

DRAFT

DATE: April 10, 2017

**KIND OF MEETING: Public Hearing/Regular
Town Board Meeting**

WHERE HELD: Chazy Town Hall

**PRESIDING OFFICER: Mark Henry
Supervisor**

	MEMBERS PRESENT	MEMBERS ABSENT
Supervisor - Mark Henry	X	
Councilor - Daniel Vesco		X
Councilor - Jerry Deno	X	
Councilor - Cathy Devins	X	
Councilor - Willie Giroux		X
Clerk - Heather Giuliano	X	
Attorney - Tom Murnane		X
Hwy. Supt. - Timothy Lamica		X

OTHERS PRESENT: S. Patnode

Supervisor Mark Henry opened the meeting with the Pledge Allegiance to the Flag.

PUBLIC HEARING ON THE ADOPTION OF LOCAL LAW NO. 1 OF THE YEAR 2017

A legal notice was placed in the official newspaper on Sunday, March 26, 2017 as follows:

**TOWN OF CHAZY
NOTICE OF PUBLIC HEARING
Local Law No. 1
April 10, 2017**

PLEASE TAKE NOTICE that the Town Board of the Town of Chazy will hold and conduct a Public Hearing at the Town Hall of the Town of Chazy located on 9631 Route 9 in the Town of Chazy, Clinton County, New York, on the 10th day of April in the year 2017 at 6:00 PM on proposed Local Law entitled: "Local law to change assessment grievance day in the Town of Chazy." Pursuant to Article 5 of the New York State Real Property Tax Law, The Town is required to have an annual grievance day for property owners to grieve their assessment. Said Law sets a statewide day of the 4th Tuesday in May. The law also requires that the appointed Sole Assessor be in attendance for Grievance Day. As of the enactment of this Local Law, Chazy's Assessor also is the Assessor in other Towns located in Clinton County. Being that it is not possible for the Assessor to be in several Towns on the same date, the purpose of this Local Law is to change the Grievance Day in the Town of Chazy from the 4th Tuesday in May to the 1st Wednesday after the 4th Tuesday of May.

PLEASE TAKE FURTHER NOTICE that at said Public Hearing, to be held at the time and place set forth above, the Town Board shall consider the proposed Local Law and hear all persons interested thereon concerning same. Copies of proposed local law may be obtained from the Chazy Town Clerk during regular business hours.

By order of the Town Board
of the Town of Chazy
Dated: March 15, 2017

/s/Heather M. Giuliano
Town Clerk
Town of Chazy

Proof of notice having been furnished, Supervisor Mark Henry called the public hearing on adoption of Local Law No. 1 for the year 2017, to order at 6:00 PM.

Supervisor Mark Henry presented Local Law No. 1, A Local Law entitled: ""Local law to change assessment grievance day in the Town of Chazy." He requested any questions or comments.

No one spoke for or against the proposed local law.

Supervisor Mark Henry closed the public hearing at 6:01 PM.

CALL MEETING TO ORDER

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Supervisor Mark Henry called the 4/10/2017 Regular Town Board meeting to order at 6:02 PM.

MINUTES

Councilor Jerry Deno made a motion that the minutes of the 3/13/17 Regular Town Board Meeting and 3/21/2017 Special Town Board meeting be approved as submitted by the Town Clerk, seconded by Councilor Cathy Devins.

3 ayes, 0 noes, 2 absent. Motion carried. Ayes –Councilor Jerry Deno, Councilor Cathy Devins, and Supervisor Mark Henry.

REPORTS

The Supervisor and Town Clerk monthly reports submitted to Board for review and filed.

PUBLIC COMMENT

There was no public comment

CLINTON COUNTY LEGISLATOR REPORT

Legislator Dyer reports:

- Was not in attendance

ATTORNEY FOR THE TOWN REPORT

Tom Murnane – Town Attorney

- Was not in attendance

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Timothy Lamica reported

- Was not in attendance

TOWN COUNCIL ITEMS

Councilor Willie Giroux

- Was not in attendance

Councilor Cathy Devins

- Had nothing to report

Councilor Jerry Deno

- Had nothing to report

Councilor Daniel Vesco

- Was not in attendance

SUPERVISOR ITEMS

Supervisor Mark Henry reports:

- With the heavy rain over the weekend, Supervisor Henry checked for flooding around the town but found no cause for concern.

