

TOWN OF JAY REGULAR TOWN BOARD MEETING

JULY 11, 2013

TOWN OF JAY "NEW JUSTICE CHAMBERS" @ 7:00 P.M.

Present: Supervisor, Randy Douglas; Town Clerk Bea Pelkey; Councilman Archie Depo; Councilman Gerald Hall; Councilwoman Amy Shalton and Councilman Thomas McDonald.

ABSENT: NONE

OTHERS: Chris Garrow; Dan Manning; Dan Deyoe; Mr. & Mrs. Bill Norat; Bob Minogue; Tom Forgatch; Shawn Kamarche; Ray Losso; Sharron Hewston.

This was the first meeting in the newly refurbished Court room. This wonderful renovation was done and totally paid for with a grant from the New York State Justice Dept. Judge Deyoe and Minogue are with us tonight. We thought it would be appropriate to share the new room with the Public. The Judges are being so kind to allow us to hold meetings in the room. We want to thank Chris for offering his Highway men Robbie Lincoln and Paul Mintz to do In-kind services on the room. Chris stated he was glad to be able to have his men help with the room.

PLEDGE TO THE FLAG: Led by Councilman McDonald

APPROVE MINUTES- 6/13/13 Public Hearing RE: Scriver Property and 6/13/13 Regular Board Meeting. Motion made by Councilman Hall, 2nd by Councilwoman Shalton to approve the minutes from the Public Hearing with no additions or deletions. All in favor, none opposed, carried.
Res. #71113-1

Approve Minutes of Board Meeting– 6/13/13
Motion made by Councilman McDonald, 2nd by Councilwoman Shalton to approve the minutes from the June 13th meeting with no additions or deletions. All in favor, none opposed, carried.
Res. #71113-2

APPROVAL TO PAY AUDITED BILLS:

Motion made by Councilman McDonald, 2nd by Councilman Depo to approve the following audited bills: General \$67,942.00; HWY \$86,694.77; SW1 \$1,542.77; SW2 \$672.12; SW3 \$672.13; SS \$15,251.45 and Justice Court Rehab. \$5,239.10. All in favor, none opposed, carried.
Res. # 71113-3

AUDIENCE COMMENTS:

Sharron Hewston: I am very impressed with the newly refurbished Judge's Room.

CORRESPONDENCE OUT:

- a. Letter to Attorney Manning re: Procedure for possibly eliminating one Town Justice Position.
- b. Letter to Dr. Drake re: St. Joseph's Grand Opening in Keeseville. Supervisor Douglas wants to congratulate them for opening this new office.
- c. Thank you Maxine Brow re; Food Shelf Donations.
- d. Thank you Letters to Hurricane Irene Distribution Committee Members Fran Snow, Kelly Tucker and John Nolan.
- e. NYS DOH Letter; Key for Black Brook to Flow Meter Building.
- f. Letters on behalf of Barbara & Ernest Brinkley re: Irene Relief Fund donations.
- g. Letter to AVCS re: Field request for Fireworks Display (Au Sable Forks Softball Association Fireworks Display.
- h. Letter to AFFD requesting Fire Protection and Traffic Control help for Softball Association Fireworks Display.
- i. Letter to Linda Deslauries re : Social Security Assistance.
- j. John Devlin re: UJFD AD Booklets.
- k. NYS Liquor Authority re: Permit for Holy Name Labor Day Celebration.

- l. John Bernardi re: Supervisor Douglas' Resignation from the United Way Board of Directors.
- m. Don Canestrari re: DEC Dam Inspector Response Plan for Town of Jay Rogers/Pulp Mill Dam.
- n. Michael Rafferty- Community Service Hours- He was a great help to the Supervisor's Office.
- o. Virginia Rock Letter- Information Request Clarification regarding what items they are looking for.
- p. Rosemary & Gerald Patnode Letter- Flooded Rate Request.
- q. Allison Haas- Lake Placid Hall of Fame Nomination Endorsement for Naj Wikoif.

