

DATE: October 11, 2016 KIND OF MEETING: 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 - Philip Beauharnois	X	
Attorney - Jeff Stitts	X	
Hwy. Supt. - Timothy Lamica		X

OTHERS PRESENT: S. Patnode & S. Dyer

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

PUBLIC HEARING ON THE ADOPTION OF LOCAL LAW NO. 2 OF THE YEAR 2016

A legal notice was placed in the official newspaper on Friday, September 26, 2016 as follows:

**TOWN OF CHAZY
NOTICE OF PUBLIC HEARING
Local Law No. 2
October 11, 2016**

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 11th day of October in the year 2016 at 7:00 o'clock p.m. in the evening of that day on proposed Local Law entitled: "A local law to override the tax levy limit established in General Municipal Law §3-c".

PLEASE TAKE FURTHER NOTICE that at said Public Hearing, to be held at a 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: September 12, 2016

/s/Philip F. Beauharnois
Town Clerk
Town of Chazy

Proof of notice having been furnished, Supervisor Mark Henry called the public hearing on adoption of Local Law No. 2 for the year 2016, to order at 7 PM.

Supervisor Mark Henry presented Local Law No. 2, A Local Law entitled: "a Local Law to override the tax levy limit established in General Municipal Law §3-c". He requested any questions or comments.

No one spoke for or against the proposed local law

Supervisor Mark Henry closed the public hearing 7:06 PM.

CALL MEETING TO ORDER

Supervisor Mark Henry called the 10/11/2016 Regular Town Board meeting to order at 7:07 PM.

MINUTES

Councilor Jerry Deno made a motion that the minutes of the Regular Town Board Meeting of 09/12/16, the Budget Workshop meeting of 09/28/2016, and the Special Town Board Meeting of 10/3/16 be approved as submitted by the Town Clerk, seconded by Councilor Cathy Devins.

Motion carried. Ayes – Councilor Jerry Deno, Councilor Willie Giroux, Councilor Daniel Vesco, Councilor Cathy Devins and Supervisor Mark Henry.

REPORTS

The Supervisor and Town Clerk September 2016 monthly reports submitted to Board for review and filed.

PUBLIC COMMENT

No-one addressed the Town Board

CLINTON COUNTY LEGISLATOR REPORT

Legislator Dyer reports:

- Commented that the County Finance Committee met last week, with discussion concerning Sales Tax revenues, noting sales tax is off approximately \$700,000 from last year. He noted sales tax is the largest revenue side and they are lowering projections. Also, the County is not going to penalize the Towns. They are still optimistic, but, won't know until after the first of the new year.
- Noted that the expansion at the Clinton County Airport is close to being finalized.
- Noted everyone is in the budget process right now and as far as the County is concerned things are not as bad as they first thought.

ATTORNEY FOR THE TOWN REPORT

Jeff Stitts – Acting Town Attorney

- Had nothing to report

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Timothy Lamica reported

- Was absent

TOWN COUNCIL ITEMS**Councilor Daniel Vesco Discussed The Following With the Board:**

- Had nothing to report

Councilor Willie Giroux Discussed The Following With The Board:

- Had nothing to report

Councilor Jerry Deno Discussed The Following With The Board:

- Mentioned Chazy Central Rural School's 100th year Celebration which is going to be held on October 22nd.

- Asked Supervisor Henry about the two (2) abandoned trailers on the O'Neil Road. Supervisor Henry said that action is in progress for the removal of these trailers and he will confer with M. Tetreault, Code Enforcement Officer regarding the status.
- Noted he had a meeting at the West Chazy Town Hall and that the Hall/Building looks really good.
- Thanked all those involved in the great job they did working on the Town's 2017 Budget.

Councilor Cathy Devins Discussed The Following With The Board:

- Had nothing to report.

SUPERVISOR ITEMS

Supervisor Mark Henry reports:

- Noted that his comments/report this evening will deal totally with the 2017 Tentative Budget.