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- Supervisor Henry informed the Board that a couple came to see him about hooking up to the water district at their own expense, as the well water at their recently purchased home contains sulfur and bacteria and is unsafe for consumption. The home, located on North Farm Road across from the Chazy Rec Park, is just outside the water district. The Town of Chazy does not have an outside user fee established. Supervisor Henry will discuss the issue with Attorney for the Town Tom Murnane regarding precedence.
- The Environmental Facilities Corporation requested a few changes to the resolution passed by the Board in March regarding the Disinfection Grant. An updated resolution will follow.
- Discussed the Online Dog License Renewal web application as well as accepting online town tax payments, resolution to follow
- Discussed the American Legion’s request for the Memorial Day Parade, resolution to follow

LOCAL LAW NO. 1 OF THE YEAR 2017 LOCAL LAW TO CHANGE ASSESSMENT GRIEVANCE DAY IN THE TOWN OF CHAZY

Resolution: **17-45** **04/10/2017**

Motion by: Councilor Cathy Devins

WHEREAS, Local Law No. 1 of the year 2017 entitled:

“LOCAL LAW TO CHANGE ASSESSMENT GRIEVANCE DAY IN THE TOWN OF CHAZY”

was introduced by the Town Board, and

WHEREAS, a public hearing, was held on said proposed Town of Chazy Local Law No. 1 of the year 2017, on April 10, 2017, at 6:00 PM. prevailing time, at the Town Hall, Town of Chazy, Clinton County, New York, and

NOW, THEREFORE BE IT RESOLVED that the Chazy Town Board does hereby authorize the adoption of Local Law No. 1 of the year 2017, and prompt filing of said law as adopted with the Department of State of the State of New York in order for said Local Law to become effective at the earliest possible date; and it is hereby

FURTHER RESOLVED, that proposed Local Law No. 1 of the year 2017 as aforementioned, be, and the same hereby is, adopted as Local Law No. 1 of the year 2017, and it is further

FURTHER RESOLVED, that the Town Clerk be, and hereby is, directed to cause said Local Law No. 1 of the year 2017 to be duly filed with the Department of State of the State of New York.

Seconded by: Councilor Jerry Deno

Discussion: No

	<u>Yes</u>	<u>No</u>
Roll Call:		ABSENT
Willie Giroux		
Jerry Deno	X	
Cathy Devins	X	
Daniel Vesco		ABSENT
Mark Henry	X	

Carried: YES

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LOCAL LAW # 1 OF THE YEAR 2017: LOCAL LAW TO CHANGE ASSESSMENT GRIEVANCE DAY IN THE TOWN OF CHAZY

§1. Title.

This law shall hereinafter be known and cited as “Local Law to Change Assessment Grievance Day in the Town of Chazy”.

§2. Purpose and Intent.

Pursuant to Article 5 of the New York State Real Property Tax Law, The Town is required to have an annual grievance day for property owners to grieve their assessment. Said Law sets a statewide day of the 4th Tuesday in May. The law also requires that the appointed Sole Assessor be in attendance for Grievance Day. As of the enactment of this Local Law, Chazy’s Assessor also is the Assessor in other Towns located in Clinton County. Being that it is not possible for the Assessor to be in several Towns on the same date, the purpose of this Local Law is to change the Grievance Day in the Town of Chazy.

§3. Legislative authority.

This Local Law is enacted pursuant to Article 5 of the Real Property Tax Law, Article 2 of the Municipal Home Rule Law; and Article IX of the New York State Constitution.

§4. Change in Grievance Date.

That the day for Grievance Day in the Town of Chazy is established as the 1st Wednesday after the 4th Tuesday of May.

§5. Severability.

If any clause, sentence, phrase, paragraph or any part of this chapter shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this chapter but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this chapter would have been adopted had any such provisions been excluded.