CORRESPONDENCE IN:

a. NYS Parks & Rec- Keith & Branch Ford Factory and Showroom- placed on National Registry of Historic Places. Sharron Hewston stated this is the second place in Upper Jay to be placed on the registry. This is great for the Town.

b. ADK Action Monarch Butterflies- No mowing of highways from June to mid-December. Chris stated the DPW has to mow the roadsides in the summer; it is a Public Safety Issue. We denied this in the County and I would ask the Board not entertain this request as it would put too much pressure on the DPW in the fall.

c. Note from Melissa Heshmat re: how Professional Donna Bramer was.

d. Thank You Card- from Sue Pulitzer and Family.

e. Shantz & Belkin- Lawyers for Selective, Upper Jay Park Fall Case, this is a Workers Comp case.

f. Jan Ward- Thank You Card to Town Clerk Bea Pelkey.

g. Worker's Comp. Board: Update where we are at with the Tax Collector claim.

h. Letter from Au Sable Forks Ambulance Certifying all Seasonal Employees trained in CPR/AED Professional rescuing and Health Care Provider- DOH Notified. This is required by the Dept. of Health. If the Au Sable Forks Ambulance had not offered to do this the Summer Playground would not have been able to be held.

Motion made by Councilman Hall with a unanimous second to thank the Au Sable Forks Ambulance for certifying all the seasonal employees at the Au Sable Forks playground. All in favor, none opposed, carried.

Res. #71113-4

- i. Tahawus Center Letter- Continue County Support-CAP Grant

Possible Resolutions Needed:

- a. Melissa Heshmat – Road Name Request

Motion made by Councilman Hall, seconded by Councilman Depo to approve the name Heshmat Way as requested. All in favor, none opposed, carried.

Res. # 71113-5

- b. Susan Richards and Randall Douglas- Request for Over Night Travel to Saratoga for Comptroller's Training- Budget Workshops.

Motion made by Councilman Hall, 2nd by Councilman McDonald to approve overnight travel for Susan Richards and Randall Douglas to attend the Comptroller's Training for Budget Workshops to be held on August 7, 2013. All in favor, none opposed, carried.

Res. # 7113-6.

- c. Tahawus Center-CFA Grant Endorsement: Motion made by Councilwoman Shalton, seconded by Councilman Depo to pass a Resolution to support the Appleby Foundation in their attempt to secure funding through a CFA Grant for the Tahawus Center Rehabilitation Project in an amount not to exceed \$200,000. All in favor, none opposed, carried.

Res. #7113-7

- d. Designating Secretary of State as the Agent for Notice of Claims. Will cover this when Attorney Manning arrives.

- e. Appointing Amanda Rondeau –Youth Commission Soccer Co-coordinator: Motion made by Councilman Depo, 2nd by Councilman Hall to appoint Amanda Rondeau for Youth Commission Soccer Co-ordinator. All in favor, none opposed, carried.

Res. # 7113-8

- f. Allen Fitz-Gerald Request: Table until next meeting.

- g. Recognition of Keene/AVCS Valedictorians and Salutatorians:

Motion made by Councilman McDonald, with a unanimous second to offer a Resolution of Congratulations to AVCS Valedictorian Evan Maicus from Au Sable Forks. All in favor, none opposed, carried.

Res. # 7113-9

Motion made by Councilwoman Shalton with a unanimous second to offer a Resolution of Congratulations to Keene Central School Valedictorian Sam Balzac from Jay. All in favor, none opposed, carried.

Res. # 7113-10

Motion made by Councilman Hall with a unanimous second to offer a Resolution of Congratulations to AVCS Salutatorian Victoria Patnode from Jay. All in favor, none opposed, carried.

