

**TOWN OF JAY REGULAR BOARD MEETING  
FEBRUARY 14, 2013-7:00 P.M.  
COMMUNITY CENTER**

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

**ABSENT:** NONE

**OTHERS:** Sylvia Norton and Fred Balzac

**PLEDGE TO THE FLAG:** Councilman Gerry Hall

**APPROVED PAYMENT OF AUDITED BILLS:** Motion made by Councilman McDonald, 2<sup>nd</sup> by Councilman Depo to approve the following audited bills: General \$145,966.08 Highway \$207,366.61; Water 1 \$7,047.96; SW2 \$20,047.84; SW3 \$3,882.52; SS \$10,890.03; Au Sable Forks Fire District \$70,625.00; Jay Fire District \$109,150.00; Upper Jay Fire District \$75,382.00; Au Sable Forks Ambulance \$122,327.62 for a total of \$760,209.83. All in favor, none opposed, carried.  
Res. #021413-1

**APPROVE MINUTES OF 12/13/12- 01/03/2013- 01/10/13**

12/13/13 Minutes- Motion made by Councilman McDonald, 2<sup>nd</sup> by Councilman Hall to approve the minutes with no additions or deletions. All in favor, none opposed, carried.  
Res. #021413-2

**01/03/13 Minutes-** Motion made by Councilman Hall, 2<sup>nd</sup> by Councilwoman Shalton to approve the minutes with no additions or deletions. All in favor, none opposed, carried. All in favor, none opposed, carried.  
Res. #021413-3

**01/10/2013 Minutes-** Corrections on page 2- Plans for wastewater treatment plant- sludge removal. Motion made by Councilman McDonald, 2<sup>nd</sup> by Councilwoman Shalton to approve the minutes with the noted correction. All in favor, none opposed, carried.  
Res.#021413-4

**AUDIENCE COMMENTS:** None

**SUPERVISOR'S REPORT:**

**a. CORRESPONDENCE OUT:**

1. Jury Duty letter on behalf of Donna Darrah to Clinton County.
2. Letter to Social Security on behalf of Linda Deslauries.
3. Sewer Committee letter. Update will be given at the next meeting.
4. Letter to Sharron Hewston/Planning Board update on projects.
5. Letter to all Departments regarding Policy Manual and overnight travel procedures.
6. Support of North Country Chamber of Commerce Grant Fund application for Hazard Abatement Training.
7. Letter to Attorney Manning regarding resignation of Planning Board member Tom Forgatch.
8. Letter to Assessor Donna Bramer on Town of Jay Mileage Rate Reimbursements.
9. Letter to Planning Board Chair Sharron Hewston regarding new members on Planning Board.
10. Letter to employees needing to do Oath of Office.

**b. CORRESPONDENCE IN:**

1. Request from Keri Ford for use of Meeting Room at Community Center for Bunko every other Friday from 6:30 to 9:00 P.M. A discussion was held by the Board and at this time the Board believes we should not open the meeting room up to the Public due to the cost of lights, heat, etc.
2. ADK Tobacco Newsletter

3. AAPOA Request for fireworks 7/06/13- for their 50 year anniversary of Au Sable Acres. Motion made by Councilman McDonald, 2<sup>nd</sup> by Councilwoman Shalton to approve the fireworks as long as there is crowd control and access for in and out of the area for emergency services. All in favor, none opposed, carried.

Res. #021413-5

4. Jay Fire Dept.- Thank You to Supervisor Douglas
5. Dorothy Changelo request to be on Planning Board: Motion made by Councilman Depo, 2<sup>nd</sup> by Councilman McDonald to appoint Dorothy Changelo to the Planning Board. All in favor, none opposed, carried.

Res. #021413-6

6. Brownie Troop 4211 request to spruce up Riverside Park. Motion made by Councilman McDonald, 2<sup>nd</sup> by Councilwoman Shalton to approve the request for the Brownie Troop 4211 to spruce up Riverside Park. Anything that is planted must be first O.K. with Chris Garrow. Supervisor will talk with Sharron Hewston about this. All in favor, none opposed, carried.

Res.#021413-7

7. Sharron Hewston note on History Room regarding Civil War Displays being damaged.
8. Request from American Legion Post 504 (Annual Request for funds)
9. Former Assemblywoman Sayward- Goodbye letter- Motion made by Councilwoman Shalton, with a unanimous second to offer a Resolution of congratulations to Assemblywoman Sayward for her 10 years of Service. All in favor, none opposed, carried.

Res. # 021413-8

#### **RESOLUTIONS NEEDED:**

Support for NYS Assembly Bill for Banks/Lending Institutions to notify municipalities of caretakers for foreclosed properties. Motion made by Councilwoman Shalton, 2<sup>nd</sup> by Councilman McDonald to offer a Resolution of support for the NYS Assembly Bill for Banks/Lending Institutions to notify municipalities of caretakers for foreclosed properties. All in favor, none opposed, carried.

Res. # 021413-9

Ironman Roadway request for July 28, 2013. Motion made by Councilman Hall, 2<sup>nd</sup> by Councilman McDonald to offer a Resolution to approve the Ironman roadway request with the stipulation that no permanent paint will be put on the roads. All in favor, none opposed, carried.