Discussion concerning the 2017 Town Budget including expenditures and revenues was held. Supervisor Henry noted several areas that have significant impact to our budget to include rising health care costs, worker's compensation and retirement contributions. The amount of projected year end "Unexpended Funds" to be used to help off-set the tax rate and ways of controlling costs and monitoring revenues was also discussed. With a few minor adjustments to appropriation and revenue accounts the Town Board was in agreement with moving the Tentative Budget to the Preliminary Budget phase as noted by Resolution to follow this evening.

LOCAL LAW NO. 2 OF THE YEAR 2016 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c

Resolution: 16-83 10/11/2016

Motion by: Councilor Jerry Deno

WHEREAS, Local Law No. 2 of the year 2016 entitled:

"A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c

was introduced by the Town Board, and

WHEREAS, a public hearing, was held on said proposed Town of Chazy Local Law No. 2 of the year 2016, on October 11, 2016, at 7:00 p.m. 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.2 of the year 2016, 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. 2 of the year 2016 as afore mentioned, be, and the same hereby is, adopted as Local Law No. 2 of the year 2016, and it is further

RESOLVED, that the Town Attorney, acting for the Town Clerk, be, and he hereby is, directed to cause said Local Law No. 2 of the year 2016 to be duly filed with the Department of State of the State of New York.

Seconded by: Councilor Cathy Devins

Discussion: Yes

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

Carried: YES

Local Law No 2 of the year 2016
Town of Chazy, County of Clinton

A local law to override the tax levy limit established in General Municipal Law §3-c

Be it enacted by the Town Board of the Town of Chazy as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Chazy pursuant to General Municipal Law § 3-c, and to allow the Town of Chazy to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Chazy, County of Clinton is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

NOTICE OF PUBLIC HEARING FOR THE CHAZY & WEST CHAZY FIRE PROTECTION CONTRACTS FOR 2017

Resolution: 16-84 10/11/2016

Motion by: Councilor Jerry Deno

WHEREAS, the Chazy and West Chazy fire districts will submit their 2017 Fire Protection budget requests,

NOW, THEREFORE BE IT RESOLVED, that the Chazy Town Board does hereby authorize the Town Clerk to advertise, in the official newspaper, Notice of Public Hearings on the Chazy fire protection contracts with the Chazy and West Chazy Fire Districts to be held at the Chazy Town Hall on Thursday Nov. 10, 2016 at 7:00 PM.

Seconded by: Councilor Willie Giroux

Discussion: No

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

Carried: YES

NOTICE OF PUBLIC HEARING FOR THE HAMLET OF CHAZY SEWER DISTRICT 2017 BUDGET

Resolution: 16-85 10/11/2016

Motion by: Councilor Cathy Devins

The Town Board of the Town of Chazy, duly convened on October 11, 2016, does hereby resolve as follows:

SECTION 1. Pursuant to and in accordance with the provisions of Section 106 of the Town Law and other applicable provisions of law, the tentative detailed statement of estimated expenditures and revenues, with certain changes made, be and the same hereby is approved and adopted as the preliminary budget of the Hamlet of Chazy Sewer District for the fiscal year beginning January 1, 2017. Such preliminary budget shall be filed forthwith in the office of the Town Clerk of the Town of Chazy where it shall be available for public inspection.

SECTION 2. The Town board of the Town of Chazy shall meet at the Town Hall at 9631 Route 9, Chazy, NY, on November 10, 2016 at 7:00 PM and then and there hold a public hearing upon such preliminary budget.

SECTION 3. The Town Clerk of the Town of Chazy shall give notice of such public hearing by publishing notice thereof in the Press-Republican, the official newspaper of the Town of Chazy, at least five (5) days prior to November 10, 2016 and shall cause a copy of said notice to be posted on the signboard of the Town of Chazy not later than five (5) days before November 10, 2016.