Res. #7113-11

SUPERVISOR'S REPORT/UPDATES:

- a. Governor's White Water Challenge at Indian Lake- 7/21/13. This is an all- day event, Supervisor Douglas and Supervisor Ferebee from Keene and Attorney Manning will be paddling in the event.
- b. Buyout Update: Appraisals have been done, approximately 50 homes in the County. 75% reimbursement of the appraised value pre-flood will be paid by the Federal Government and 25% will be paid by the State Government. We are hoping that later this fall the buildings will be able to be torn down. There were some questions on the 5.5 Million Bond that Essex County did. WE did a Resolution to approve the BOND, but that doesn't mean we will actually do it .We did this for the upfront cost to tear the buildings down. We could do all closings within the same week. We have been working with FEMA regarding to see if we can qualify all homes at the same time. The tear down and restoration is what we would have to be bonded. We are anticipating the amount of interest would be around \$35,000. I am working with the Governor's Office to get that reimbursed. We are not anticipating any cost to the Essex County Taxpayers by the time we are all done securing funds.
- c. CRZ ZONE UPDATE: July 18th Governors Conference: Construction Recovery Zone: Next Week July 18th there will be a conference in Albany, there will be a Chairperson from each municipality. The Town of Jay and Town of Keene were awarded a 3 Million Dollar Grant for an 8 month planning process to help prevent future flooding. Unfortunately I will be in Texas for 1 night and will not be able to attend the conference.
- D. Henry's Trails Update: Henry's Trails is going to be named after little Henry Caito who unfortunately lost his life in a tragic car accident. The Caito family has donated \$10,000 to the Town of Jay to assist with the playground in the Grove area. We also have a \$10,000 Creating Healthy Places Grant Amy Shalton is on the Committee representing the Board. They have been meeting regularly putting a plan together for this trail Playground. We are moving forward and will be doing a Press Release as we are going to plan some work days. We will also be asking for donations and other needs. Councilwoman Shalton said there will be 5 pods. It will require a lot of work, but it will be a great place for the children. Chris stated all the paper work has been filled out.
- E. Upper Jay Fire Dept.- Financial Gap Rebuilding Project. The Financial Gap is 1.5 Million at this point; I am going to do a letter of request to the Governor's Office and the Office of Community Renewal to see if they can help us to fill in this financial gap.
- F. Elizabethtown Hospital: They have been visiting sites in the area as they are planning on being here with a Clinic to replace Dr. Richard Bremer who is retiring June 14, 2014. They have been looking at vacant lots and vacant buildings. We will not have any gap in coverage for a Doctor in the Town of Jay. Dr. Bremer will work with them to help with a smooth transition.
- G. Grove Bridge: Swimmers jumping off the Grove Bridge. Today 3 young adults were jumping off the sewer pipe. Councilman Depo and Supervisor Douglas went over to talk to them. We need to put up signs on all bridges stating NO JUMPING OFF BRIDGES.
- H. Porta -Pottie Issues and updates: We have had many complaints about people riding bikes and using lawns, etc. to go to the bathroom. We have had many legitimate complaints. We do have permission from the DOT to put porta-pottie between Jay and Upper Jay on one of the pull-offs and Timmy Devins has given permission to put one on his property. The Town of Jay will not be paying for the porta-potties. We will have donations coming from a couple of bicycle companies, Au Sable Rotary Club, Au Sable River Ass. and USA Iron Man to purchase the porta-potties. We do need to have the bicylists come here and Ironman gives a lot back to the Town of Jay, they gave \$10,000 to the residents who were flooded by Irene.
- I PHONE OUTAGE-UPDATE: On Memorial Day there was no Frontier or Verizon phone service available to certain areas of the Town of Jay. The Fire Dept. and Ambulance Squad need to be

thanked for manning the public safety. Frontier was very apologetic; they are working on their response.

