

TOWN OF JAY BOARD MEETING
COMMUNITY CENTER- October 10, 2013

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

ABSENT: Chris Garrow

OTHERS: Kevin Zaumetzer; Louis Garso; Charlene Garso; Mike Goddeau; Tim Lincoln; Bill Lincoln; Matt Miller; Chris Haley; Ray Losso; Erin Himmel; Fred Balzac; and Harold Akey

Supervisor Douglas called the meeting to order at 7:02 P.M.

PLEDGE TO THE FLAG- Led by Councilwoman Shalton

MOMENT OF SILENCE IN MEMORY of former Supervisor Dorothy Madden and her husband Joe Madden.

AUDIENCE COMMENTS: NONE

APPROVAL TO PAY AUDITED BILLS: Motion made by Councilman McDonald, 2nd by Councilman Depo to pay the following audited bills: Highway \$30,358.94; General \$52,718.85; Water 1 \$2,904.11; Water 2 \$1,113.19; Water 3 \$1,112.52; Sewer \$103,317.88 Jay Playground Park \$95.00 for a total of \$191,620.49. All in favor, none opposed, carried.
Res. # 101013-1

APPROVAL OF MINUTES FROM Special Board Meeting 9/27/13 and Regular Board Meeting 9/12/13.
9/12/13 Meeting: Motion made by Councilman Hall, 2nd by Councilman McDonald to approve the minutes with no additions or deletions. All in favor, none opposed, carried.
Res. #101013-2

9/27/13 Special Board Meeting: Motion made by Councilman Hall, 2nd by Councilwoman Shalton to approve the minutes from the Special Board Meeting 9/27/13 with no additions or deletions. All in favor, none opposed, carried.
Res. #101013-3

Motion made by Councilman McDonald, with a unanimous second to offer a Resolution of condolence to the family of Dorothy and Joe Madden. They were a wonderful couple and will be greatly missed.
Res. #101013-4

CORRESPONDENCE IN:

A. Judge Prudenti- Appointing Supervisor Douglas to Essex County Law Library Board for a 2 Year Term. Supervisor Douglas is honored to serve.

CORRESPONDENCE OUT:

A. AF Library- Mr. Brow appointing Councilman Hall and Councilwoman Shalton to a "Brainstorming Team."

B. Job Recommendation Letter.

C. JLKN Agreement sent out- This was a one year agreement for the sand pit on Au Sable Drive.

D. AF Chief Mike Cross- Status of AF Fire Hydrants

E. Seth Marshall Letter- County Road issues in Town of Jay.

F. United Way- John Bernardi assistance for area farmer Dean Estes who lost his elk during Irene.

G. Supervisor Preston- Wilmington canon return request. The cannon has been returned and will be repaired by Post #504.

H. Code Officer Letter-Rules requested on stamped plans.

I. Iron Man- Jay Fire Department Donation- They did receive a check from the Iron Man race.

SUPERVISOR REPORT- Discussion

a. NYSEG Power Outage Upper Jay/Keene Update. Supervisor Douglas stated that the power outage that occurred in Upper Jay and Keene on September 21st caused a lot of damage to personal property in the 2 towns. NYSEG felt that they were at fault for the outage and will take care of any damages that occurred due to the outage. If anyone had any damage please contact NYSEG.

b. AF Fire Department Request on Title to Property: Louis Garso spoke for the Au Sable Forks Fire Dept. and stated they need a clear title to the property so that they can do some re-construction of the

building. Louis will get a map from AFD and give to Attorney Manning to look over. The Board will table any decision until 11/14/13 meeting.

c. Buyout Update: Supervisor Douglas stated that they expect to have the first closeout on buyout property on 10/25/13 and 7 by October 31st. They expect to have another 10 in November. They hope to finish all by the end of the year. Attorney Manning stated that the quick response on the buy outs is a credit to Supervisor Douglas, the Town Board and Mike Mascarenas.

d. Henry's Trails Update: A group of us worked Sunday in pouring rain and made a lot of stride. We are still excepting donations for Henry's Trail.

e. Approval of New-No Smoking Signs for all Town of Jay Playgrounds; These are free through Grant Funding. Motion made by Councilman McDonald with a unanimous second to approve the new No Smoking signs for the Town Playgrounds. All in favor, none opposed, carried.