Seconded by: Councilor Jerry Deno

Discussion: No

	<u>Yes</u>	<u>No</u>
Roll Call: Willie Giroux	x	
Jerry Deno	x	

Cathy Devins	x
Daniel Vesco	x
Mark Henry	x

Carried: YES

NOTICE OF PUBLIC HEARING FOR THE HAMLET OF CHAZY WATER DISTRICT 2017 BUDGET

Resolution: 16-86 10/11/2016

Motion by: Councilor Cathy Devins

The Town Board of the Town of Chazy, duly convened on October 11, 2016, does hereby resolve as follows:

SECTION 1. Pursuant to and in accordance with the provisions of Section 106 of the Town Law and other applicable provisions of law, the tentative detailed statement of estimated expenditures and revenues, with certain changes made, be and the same hereby is approved and adopted as the preliminary budget of the Hamlet of Chazy Water District for the fiscal year beginning January 1, 2017. Such preliminary budget shall be filed forthwith in the office of the Town Clerk of the Town of Chazy where it shall be available for public inspection.

SECTION 2. The Town board of the Town of Chazy shall meet at the Town Hall at 9631 Route 9, Chazy, NY, on November 10, 2016 at 7:00 PM and then and there hold a public hearing upon such preliminary budget.

SECTION 3. The Town Clerk of the Town of Chazy shall give notice of such public hearing by publishing notice thereof in the Press-Republican, the official newspaper of the Town of Chazy, at least five (5) days prior to November 10, 2016 and shall cause a copy of said notice to be posted on the signboard of the Town of Chazy not later than five (5) days before November 10, 2016.

Seconded by: Councilor Willie Giroux

Discussion: No

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

Carried: YES

RESOLUTION APPROVING PRELIMINARY BUDGET FOR 2017 AND DIRECTING PUBLIC HEARING THEREON

Resolution: 16-87 10/11/2016

Motion by: Councilor Jerry Deno

The Town Board of the Town of Chazy duly convened in special session on October 3, 2016 and does hereby resolve as follows:

SECTION 1. Pursuant to and in accordance with the provisions of Section 106 of the Town Law and other applicable provisions of law, the tentative detailed statement of estimated expenditures and revenues, with certain changes made, be and the same hereby is approved and adopted as the preliminary budget of the Town of Chazy for the fiscal year beginning January 1, 2017. Such preliminary budget shall be filed forthwith in the office of the Town Clerk of the Town of Chazy where it shall be available for public inspection.

SECTION 2. The Town board of the Town of Chazy shall meet at the Town Hall at 9631 Route 9, Chazy, NY, on November 10, 2016 at 7:00 PM and then and there hold a public hearing upon such preliminary budget.

SECTION 3. The Town Clerk of the Town of Chazy shall give notice of such public hearing by publishing notice thereof in the Press-Republica10, 2016 and shall cause a copy of said notice to be posted on the signboard of the Town of Chazy not later than five (5) days before November 10, 2016.

SECTION 4. This Resolution shall take effect immediately.

Seconded by: Councilor Willie Giroux

Discussion: YES

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

Carried: YES

TOWN OF CHAZY & CHAZY CENTRAL RURAL SCHOOL SWIM PROGRAM

Resolution: 16-88 10/11/2016

Motion by: Councilor Cathy Devins

WHEREAS, the Town of Chazy and Chazy Central Rural School have agreed on a swim program for 2017 using the School swimming pool, at a cost of \$2,000.

NOW, THEREFORE, BE IT RESOLVED, that the Chazy Town Board does hereby authorize the Town Supervisor to enter into an agreement with Chazy Central School Rural School for use of the swimming pool for the Town of Chazy 2017 Swim Program.

Seconded by: Councilor Daniel Vesco

Discussion: YES

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

Carried: YES

RESOLUTION – YOUTH HOCKEY 2016- 2017

Resolution: 16-89 10/11/2016

Motion by: Councilor Willie Giroux

WHEREAS, the Town of Chazy wishes to provide ice time during the 2016-2017 calendar year to the youth of the Town of Chazy who wish to utilize free skate/ice time.

