

TOWN OF POTSDAM REGULAR BOARD MEETING

July 12, 2016

6:30 PM

Supervisor Beattie called the Regular Meeting of the Potsdam Town Board to order at 6:30 PM on July 12, 2016. The meeting was held at the Town Office, 18 Elm Street, Potsdam, New York.

PRESENT: Supervisor Rollin Beattie
Councilperson Rose Rivezzi
Councilperson Judy Rich
Councilperson James Grant
Councilperson Ann Carvill

ALSO PRESENT: Peggy Brusso, Supervisor's Clerk
Frank Cappello, Attorney
Cindy Goliber, Town Clerk

ALSO PRESENT: Eleanor Hopke – Village of Potsdam Trustee.

MINUTES

MOTION made by Councilperson Rivezzi and second by Councilperson Grant to approve the Town of Potsdam Regular Meeting minutes of June 4, 2016 as submitted.

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

BILLS FOR AUDIT

The audit committee of Councilpersons Rivezzi and Carvill found the bills to be in order.

MOTION made by Councilperson Rivezzi and second by Councilperson Carvill to approve the bills listed on Abstract 7 as follows:

| | <u>Voucher #</u> | <u>Claim Total</u> | <u>Class Investment</u> |
|---------------------|------------------|---------------------|-------------------------|
| GENERAL | 260A-289 | \$ 21,956.24 | \$ 480,899.11 |
| TOWN OUTSIDE | 71-83 | 1,871.82 | 456,563.63 |
| HIGHWAY DA | 98-100 | 6,210.00 | 275,490.65 |
| HIGHWAY DB | 84-109 | 205,429.39 | 203,431.61 |
| SEWER | 29-32 | 1,090.00 | 18,161.60 |
| WATER | 34-36 | 1,317.01 | 48,638.68 |

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

SUPERVISOR'S REPORT: General Fund \$ 57,326.53
Town Outside 1,385.86
Highway DA Fund 798.15
Highway DB Fund 577.05
Sewer 152.96
Water 71.68

MOTION made by Councilperson Carvill and second by Councilperson Grant to accept the Supervisor's Report.

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

TOWN CLERK’S REPORT

| | |
|------------------------------------|------------|
| Revenue to Supervisor | \$3,168.82 |
| Ag & Markets (spay/neuter program) | 158.00 |
| NYS DEC/Conservation Licenses | 1,004.09 |
| NYS DOH/Marriage Licenses | 292.50 |

TOTAL DISBURSED \$ 4,623.41

MOTION made by Councilperson Grant and second by Councilperson Rich to accept the Town Clerk’s report as presented.

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

HIGHWAY SUPERINTENDENT’S REPORT

John Keleher was reported the following:

- With blacktop prices lower than projected (\$47/ton to \$36/ton) the town was able to pave approximately 3 miles more of roads than anticipated. This helped us to catch up on projects that had been delayed.
- The highway department paved 4-5 streets in Norwood and will assist the Village of Norwood in rebuilding Cedar Street.
- They will also pave in the Village of Potsdam later this summer.
- This week they will be bringing sand to the Elks for the chicken BBQ and help with the lawnmower races.
- The weekend storm caused some damage in the Norwood area, so crews cleaned up tree debris last Monday.

CEO REPORT

- 31 permits were issued in the amount of \$1,565.00

COURT REPORT

- \$39,137.00 in fines was collected.
- 336 cases were closed.
- 222 new cases were opened.
- Restitution check #24948 in the amount of \$3,861.00 was applied to Judge Charleson’s cases, paying in full 29 VTL violations (receipts C7699-C7727). No village parking ticket money was received for the month of June.

SIX MONTH REPORT ON COURT MERGER

Court Clerk Lori Hayes said that the court is incredibly busy and they have gotten a better handle on cases since the merger. They still have 4-5 filing cabinets that have they have not attended to. An ADA recently reviewed some of the backlog of outstanding traffic tickets, so they can work on scheduling or dismissing them. Mrs. Hayes said that in a typical court day they might handle 173 cases, up from the 50-60 cases in the past.