Res. #71113-12

- j. Charter Broadband Report/Update for AuSable Acres: Everything is going forward. Supervisor attended a meeting Saturday, hopefully everything will be in place and turned on by the end of the year. This is a \$557,000.00 grant and things are getting done, but it is a slow process. Chris has been helping out with assisting with easements and roads. They are installing 24 miles of cable, 3 underground and the rest above ground.
- k. Designating Secretary of State as the Agent for Notice of Claims: Manning stated the Town of Jay can pass a Resolution authorizing Supervisor Douglas to designate the Secretary of State as the Agent for Notice of Claims for the Town of Jay. Motion made by Councilman Depo, seconded by Councilman McDonald to authorize Supervisor Douglas to designate the Secretary of State as the Agent for Notice of Claims for the Town of Jay. A roll call vote was taken: Councilman Hall yes, Councilman McDonald yes, Supervisor Douglas yes, Councilwoman Shalton yes and Councilman Depo Yes. The Resolution is duly passed.

Res. #71113-13

DEPARTMENT HEAD REPORTS:

DPW- Chris Garrow

1. We are thankful it stopped raining so we can hopefully catch up on work. I met with Pat from FEMA and we surveyed all the damage that was done since the last rain storm. The amount of damage looks like around \$300,000.00. I will be able to give you a list of the places we visited and the pictures we took of the damage. Supervisor stated if Chris believes we need to, we can renew the State of Emergency one more time. With the help of the County, I have sent out 7 letters of intent. We need box culverts, generators and work on the water plant and dam. I will be sending in 2 more requests this week. That will be 11 projects in the amount of 4 or 5 million dollars.
2. The concrete has been poured for the lagoons.
Scriver property: Attorney Manning stated legally we have done everything we are supposed to do. We have permission to demolish the property any time after July 10th.

Motion made by Councilwoman Shalton, with a unanimous second to demolish the Scriver property. All in favor, none opposed, carried.

Res. 71113-14

3. Mr. Norat Request: Would like a water tap right above the tennis courts in Jay. Mr. Norat is determining how they are going to build. We need to run water; the closest tap is near the tennis courts. Chris outlined where we can tap water, around 300 ft. of pipe and tap. Motion made by Councilman Depo, 2nd by Councilman Hall to offer a Resolution to allow the Norat family to put a tap in from near the Covered Bridge to their property. Any cost to put in the tap will be covered by the owner. They won't need a Town easement for this tap.
All in favor, none opposed, carried.

Res. 71113-15

4. Chris' letter to Craig Walton/Black Brook Water Building re: key to the control building.
5. KEK Excavating –Letter from Chris stating Bid withdrawn.
6. Community Center Roof Bid: Lake Champlain Roofing in the amount of \$59,980.00 alternate upgraded shingles \$67,980.00. Motion made by Councilman Hall, 2nd by Councilman Depo to accept the bid; but not award. Motion made by Councilman Depo, 2nd by Councilwoman Shalton to rebid for the Community Center Roof. All in favor, none opposed, carried.

Res. # 7113-16

7. Stickney Bridge Update: The weight limit has been lowered to 15 tons or less, until the work is done and inspected.
8. Au Sable Drive Campers- Water hookups: Chris will look into this issue. Archie stated we could possibly hook up a meter.
9. Pumping Septic Tanks: Chris received a price of \$230.00 per septic tank. Chris has ordered porta potties for the Jay playground.
10. NRCS Bartlett Road- Motion made by Councilman Hall, 2nd by Councilman McDonald to offer a Resolution to authorize Chris Garrow to apply for the NRCS Grant for Bartlett Road. All in favor, none opposed, carried.

Res. #71113-17

ASSESSOR Donna Bramer:

1. New rules on Star Exemptions: in 2014 everyone will be required to file yearly for an exemption. There will be fines and penalties if 2 properties have Star exemptions.
2. Grievance Day Report: There were 27 properties and 34 applications .

3. State Letter: Our Equalization Rate at 100%.

TAX COLLECTOR REPORT: Jessie McDonald has opted out on running for re-election as Tax Collector for the Town. She has given the Board an overview of the tax collecting position. She did a great job documenting what is actually needed for the job.