§6. Repealer.

All local laws or parts of local laws inconsistent or in conflict with this Local Law are hereby repealed to the extent of such conflict or inconsistency.

§7. Effective Date.

This Local Law shall become effective upon enactment and filing with the Secretary of State.

RESOLUTION DESIGNATING AUTHORIZED REPRESENTATIVE, AUTHORIZING LOCAL SHARE EXPENDITURE, AND SEQRA DETERMINATION FOR ENGINEERING PLANNING GRANT DISINFECTION PROJECT TO BE PARTIALLY FUNDED THROUGH EFC

Resolution: 17-46 04/10/2017

Motion by: Councilor Jerry Deno

WHEREAS, The New York State Environmental Facilities Corporation (EFC) has selected the Town of Chazy Engineering Planning Grant Disinfection Project of up to \$6,800 for the Engineering Planning Grant through the New York Clean Water State Revolving Fund program; and

WHEREAS, EFC requires that the Town designate a representative to sign all documents related to the project; and

WHEREAS, the Town is required to provide a minimum of 20 percent of total grant amount as a local match to meet the program requirements , thereby requiring a minimum Town obligation of \$1,360 under the Engineering Planning Grant Program.

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provided that certain actions identified in subdivision C of that section are not subject to environmental review under the Environmental Conservation Law; and,

WHEREAS, the proposed project is an engineering study for the purposes of identifying preliminary design criteria for disinfection improvements at the Town’s wastewater treatment facility for Chazy Sewer District No. 1.

WHEREAS, The Town of Chazy had previously passed Resolution 17-43 at a Special Meeting on 03/21/17; and

WHEREAS, further additional conversations with NYS EFC led to the necessity of re-wording Resolution 17-43 to more accurately reflect the costs involved;

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NOW THEREFORE BE IT RESOLVED, that with the approval of this Resolution the Town of Chazy hereby rescinds and cancels Resolution 17-43 of 03/21/2017, and

FURTHER RESOLVED that the Town Supervisor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Town of Chazy’s obligations under the Engineering Planning agreement for Planning Grant #66216; and

FURTHER RESOLVED, that the Town of Chazy authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the Disinfection Evaluation project. Under the Engineering Planning Grant Program this local match must be at least 20% of the total grant amount. The estimated total project costs are \$9,500, less the \$6,800 grant to be provided by the Engineering Planning Grant Program, leaving an estimated \$2,700 to be provided as the Town’s contribution. The Town Supervisor may increase this local match through the use of in kind services without further approval from the Town Board; and,

FURTHER RESOLVED that the Town of Chazy hereby determines that the proposed Engineering Planning Grant Disinfection Project #66216 is a Type II action in accordance with 6 NYCRR Section 617.5(c0(18) which constitutes that engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve and Type 1 or Unlisted action, and not subject to review under 6 NYCRR Part 517.

Seconded by: Councilor Cathy Devins

Discussion: No

		<u>Yes</u>	<u>No</u>
Roll Call:	Willie Giroux		ABSENT
	Jerry Deno	X	
	Cathy Devins	X	
	Daniel Vesco		ABSENT
	Mark Henry	X	

Carried: YES

RESOLUTION AUTHORIZING THE USE OF CREDIT CARDS AND ECHECKS FOR PAYMENTS TO TAX COLLECTOR AND TOWN CLERK

Resolution: 17-47 04/10/2017

Motion by: Councilor Cathy Devins

WHEREAS, in order to provide residents with the ability to make payments to the Town Clerk /Tax Collector by use of credit cards and eChecks;

NOW, THEREFORE, BE IT RESOLVED, that the Chazy Town Board does hereby authorize the Town Clerk/Tax Collector to update the Town Clerk/Tax Collector’s software with Business Automation Services Inc’s. (BAS) Online Dog Licensing Module and to allow residents the ability to view and/or make payments via credit cards and/or eChecks (ACH) through a reputable third party vendor (Forte Payment Systems), at an initial investment of \$500.00 with annual hosting, support and maintenance of \$250.00. BAS will also include the ability to pay Town/County tax bills online and in office via credit card or eCheck through Forte Payment Systems at no additional cost to the Town at such time that the Town Clerk/Tax Collector initiates this option. The transaction fees will be payable by the resident at the time of the transaction.

