. AVCS Rate Change- Resolution needed.

The following motion was offered by Councilman Hall who moved for its adoption: BE IT RESOLVED that effective July 15, 2013 the Au Sable Forks Elementary School shall be billed for Sewer Charges based on a \$4.50 per student rate per quarter. This enrollment count shall be provided annually and in the event of large changes by the Au Sable Valley Central School District. This Resolution shall rescind Resolution #71212-11 only as it applies to Au Sable Forks Elementary School.

This motion was seconded by Councilwoman Shalton . All in favor, none opposed, duly passed.

Res. #41113-12

3. Commercial Units/Apartments Rate Change- Resolution needed:

The following motion was offered by Councilman McDonald who moved for its adoption: Be it Resolved that effective April 15, 2013 Multi Family Homes, Commercial Properties and Apartment Units will be billed in the following manner; the first unit will be charged a rate of \$75.00 per quarter. Each additional unit thereafter will be charged a rate of \$50.00 per quarter. This Resolution shall rescind Resolution # 71212-11 only as it applies to "additional units and commercial property."

Res. #41113-13

DOLAWAY PROPERTY- DISCUSSION

LETTER TO Chris Garrow, Dan Manning and Bea Pelkey- Research Information On Dolaway Property. .

Bea found dedication and release on highway in Jersey Section.

Attorney Manning discussed what is needed from Mr. Dolaway and things the Town could do concerning this property. We could give a quick claim deed, but we should have an abstract of title. If the Town decides to give a quick claim deed, the Town should reserve the right if needed to run a water or sewer line on property that would not interfere with Dolaway's property. After a discussion it was decided to re-visit this issue at the May 8th Board Meeting.

ASSESSOR'S OFFICE

1. Letter from Donna on Website/Jay Community News- regarding current assessments.
2. NYS Information Letters Regarding Assessments/Tax Levies/Budgets are on the table for anyone to take.
3. Supervisor Douglas discussed the recent assessment changes and encouraged everyone with questions to come to the Public Information Meeting on 4/25/13 which will be at the Community Center Gym at 7:00 P.M. John Stack from NYS Real Property Office; Todd Anthony from the Regional Office; Charli Lewis from the Elizabethtown Real Property Office and Donna Bramer our local Assessor. I will be moderating the meeting; there will be a time for questions and answers. I encourage people to come to the meeting. I do want to mention again that the Town Board can't go to the assessor and tell her what assessment to put on any property, it is illegal and unethical. Donna is trained to do her work and Donna has put a lot of time and effort into this re-valuation assessment.

YOUTH COMMISSION: Dave McKie to Board of Directors:

Motion made by Councilman McDonald, 2nd by Councilwoman Shalton to appoint Dave McKie to Board of Directors for the Youth Commission. All in favor, none opposed, carried.

Res. #41113-14

ANIMAL CONTROL: Supervisor Douglas stated that during Easter vacation while he was visiting his daughter in Florida an issue came up with 2 pitbulls. The owners recently moved here and were unaware of the lease law. Councilman Depo and Councilman McDonald got involved during my absence, also one of the highway men and animal control helped out. The people were notified of the lease law and given a warning. They have since had a problem with one of the dogs getting off their lease another time and they were recently brought into court. One of the dogs belongs to the Mother in Law who lives in Lake Placed and is taking the dog back. They will only have one pit-bull at the house in Au Sable Forks.

SUPERVISOR'S REPORT:

1. **CASINO POSSIBILITY FOR ESSEX COUNTY:** The Gov. announced he was putting out the possibility of 3 new casinos in New York State. I put a committee together on the County Level. This includes the DA; Sheriff; the Social Service Director; and Supervisors. After the meeting I was directed to write a letter to the Gov. asking if Essex County would even be considered because there is a treaty agreement with the Indian Reservation. I am waiting to hear from the Governor and then we will decide if we want to continue to research the possibility of a Casino in Essex County.
2. **LIABILITY INSURANCE UPDATE:** The new rates are in from Rose and Kiernan. We ended up decreasing our rate around \$900 and we added some more coverage on the Water and Sewer facilities. We will be putting this out to bid again next winter as the coverage goes from March 1, to March 1 of the following year. Attorney Manning stated that the Supervisor should be given credit for he was the one who suggested that we look into the insurance issue. You have more coverage at a lower rate, great job.
3. **CLEAN Up Day May 18th from 8:00 to 4:00.** Children must remain in their vehicles. We will be working on a date for County Hazardous Waste Day. I will notify the public when this will be held. This is usually held at Lewis.
4. **DISCUSS BROADBAND GRANT:**
WE have a contract with Charter Communications and we had a survey done on various roads. They require 20 homes on a linear square mile for them to provide cable. Councilman Depo and I met with them numerous times. Most of the roads did not have enough homes. The Acres came up at 18 homes, so we were still under the threshold required. Dan and I met with them before we signed the new contract. They tried to change the amount of homes to 25, we refused to sign and they put it back to 20 homes. The Governor had put out a Broad Band grant out which was 25 Million Dollars Statewide. We met with Charter Communications and the