ATTORNEY DANIEL MANNING:

1. Jay/Black Brook Sewer Ban: Discussed the Jay/Black Brook Sewer BAN. He will get ahold of Attorney Martineau.
2. Motion made by Councilman Hall, 2nd by Councilwoman Shalton to pay our portion of the bills out of our Joint Sewer Account. A roll call vote was taken: Councilman Hall yes; Councilman McDonald yes; Supervisor Douglas yes; Councilwoman Shalton yes; and Councilman Depo yes. The Resolution is duly passed.

Res. #7111318

3. Possibility of Elimination of one judge: Discussion Held, Motion made by Councilman Depo, 2nd by Supervisor Douglas to offer a Resolution to eliminate one Judge's Position. A roll call vote was taken: Councilman Hall no; Councilman McDonald yes; Supervisor Douglas yes; Councilwoman Shalton yes; and Councilman Depo yes. The Resolution is duly passed.

Res. # 7111319

Attorney Manning stated that the Legal Notice will be put in Town Newspaper and if no one answers the Call for Permissive Referendum within 30 days you can eliminate 1 Town Justice Position.

CODES OFFICE UPDATE:

1. Angela Lucey Certified Codes Officer: Approval to fill in until September 1st at a rate of \$20.00 per hour. Resolution Needed. Motion made by Councilman McDonald, 2nd by Councilwoman Shalton to offer a Resolution to hire Angela Lucey as a temporary Codes Officer until September 1st at a rate of \$20.00 per hour. All in favor, none opposed, carried.

Res. #7111320

2. Advertise for Certified Code Enforcement Officer and training will have to be completed at the Town's expense to get certified in 18 months. Pay offered will be \$15,000 for a 3 day week. If no one answers the ad, make it a non-certified position. Residency requirement waived. Resolution needed. Motion made by Councilman Depo, 2nd by Councilwoman Shalton to advertise for a code enforcement officer at the rate of \$15,000 for a 3-day week. If no one applies that is certified we can make it a non-certified position. All in favor, none opposed, carried.

Res. #7111321

WATER AND SEWER BILLING:

Accept July Sewer Billing- The following motion was offered by Councilman Hall, 2nd by Councilman McDonald. Be it Resolved that the Town of Jay Board approves the Quarterly Sewer Billing for July 2013 in the total amount of \$18,812.50. All in favor, none opposed, carried.

Res.#071113-22

Sewer Billing Adjustments: The following motion was offered by Councilman Hall, 2nd by Councilman McDonald to approve the adjustments to the Sewer Billing Accounts Receivable in the amount of \$505.01 for the Sewer Billing Quarter 1/1/13 to 3/31/2013. All in favor, none opposed, carried.

Res.#071113-23

Sewer Billing Penalties:

The following motion was made by Councilman Hall, 2nd by Councilman McDonald. We Hereby accept the penalties applied to the 2013 Sewer Billing service dates for 1/1/13-3/31/13 as shown in the Penalty Summary report in the amount of \$164.39. All in favor, none opposed, carried.

Res. #071113-24

Unpaid Sewer Accounts: The following motion was made by Councilman Hall, 2nd by Councilman McDonald. Be it hereby resolved that the Town of Jay Town Board acknowledges Unpaid Sewer Accounts as of 7/11/13 in the total amount of \$12,074.18. All in favor, none opposed, carried.

Res. # 071113-25

Clerk to Supervisor/Budget Officer Report- Susan Richards.

Need a quote for a new copier for Supervisor's room.

Approve report – Motion made by Councilman Hall, 2nd by Councilwoman Shalton to approve the Budget Officer Report as submitted. All in favor, none opposed, carried.

Res.#071113-26

Motion made by Councilman McDonald, 2nd by Councilwoman Shalton to approve obtaining Disability through Rose and Kirnan for Guardian Life. All in favor, none opposed, carried.