Seconded by: Councilor Jerry Deno

Discussion: No

Yes No

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Roll Call:	Willie Giroux		ABSENT
	Jerry Deno	X	
	Cathy Devins	X	
	Daniel Vesco		ABSENT
	Mark Henry	X	

Carried: YES

REQUEST FROM AMERICAN LEGION FOR MEMORIAL DAY PARADE

Resolution: 17-48 04/10/2017

Motion by: Councilor Jerry Deno

WHEREAS, a request was received, from Stephen P. LaPierre, Commander of the Russell B. Childs American Legion Post 769, for permission to conduct the Annual Memorial Day Parade;

NOW, THEREFORE, BE IT RESOLVED, that the Chazy Town Board does hereby authorize the Russell B. Childs Post 769, American Legion, Chazy, NY to conduct the Annual Memorial Day Parade, scheduled for Sunday, May 28, 2017 at 12:00 PM.

Seconded by: Councilor Cathy Devins

Discussion: No

		<u>Yes</u>	<u>No</u>
Roll Call:	Willie Giroux		ABSENT
	Jerry Deno	X	
	Cathy Devins	X	
	Daniel Vesco		ABSENT
	Mark Henry	X	

Carried: YES

2017 BUDGET TRANSFERS

Resolution: 17-49 04/10/2017

Motion by: Councilor Jerry Deno

RESOLVED, that the Chazy Town Board does hereby authorize the following 2017 budget transfer:

From:		Amount:	To:
DA5110.431	Constr./Repair	\$1,150.01	DA5130.2 Machinery Equipment

Seconded by: Councilor Cathy Devins

Discussion: No

		<u>Yes</u>	<u>No</u>
Roll Call:	Willie Giroux		ABSENT
	Jerry Deno	X	
	Cathy Devins	X	
	Daniel Vesco		ABSENT
	Mark Henry	X	

Carried: YES

PAYMENT OF CLAIMS

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Resolution: 17-50 04/10/2017

Motion by: Councilor Jerry Deno

RESOLVED, that the Chazy Town Board does hereby authorize payment of the following claims:

General Fund claims	in the amount of	\$17,300.04
Highway Fund claims	in the amount of	\$30,749.17
Sewer District claims	in the amount of	\$3,549.74
Water District claims	in the amount of	\$2,751.89
Chazy Light District claims	in the amount of	\$1,532.57
West Chazy Light District Claims	in the amount of	\$1,137.24

The above claims are being paid by Voucher's #100783 - 100829

SUB-TOTAL OF VOUCHERS: \$57,020.65

"Pre-authorized Payables" and "Trust & Agency" claims – ck #'s 21496 & 21505 - 21509

Trust and Agency claims	in the amount of	\$3,300.99
Highway Fund claims	in the amount of	\$7,873.83
General Fund claims	in the amount of	\$6,662.91
Water	in the amount of	\$40.00

SUB-TOTAL OF PAYABLES AND T&A CLAIMS: \$17,877.73

GRAND TOTAL: \$74,898.38

Seconded by: Councilor Cathy Devins

Discussion: No

	<u>Yes</u>	<u>No</u>
Roll Call:		
Willie Giroux		ABSENT
Jerry Deno	X	
Cathy Devins	X	
Daniel Vesco		ABSENT
Mark Henry	X	

Carried: YES

Supervisor Henry reminded the board that our next Town Board meeting will be on Monday, May 8, 2017 at the Chazy Town Hall at 6 PM.

ADJOURNMENT

Town Supervisor Mark Henry asked for a motion to adjourn.

Councilor Cathy Devins made a motion, seconded by Councilor Jerry Deno to adjourn the 04/10/2017 Regular Town Board meeting at 6:57 PM. Motion Carried.

Respectfully yours,

Heather M. Giuliano
Clerk of the Board