Res. # 101013-5

f. NYSAC- Supervisor Douglas appointed 1st Vice President also graduated from Cornell University Pelletier Government Institute.

g. Special Election- Judge's Update: The Special Election will be held on October 16, 2013 from Noon to 8 P.M. District 1 will be held at JEMS in Jay and District 2 will be held at the Community Center Au Sable Forks, N.Y.

h. E-Town Hospital Update: Plans are still being made to open a clinic with the Elizabethtown Hospital in June 2014. The final plans have not been worked out at this time.

i. Town of Jay 2014 Budget Update: The Town Board and Susan having been working in the 2014 Town Budget and we expect to be under the tax cap. We have met with insurance brokers and discussed retiree benefits. The Board has worked tirelessly checking every line item.

j. Flood Recovery Zone Updates (Flyer)

There will be a Public Information Meeting CRZ October 16th in Keene from 5-7 P.M.

October 17th at the Community Center from 5-7 P.M. everyone is welcome to attend the meetings. Post

k. 504 Canon Update: They are thankful that the canon has been found and will be returned.

DEPARTMENT HEAD REPORTS:

a. Chris Garrow- DPW - ABSENT

1. County Bridge Reports including replacement of Stickney Bridge and Rolling Mill Hill Bridge are being replaced. Rolling Mill Bridge will be replaced with a 2-Lane Bridge.

2. Mr. Pociask request from September meeting regarding being removed from water billing as he only has a garage on the property. Chris walked the property and found that he should not be billed for water. Motion made by Councilman Hall, 2nd by Councilman McDonald to offer a resolution to remove the Pociask property from the Au Sable Forks Water Billing. All in favor, none opposed, carried.

Res. 101013-6

ANIMAL Control/Dog Control:

Tina Neyer Resignation: Resolution to approve Animal Control to Dog Control Officer; Employment Ad In Press Republican: Motion made by Councilman McDonald, 2nd by Councilwoman Shalton to change the Animal Control position to Dog Control and to place an ad in the Press Republican for the Dog Control Position. All in favor, none opposed, carried.

Res. # 101013-7

Water/Sewer Biller- Carol Hackel-Sewer Billing Charges- Resolutions needed: The following motion was offered by Councilwoman Shalton, **Carol Bennett**-36 Forge Street- Account changed to F15 apartment with two units (See attached roll page supporting change.)

Aubuchon Realty Company- Main Street- Account changed to FO1 Vacant Lot water was turned off by Town of Jay DPW. The Resolution was seconded by Councilman McDonald. All in favor, none opposed, carried.

Res. # 101013-8

The Following Resolution Re: Turn On/Turn Off was offered by Councilman Hall who moved for its adoption: Be it Hereby Resolved that the Town of Jay Board approves the following Water Turn On/Off and fees as presented by DPW Clerk Jessie McDonald for the following:

Tom Krajcirovic- 26 Covered Bridge Lane- Turn On.

This Resolution was seconded by Councilwoman Shalton. All in favor, none opposed, carried.

Res. #101013-9

The following Resolution re: Water Billing Changes was offered by Councilman McDonald who moved for its adoption:

Be It Resolved that the Town of Jay Town Board hereby approves the following changes to accounts in the Town of Jay Water Billing System: **Thomas and Mary Eagan**, 27 Randy's Lane, Jay change to "inactive" flooded parcel. Water shut off by Town of Jay DPW. This Resolution was seconded by Councilwoman Shalton. All in favor, none opposed, carried.