Res. # 021413-10

#### DEPARTMENT HEAD REPORTS

##### DPW CHRIS GARROW-DISCUSS

1. Parking Ban Law- Provided the Town Board with copies of everything we have on file regarding the Parking Ban.
2. Town Forces removing snow on state owned facilities.
3. Road Name Request: Mr. Johansen- Resolution needed- Motion made by Councilman Depo, 2<sup>nd</sup> by Councilwoman Shalton to offer a Resolution to approve the road name of Old Family Way as requested by the Johansen Family. Supervisor will give to Essex County for their approval. All in favor, none opposed, carried.

Res. #021413-11

4. Wastewater Treatment Plant: Lagoons sludge removal Update: When the lagoons have the sludge removed we will probably have to tackle the aviator issue at that time. We will probably all get a call to tackle the issue. Archie will keep the Board updated on this issue.
5. Senior Van Mileage 2008 -- 58,244, The van is still running well right now. We have had a few issues with it.
6. Letter to Orchard Lane Residents- water shut down for repairs in December.
7. Bill to Black Brook Supervisor Rick Nolan for Water 1 billing charges from January 2001- to December 31, 2012.

8. DEC Request: Jay/Upper Jay Water Treatment Building on Nugent Road. Chris and I met with the DEC at the plant for our bulk storage. There are some things that need to be changed around at minimal cost. I will keep you updated on this.

#### PLANNING BOARD-

1. Appoint Calvin Coolidge to Planning Board: Motion made by Councilman Hall, 2<sup>nd</sup> by Councilman McDonald to offer a Resolution to appoint Calvin Coolidge to the Planning Board. All in favor, none opposed, carried.

Res. # 021413-12

2. Removal of Dan Fenton as requested: Motion made by Councilman Hall, 2<sup>nd</sup> by Councilman Depo to offer a Resolution to remove Dan Fenton from the Planning Board as he requested. All in favor, none opposed, carried.

Res. # 021413-13

3. Water/Sewer Committee Discussion & Resolutions needed for amendments; very few concerns were shared. Councilman Depo stated very few concerns need to be addressed. We will be talking more about them and report back to the Board at the next meeting. We have a lot of expenses with lagoons, lines and aerators that need to be repaired. We will need to take money out of Capital Reserve account to do the repairs.

4. Water/sewer Biller Carol Hackel: Report sent to Susan Richards, Budget Officer need a Resolution to accept. The following Resolution was offered by Councilman Depo who moved for its adoption: BE IT HEREBY RESOLVED THAT: THAT THE TOWN OF JAY TOWN BOARD approves an adjustment to the Sewer Billing accounts receivable in the total amount of minus \$250.00. Holy Name Church minus \$125.00; Karin Straight minus \$50.00 and Lance Galvin minus \$75.00. This Resolution was seconded by Councilman Hall. All in favor, none opposed, carried.

Res. #021413-14

5. The Following Resolution was offered by Councilman Depo, who moved for its adoption: BE IT RESOLVED THAT; The Town of Jay Board approves the following changes to Customer Accounts in the Sewer Billing System as recommended by the Sewer Committee:

#A0884- Lance Galvin – Reduce from 3 apartments to 2

#a0409- Bernard Pociask- Change from single family to vacant lot

#A0231- Richard Rougeau- reduce to vacant lot rate- house vacant.

This Resolution was seconded by Councilman McDonald. All in favor, none opposed, carried.

Res. #021413-15

6. RE: Water Turn On/Turn Off

7. The following Resolution was offered by Councilman Depo who moved for its adoption;

8. BE IT HEREBY RESOLVED THAT ; the Town of Jay Town Board approves the following Water Turn On/Off and fee's as presented by DPW Clerk Jaime Rose Douglass for the following:

Eric Van Sintmaartensdijk- 13111 NYS Rte 9N-Jay-Turn Off

Barbara Smith- 9 John Fountain Road- Jay- Turn Off

Hollywood Theatre- NYS Rte 9N- Turn Off

Karin Straight- 6 Intervale Ave.- Au Sable Forks-Turn On

This Resolution was seconded by Councilman McDonald. All in favor, none opposed, carried.

Res. #021413-16

#### DISCUSSION TOPICS:

1. Susan Performance at JEMS- Large audience, she did a great job.
2. Thank You from Anne Mackinnon, Arto Monoco Historical Society; LOMB debris clean up.
3. Supervisor Douglas visit with Governor last week; sales tax/FEMA property buyouts.
4. End of Meeting; walk through of Community Center regarding relocating tax collector's office which is presently being held upstairs in the Community Center.
5. Girl Scouts concerns of locker damage in shared room with boy scouts.