NOW THEREFORE BE IT RESOLVED THAT, the Town of Chazy shall appropriate to Chazy Youth Hockey, Inc., the sum of Twenty five-hundred and no/100 (\$2,500) Dollars. Said sum shall be used by Chazy Youth Hockey Inc., to provide ice time during the 2016/2017 calendar year at the Scott’s Memorial Rink Located at McCadam Road, Chazy, New York to the youth of the Town who wish to free skate.

BE IT FURTHER RESOLVED, that the Chazy Town Board hereby authorizes the Supervisor of the Town of Chazy to enter into an agreement with Chazy Youth Hockey to provide said ice time.

Seconded by: Councilor Cathy Devins

Discussion: YES

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

Carried: YES

RESOLUTION AUTHORIZING TOWN SUPERVISOR TO SIGN A CONTRACT FOR SHARED SERVICES ON BEHALF OF THE TOWN OF CHAZY

Resolution: 16-90 10/11/2016

Motion by: Councilor Jerry Deno

Resolution Authorizing the Town Supervisor to sign a contract on behalf of the Town of Chazy for the period October 2016 to October 2021 to permit the Highway Department Superintendent to share services with the Highway Department Superintendent in other municipalities who possess similar authorization for the borrowing or lending of materials and supplies and the exchanging, leasing, renting or maintaining of machinery and equipment, including the operators thereof, for the purpose of aiding the Highway Department Superintendent in the performance of his duties.

Whereas, all municipalities, including the Town of Chazy, have the power and authority to contract for the purpose of renting, leasing exchanging, borrowing or maintaining of machinery and equipment, with or without operators, with other municipalities and;

Whereas, all municipalities, including the Town of Chazy, have the power and authority to borrow or lend materials and supplies to other municipalities and;

Whereas, it is hereby determined that the Town of Chazy and other municipalities have machinery and equipment which is not used during certain periods, and;

Whereas, it is determined that the Town of Chazy and other municipalities often have materials and supplies on hand which are not immediately needed, and;

Whereas, it is hereby determined that by renting, borrowing, exchanging, leasing or maintaining highway machinery and equipment and the borrowing or lending of materials and supplies, the Town of Chazy and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or storing a large inventory of certain materials and supplies, thereby saving the taxpayers money and'

Whereas, it is incumbent upon each municipality to design a simple method whereby materials and supplies, equipment and machinery, including the operators thereof, may be obtained or maintained with a minimum of paperwork and inconvenience and with a swift approval process and;

Whereas, it is the intent of the Town of Chazy to give the Superintendent of the Highway Department authority to enter into renting, exchanging, borrowing, lending or maintaining arrangements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the Town Board prior to making of each individual arrangement, unless the arrangement/agreement involves Town Funds. In such case the Highway Superintendent has authority to incur debt up to \$10,000. Any arrangement/agreement in excess of \$10,000 is subject to Town Board Approval. In such event the Town Supervisor will be immediately notified.

Whereas, a standard contract has been prepared which is expected to be adopted and placed into effect in other municipalities, and will grant the person holding the position comparable to that of the Superintendent of the Highway Department, authority to make similar arrangement, and;

Whereas, it is hereby determined that it will be in the best interests of the Town of Chazy to be a party to such shared services arrangements;

NOW THEREFORE BE IT RESOLVED that the Town Supervisor of the Town of Chazy is hereby authorized to sign on behalf of the Town of Chazy, the following contract.

Seconded by: Councilor Cathy Devins

Discussion: Yes

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

Carried: YES

2016 SEWER DISTRICT FUND BUDGET MODIFICATION

Resolution: 16-91 10/11/2016

Motion by: Councilor Willie Giroux

WHEREAS, an appropriation account needs to be modified;

NOW THEREFORE, BE IT RESOLVED, that the Chazy Town Board does hereby authorize the following Sewer District Fund, 2016 Budget Modification to amend for the Environmental Facility Corporation Sewer Grant Reimbursement of \$12,358.82 received for Laberge Engineering Inc. expenses deposited into Grant Reimbursement Revenue (SS2770) and appropriate \$12,358.82 to Account Contract Services (SS8110.4).