Res. #101013-10

Beatrice Pelkey-Town Clerk- Resolution needed to accept August and Sept Town Clerk and DEC Report As Submitted. Motion made by Councilman Hall, 2nd by Councilwoman Shalton to accept the Town Clerks reports as submitted for August and September 2013. All in favor, none opposed, carried.
Res. #101013-11

Tom Worthington: Code Enforcement Officer:

1. Working on property Maintenance violations and foreclosure addresses.
2. Recommended Rate Changes- table until November meeting
3. Letter sent to Mr. Klewin on Broad Street Duplex Situations.
4. Working on New Application for Code Enforcement, Town to share with all Department Heads.

ATTORNEY MANNING:

AF Fire Department Request: Motion made by Councilman Hall, 2nd by Councilman Depo to offer a Resolution to give Supervisor Douglas permission to sign any necessary papers to release the right of Reverter clause in the deed with the Au Sable Forks Fire Dept. and release any necessary portions of the Right of Way needed for their project to go forward. This would only be done with the approval of Supervisor Douglas. A roll call vote was given: Councilman Hall yes; Councilman McDonald yes; Supervisor Douglas yes; Councilwoman Shalton yes and Councilman Depo yes. The Resolution was duly passed.

Res. # 101013-12

Board Assessment Review Request: Regarding pay for the second night working on the Assessment Board. Attorney Manning looked into the situation and let the Board know there would not be any legal problem with them paying the additional \$100 for the additional night. Motion made by Councilman Hall, 2nd by Councilwoman Shalton to offer a Resolution to pay the Board of Assessment review the additional \$100. All in favor, none opposed, carried.

Res.#101013-13

Donna Bramer, Assessor:

1. 480 &480A Reports & Stumpage Fees: Supervisor Douglas asked Donna for a copy of these reports. Donna is working with Charlie Lewis on these exemption reports.
2. Napier Development: Donna and I met with Mr. Napier yesterday regarding his development in Upper Jay.

YOUTH COMMISSION:

1. We received a letter from Aaron Fung regarding his resignation from the Youth Commission. Motion made by Councilman McDonald, 2nd by Councilwoman Shalton to accept the resignation from Aaron Fung as a Board Member of the Youth Commission. All in favor, none opposed, carried.

Res. #101013-14

2. Austin Depo: Basketball Coordinator

We received a letter from Shannon Stanley recommending Austin Depo for the position of Basketball Coordinator as a salary of \$500.00. Motion made by Councilman McDonald, 2nd by Councilwoman Shalton to appoint Austin Depo to the position of Basketball Coordinator at salary of \$500. 4 approved and Councilman Depo abstained. Resolution duly passed.

Res. #101013-15

Aubuchon Hardware Request: Aubuchon Hardware asked to have their Sewer Billing removed for the 3rd Quarter July 1 to September 30th 2013 Billing as the building was not in use. Motion made by Councilman Hall, 2nd by Councilwoman Shalton to remove Aubuchon Hardware from the Sewer Billing for the 3rd Quarter Billing. All in favor, none opposed, carried.

Res. #101013-16

Quarterly Sewer Report submitted by Carol Hackel in the amount of \$18,862.00. Motion made by Councilman Hall, 2nd by Councilwoman Shalton to accept the 3rd Quarter Sewer Billing as presented by Carol Hackel. All in favor, none opposed. Carried.

Res. 101013-17

Unpaid Water Accounts as of 10/08/2013 Submitted by Carol Hackel. Motion made by Councilman Hall, 2nd by Councilman McDonald to accept the unpaid Water Accounts as presented. All in favor, none opposed, carried.

Res. #101013-18

BOARD COMMENTS:

COUNCILMAN HALL: Would like to congratulate Supervisor Douglas on his 2 new appointments.

COUNCILMAN McDonald: None

COUNCILWOMAN SHALTON:

1. I would also like to congratulate Supervisor Douglas on his appointments.
2. On Tom's side of the Covered Bridge there is a bottom coated cable that is stretched out and someone small could fall through.
3. Thank You to everyone who helped out with Henry's Trail.