Res. #071113-27

YOUTH COMMISSION UPDATES:

Randall Douglas and Archie Depo- Meeting with Black Brook Supervisor Rick Nolan and Councilman Ron Wilkins to Discuss Future Board of Directors Appointments- Need to Advertise – Motion made by Councilman Hall, 2nd by Councilman Depo to advertise for Youth Commission future Board of Directors for Youth Commission. All in favor, none opposed, carried.

Res. #071113-28

Co-ordinators Positions to be filled by Town Boards- Resolution Needed (Black Brook did theirs on Monday 07/08/2013. Motion made by Councilman Hall, 2nd by Councilwoman Shalton to offer a Resolution to advertise and hire by the Town Board for co-ordinators positions that need to be filled.

Res. #071113-29

Motion made by Councilman Hall, 2nd by Councilman Depo to accept Bill Localio's Letter of Resignation from the Youth Commission Board of Directors. All in favor, none opposed, carried.

Res. #071113-30

Town Clerk's Monthly Report: Bea Pelkey

Motion made by Councilman Hall, 2nd by Councilwoman Shalton to accept the Town Clerk's Report as submitted. All in favor, none opposed, carried.

Res. #071113-31

Councilman Tom McDonald: Update on Phone System: State Contract System looks like it would work well for the Town of Jay. Would like to discuss this at Budget Time.

BOARD COMMENTS:

Councilman Hall- The Fourth of July was well attended in spite of the rain.

Councilman McDonald: Are we at the point of working on aerators yet with the Lagoon work? No not as yet.

Councilwoman Shalton:

There is a problem on Rt. 86 near Reggie Thwait's the ditch is undermining.

Need trimming around Flower boxes.

Sharron's History Room needs to have the ceilings raised. Supervisor stated that Sharron does a great job with the History Room.

Councilman Depo: None

SUPERVISOR:

Tops grand opening was last week.

Motion made by Councilman Depo, 2nd by Councilwoman Shalton to thank Deb Boyce for her assistance with Daniel's Dam.

EVENTS:

51ST Fast Pitch Softball Tourn. Friday Evening 07/12/13

JEMS Concerts- Saturday's at 6:30 P.M.

Farmer's Market- Canceled- Not enough Vendors Responded.

UJFD Oozeball Tournament 08/10/13 & 08/11/13.

Au Sable River Association Ride 07/21/13- Contact Corrie Miller.

AFFD- Softball Tour. 7/19-7/21/2013

AFAS= Fund Drive for Defibrillators

Essex County Fair- Opening Ceremonies 7/31/13 at 5:30 P.M. w/Cow Milking Contest, Board of Supervisors.

Hollywood Theatre Fund Raiser- Susan Richards live at 7:00 P.M. 08/04/2013.

AFAS Open House 08/03/13- Details to follow soon.

NYS Covered Bridge Society at the Covered Bridge 08/11/13 12:00-2:00 P.M.

AUDIENCE COMMENTS:

Dan Deyoe: I have talked with Craig McDonald about lighting for outside the building. We are looking at something energy efficient, historical and of professional quality.

I have gotten a few prices for vertical blinds. Lowes: \$900 installed; Paul Ford \$950-\$1,300 for 4 blinds, installed. Would like permission to purchase blinds. Motion made by Councilman Hall, 2nd by Councilman McDonald to authorize Dan Deyoe to purchase blinds for 4 windows in the amount of \$1,004.00. All in favor, none opposed, carried.

Res. 071113-32

Tom Forgatch: Discussion held on what is happening regarding the Abandoned Road where his house is located at Intervale Ave.

Motion made by Councilman McDonald, 2nd by Councilman Hall to adjourn the meeting at 10:08 P.M. Meeting Adjourned.

Supervisor, Randy Douglas

Town Clerk, Bea Pelkey

Councilman, Archie Depo

Councilman, Gerald Hall

Councilwoman, Amy Shalton

Councilman, Thomas McDonald