Seconded by: Councilor Daniel Vesco

Discussion: YES

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

Carried: YES

2016 BUDGET TRANSFERS

Resolution: 16-92 10/11/2016

Motion by: Councilor Cathy Devins

RESOLVED, that the Chazy Town Board does hereby authorize the following 2016 Budget Transfers:

From:	Amount:	To:
A1110.448 Computer Svcs.	\$543.50	A1110.450 Supplies
A1110.448 Computer Svcs.	\$543.50	A1110.451 Supplies
A1990.4 Contingent	\$894.94	A1620.456 Bldg. Repair
A1990.4 Contingent	\$110.17	A7140.439 Chazy Maint.
A1990.4 Contingent	\$57.13	A7140.440 W.C. Maint.

Seconded by: Councilor Willie Giroux

Discussion: YES

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

Carried: YES

PAYMENT OF CLAIMS

Resolution: 16-93 10/11/2016

Motion by: Councilor Daniel Vesco

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

General Fund claims	in the amount of	\$12,789.87
Highway Fund claims	in the amount of	\$62,186.96
Sewer District claims	in the amount of	\$3,519.92
Water District claims	in the amount of	\$986.65
Chazy Light District claims	in the amount of	\$1,581.85
West Chazy Light District Claims	in the amount of	\$1,163.08

The above claims are being paid by Voucher's 100476-100517

SUB-TOTAL OF VOUCHERS: \$82,228.33

"Pre-authorized Payables" and "Trust & Agency" claims – ck #'s 20868-20870, 20896-20898 & 20914

General Fund claims	in the amount of	\$7,225.69
Highway Fund claims	in the amount of	\$8,863.00
Trust and Agency claims	in the amount of	\$430.30

SUB-TOTAL OF PAYABLES AND T&A CLAIMS: \$16,518.99

GRAND TOTAL: \$98,747.22

Seconded by: Councilor Jerry Deno

Discussion: YES

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

Carried: YES

EXECUTIVE SESSION

Resolution: 16-94 10/11/2016

Motion by: Councilor Cathy Devins

Moved to adopt a resolution calling an Executive Session pursuant to Section 100(1) (d) of the Public Officers Law to discuss a Personnel issue and to invite the attendance of Susan Patnode, Secretary to the Supervisor in accordance with Section 105(2) of the Open Meetings Law.

Seconded by: Councilor Jerry Deno

Discussion: No

	<u>Yes</u>	<u>No</u>
Roll Call: Willie Giroux	x	
Jerry Deno	x	
Cathy Devins	x	
Daniel Vesco	x	

Mark Henry

x

Carried: YES

Board went into Executive Session at 8:30 PM.

Board returned from Executive Session at 9:15 PM.

No action taken therefore no minutes.

RETURN FROM EXECUTIVE SESSION

Resolution: 16-95 10/11/2016

Motion by: Councilor Jerry Deno

RESOLVED, that the Town Board move to come out of executive session.

Seconded by: Councilor Cathy Devins

Discussion: No

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

Carried: YES

Supervisor Henry asked if there was anything else to come before the Town Board.

Supervisor Henry reminded the board that our next Regular Town Board meeting will be on Thursday, November 10, 2016 at 7 PM at the Chazy Town Hall which will include several Public Hearings.

ADJOURNMENT

Town Supervisor Mark Henry asked for a motion to adjourn.

Councilor Jerry Deno made a motion, seconded by Councilor Cathy Devins to adjourn the 10/11/2016 Regular Town Board meeting at 9:16 PM.

Respectfully yours,

Philip F. Beauharnois
Philip F. Beauharnois
Clerk of the Board