Town of Wilmington and Supervisor Douglas suggested we do a private/public application. There were 98 Million dollars' worth of Applications State wide and only 25 Million Dollars Statewide available in grant funding. We received notification about 3 weeks ago that we received the grant. This is costing Charter Communications \$850,000; their commitment to put this in. Au Sable Acres will be done and also one road in Wilmington. Attorney Manning Congratulates the Supervisor and Board for getting this grant.

5. **Problems with charter video of Board Meetings:** The last few meetings not on Charter due to a problem; this has been straightened out and will be back on the access channel.
6. **BLACK Brook MEETING WENT WELL:** I am happy to report that Deputy Supervisor Depo and I talked with the Supervisor Rick Nolan and Councilman Howard Aubin of the Town of Black Brook. We wanted to move forward, I am happy to report that we are working on a small press release that we will work together. We share so many things, that we need to work together for the good of the Community. We may not always agree, but we will get along. Councilman Aubin suggested that we attend each other's Board Meetings; with a rotating basis. One of the five of us will attend theirs and they will do the same over here. If something comes up we can take care of it right at the Board Meeting so it doesn't fester.

BOARD COMMENTS:

Councilman Hall: I hope Councilman Depo feels better soon.

Councilman McDonald:

1. My daughter and I did a tour of the Town and made a list of lights out which I gave to Susan today. Some lights are out on the Covered Bridge as well. Supervisor will notify the County about the Bridge and will send the list to NYSE&G.
2. I spoke with Dustin Frederick about the incident with the DPW and he does not have any issues with the episode.
3. I met with a roofing contractor, and he inspected the roof which is in bad shape; also the flat roof needs to be coated. Chris will be working on spec sheets and put it out to bid. We may want to have repairs done on the cupola while we are up there as it needs painting. The contractor believes ventilation might be an issue. If under \$10,000 can get 3 written quotes for cupolas repair, Chris will have this ready for the May meeting.

Motion made by Councilwoman Shalton, 2nd by Councilman McDonald to give Chris authority to draw up specs for Community Center roof. All in favor, none opposed, carried.

Res. # 41113-15

Motion made by Councilman McDonald, 2nd by Councilwoman Shalton to offer a Resolution to put the garage roof repairs out for bid. All in favor, none opposed, carried.

Res. # 41113-16

Discussed phone systems: We need to eliminate some lines, possibility of getting from State Contractor. Chris and Tom will look into this further.

Councilwoman Shalton: I went to visit Chris the other day and saw the new truck, it is very nice. We talked about 3 properties that are possibilities for a Habitat for Humanity. There is one on Bartlett Road, 1 on Glen Road and 1 near Larry McDonald. This would have to be subject to permissive referendum. If no one objects the property can be put out to bid.

Chris had questions on Rome Dam and cleaning up Sand Pit.

VanDeWalker Property: We need to have Debbie Boyce look the property over and see if it can be put out to bid.

Councilwoman Shalton:

1. I have started working on the planters, some of the plants are starting to flower.
2. Thank You for getting the Broad Band grant for the Acres.

Councilman McDonald asked if the metal was going to be put out to bid or are we going to haul it ourselves. We should declare surplus and put out to bid. Motion made by Councilman Hall, 2nd by Councilwoman Shalton to get 3 quotes for the metal and award to the lowest. All in favor, none opposed, carried.

Res. #41113-17

Water Plant: We are applying to FEMA for approval to relocate under Harms Way. We don't believe FEMA will approve this.

AUDIENCE: Fred Balzac- Thanked Supervisor Douglas for scheduling the Informational Hearing regarding assessments.

There is going to be a hydro- electric conference in Lake Placid in June. This might be a good place to go and discuss the possibility for the Rome Dam.

NEXT MEETING: May 9th at 7 P.M at the Community Center

Motion made by Councilman Hall, 2nd by Councilwoman Shalton to adjourn the meeting at 9:22 P.M. All in favor, none opposed, carried. Meeting Adjourned

Supervisor, Randy Douglas

Town Clerk, Bea Pelkey

Councilman, Archie Depo

Councilman, Gerald Hall

Councilwoman, Amy Shalton

Councilman, Thomas McDonald