COUNCILMAN DEPO: None

Supervisor Stated the Budget Workshop for 10/17/13 is going to be changed from 5-7 P.M. to 7-9 P.M. due to the CRZ will be meeting in the gym.

AUDIENCE COMMENTS:

Fred Balzac: Had questions on the Napier Project, Supervisor stated they want to have a sub-division with eventually 5-7 properties, but will start with 2. Some of them will need APA Approval. It will be on the same side of the road as Wellscroft.

Chris Haley: Had questions on how an assessor is hired and how could they be let go. Supervisor stated that Assessors have a 6 year appointment by the Town Board. If there were major concerns about the Assessor, then she would be called in and talked to by the Personnel Committee and share their concerns. Chris stated that the assessment Board was paid for 2 sessions, apparently there were twice as many people disputing their assessments. I was curious if we as a Town had a voice in choosing an Assessor. Supervisor stated that grounds for dismissal are not related to an assessment, but if a person was mistreated is a different ground. 1/3 of the assessment went up, 1/3 went down and 1/3 stayed the same. The total assessed value in the Town of Jay went down approximately \$850,000.00. The Assessor that we currently have is highly thought of by NYS Real Property and Essex County Real Property. She is the most knowledgeable Assessor in the whole North Country. It is illegal for any member of the Town Board to go to the Assessor and tell her how to assess property.

Bob Minogue: You know my opinion about the Judge situation. I am very concerned about some articles that I have been reading in the papers. I have spoken to my attorney and will be talking with them again tomorrow as I don't appreciate my name being mentioned with incorrect information.

Fred Balzac: May I ask Bob what document you are referring to? The document is the one that says it is disturbing that I go to Florida and nothing was done about it. I believe that your name, Fred is on the article. Fred stated that he did write the article, I would like to say that at the August meeting the Board stated going to a 1 judge position was discussed because Bob goes to Florida in the winter. Supervisor Douglas stated that is not true, the Board never stated that the reason to go to one judge was because Judge Minogue goes to Florida! He stated "There were several factors that weighed in on this decision".

Harold Akey: Would the Board ever consider going to an Assessment Board? Supervisor Douglas stated that New York State Law dictates that once you go to a sole assessor you can't go back. A previous Board made this decision in 1998.

Supervisor Douglas stated that the Board can't say anything about elected officials and their hours. If an elected official does not show up for work the Board can't say anything about it. It is totally illegal to do that. State Law mandates that all elected officials set their own office hours.

ABSENTEE BALLOTS have been mailed out by Bea and Carol. They are available at the Town Clerk's Office and have to be back in by 5:00 P.M. on the day of the Election.

Supervisor gave remarks about an article in paper by Fred Balzac. Our Board has never played politics, Fred Balzac asked for a Special Election. Once the petition had been filed on August 12, 2013 you have to have the Special Election within 60-75 days. Fred Balzac was asking the Board to change their decision on the Judge's position. We had thoroughly looked into the Judge situation and came to what we believed was the best decision for the Town of Jay. We were not trying to gain any political interests and I don't appreciate anyone putting that idea in a news item. We followed Mr. Balzac's request and the law.

EVENTS:

- A. CRZ MEETING, Thursday 10/17/13 from 5-7 P.M. at the Jay Community Center.
- B. Meet the Candidates Night- Town of Jay Community Center Gym Tuesday 10/29/13 at 6:00 P.M.
- C. Election Day 11/5/13; Office Closed/Mandated by Law.
- D. Next Regular Town Board Meeting Thursday 11/14/13 at 7:00 P.M. at the Jay Community Center. Public Hearing on 2014 Budget will be held at 6:30 P.M.

Motion made by Councilman Hall, seconded by Councilwoman Shalton to adjourn the meeting at 8:30 P.M. All in favor, none opposed, meeting adjourned.

Supervisor, Randy Douglas

Town Clerk, Bea Pelkey

Councilman, Archie Depo

Councilman, Gerald Hall

Councilwoman, Amy Shalton

Councilman, Thomas McDonald