6. Alex Santo: Soldier returns home, we are very proud of having him serve in Afghanistan and for what he said in the Press Republican. Motion made by Councilwoman Shalton, with a unanimous second to offer a Resolution of thanks to Alex Santo for serving his Country in Afghanistan. All in favor, none opposed, carried.
7. Res. # 021413-17
8. Coyote Sightings- Au Sable Acres
9. Upper Jay Fire Dept. Update: FEMA FUNDS, Working with them on FEMA Funds, we assisted them with their insurance. They had a Vote the other night on building on Valley Road, which was approved. 58-10. The State Dollars, we had a conference with members from Keene, Upper Jay and County Rep. and myself regarding State Funded. They can't do anything for Upper Jay until we know what FEMA is going to do for them.
10. The State is going to step in and help Keene with their shortfall for firehouse.
11. There have been some questions why Fire Dept.'s didn't merge. We did hold a session regarding this with the Officers after Irene. They had numerous items of why it was not best for safety issue.
12. Supervisor Douglas March Washington Trip: National Association of Counties. Supervisor Ferebee , Supervisor Bartley and I will be going to the meeting. We will have meetings with several Senators and Congressmen. I will update you when I return.
13. I am happy to announce that Chet Pulsifer passed his test for sewer plant treatment officer.

**BOARD MEMBER COMMENTS:**

**Gerald Hall-** I would like to offer a Resolution of congratulation to Chet Pulsifer for passing his test for sewer Plant treatment officer. Unanimous Second. All in favor, none opposed, carried.

Res. # 021413-18

**Councilman McDonald- None**

**Councilwoman Shalton- None**

**Councilman Depo- None**

**ATTORNEY MANNING- RFP**

I understand that you want to put out an RFP for quotes for insurance; this should be done once in a while as stated in the Procurement policy. I spoke to Lee Pollick who is our insurance rep. at the County. Because we have a March 1 deadline we don't have enough time to put out an RFP. There is a contract that we can sign that would make Lee Pollick our broker and he would contact Selective Insurance and ask for a 2 month extension. If they don't want to do that he could negotiate with them for 1 year and put out RFP's for us. Motion made by Councilman Hall, 2<sup>nd</sup> by Councilman McDonald to authorize Supervisor Douglas and Attorney Manning to contact Lee Pollick to act as a Broker for us with Selective Insurance. Lee Pollick would be paid by Selective Insurance. All in favor, none opposed, carried. Attorney Manning will contact Lee Pollick tomorrow about this.

Res. #021413-19

**Parking BAN:** This is a no-fault issue. If an employee is acting in their scope, actively doing their job and injure a person or a vehicle and were not reckless. The general liability standard would state that this is a no fault issue. With the Parking BAN in effect the person was at fault. Does Chris have the authority to have a vehicle towed if they can't do their job plowing? The Town can hire someone to tow the vehicle and impound it. It will be the expense of the owner of the car to retrieve the vehicle.

**SEWER BILLING FOR 4<sup>TH</sup> QUARTER:** Submitted by Carol Hackel

Motion made by Councilman Hall, 2<sup>nd</sup> by Councilwoman Shalton to offer a Resolution to accept the Sewer Billing amount of \$21,221.00 as submitted by Sewer Biller Carol Hackel. All in favor, none opposed, carried.

Res. #021213-20

**Supervisor Douglas:**

There will be an article on the front page of the Press Republican on Saturday Morning. The Town of Black Brook was audited done on their water and sewer recently. When the Town of Black Brook gave their response in the paper blaming The Town of Jay for making them operate in a deficit due to the fact that the Town of Jay withheld payment to them. We did offer them a payment in 2011 and they refused the payment because it wasn't the full amount. We were in negotiations with them and they started a lawsuit against the Town of Jay for the full payment. The billings they were charging us for were for services not provided. I did give the reporter from the Press Republican a response to this issue. Councilman Depo states he will back Supervisor Douglas 100%, he was with the Supervisor during all of the negotiations of the Law Suit.

**AUDIENCE COMMENTS:** Sylvia Norton was happy that the debris at the Land of Makebelieve was cleaned up. The people who did the cleanup did a great job.

**Supervisor regarding PROPERTY ACQUISITION-** Unsafe Buildings

No one has received funds for property acquisition fees. Supervisor Douglas is hopeful that homes will be starting to be torn down by May 1<sup>st</sup>.

**HAPPY VALENTINES DAY**

**EXECUTIVE SESSION:** We need to go into Executive Session regarding a Personnel matter with Deceased Tax Collector.

Motion made by Councilman McDonald, 2<sup>nd</sup> by Councilwoman Shalton to adjourn a 8:30 P.M. to go into executive session for a personnel matter. All in favor, none opposed, carried.

**Motion** made by Councilman Hall, 2<sup>nd</sup> by Councilman McDonald to re-convene the meeting at 9:08 P.M. All in favor, none opposed, meeting re-convened.

Attorney Manning gave a comment regarding the discussion.

With nothing else to bring before the meeting a motion was made by Councilman Hall, 2<sup>nd</sup> by Councilman McDonald to adjourn the meeting at 9:10 P.M.

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Supervisor, Randy Douglas

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Town Clerk, Bea Pelkey

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Councilman, Archie Depo

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Councilman, Gerald Hall

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Councilwoman, Amy Shalton

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Councilman, Thomas McDonald