Councilperson Carvill asked if a person who has had an outstanding ticket can have it dismissed because they did not have a speedy trial. Hayes said no and that each ticket is looked at and a determination is made based on charge and other factors. The DA’s office will weigh in on the matter and then it will go to the Judge for sentencing or dismissal. Each of the outstanding cases must be entered into the computer, documented and then prosecuted or closed, which is time consuming.

Court Clerk Hayes said that the part-time clerk is entering the traffic violations into the computer, opening mail and answering phones. This allows Court Clerk Stone and herself to take care of other violations. When asked if the part-time clerk’s duties would be alleviated once the backlog is complete, Court Clerk Hayes, said no that she is working on current violations.

Councilpersons Rich and Carvill were concerned about the undo burden to those who can't afford to pay the fines. Mrs. Hayes says the court works with those who can't make the full payment, by setting up a reasonable payment arrangements. Attorney Cappello said local judges often set the fines at the lower end of the scale due to the large surcharge imposed by the New York State (\$93 for traffic violations.) Cappello also predicted it will take 3 – 5 years before all of the backlogged cases are taken care of.

Supervisor's Clerk Brusso prepared a breakdown of fees and distribution as determined by the NYS Comptroller's Office. The Village of Potsdam retains fines obtained through Village of Potsdam code violations, such as parking, zoning or other infractions as stated within their code.

ASSESSOR'S REPORT

Mr. Snyder is attending training at Cornell. No report was submitted.

RECREATION REPORT

Chairperson Rivezzi presented minutes from their June 15th meeting. A summary includes:

- Looking to create a pickle ball court.
- Recreation Director was given authority to change or waive fees for arena rental as necessary. New structure will allow an hourly rental of \$25 or \$300 per day.
- Bids will be solicited for re-facing the arena with stucco.
- They are investigating purchase or rental of locker room heaters.
- Three sections of sidewalk was replaced.
- There was discussion about the lawn mower races and concerns expressed by little league officials about the races damaging the little league fields. Councilperson Rivezzi said that they will closely monitor the situation and found it was too late to move the races. She said the committee has made a commitment to restoring the fields and they will reassess the event and look for a new place, should it be held in the future.
- The village has isolated the recreation budget, which will give a truer picture of expenses, revenues and the committee will begin working on the 2017 budget.
- Village Trustee Nick Sheehan has replaced Trustee Hopke on the Rec Committee.

RECREATION BUDGET PAYMENT

Councilperson Rivezzi said that Village Administrator Everett Basford requested the town pay the village twice a year, instead of once a year for the recreation contract. Clerk Goliber said that the contract does not specify how many payments are to be made and it is currently made in December (half-way through the village's fiscal year). After discussion it was decided to pay the Recreation Budget quarterly, like we do other large contracts.

RESOLUTION FOR PAYMENT OF RECREATION BUDGET

MOTION made by Councilperson Rivezzi and second by Councilperson Carvill to pay the Recreation Contract in quarterly payments to the Village of Potsdam effective immediately.

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

PLAYSCAPES IN IVES PARK

Councilperson Rivezzi said that she approached the Village Board of Trustees about the possibility of donating playscapes to be placed in Ives Park, in memory of her mother-in-law. Rivezzi is working with designers. Once the plans are finalized she will be soliciting donations from area businesses. She expects the project to move forward next year.

Rivezzi recently approached the Village Board of Trustees, who was supportive of the idea, but raised concerns about the upkeep of the play areas. They discussed including the maintenance cost of these play areas in the recreation budget. Rivezzi estimated the cost of maintenance to be about \$500/year.

There was consensus among town board members to allow the maintenance of this play area to be added to the recreation budget, however Village Trustee Hopke said that the village would like to see recreation take over the cost of maintaining all parks in the Village of Potsdam, including the boat launch at Ives Park. There was discussion on the playground maintenance vs. park upkeep, including the number of parks in the Village. No decision was made regarding Trustee Hopke’s recommendation.

POLICY COMMITTEE REPORT

Councilperson Carvill reported she and Councilperson Rivezzi are working with Attorney Cappello to finalize language in the Sexual Harassment and Workplace Violence policies. They will provide copies of the revised and former policies to board members for their review. They will continue to work on updating or creating the required policies. Once all of the policies are finalized they will submit them to the Union for their review, prior to adoption.

PUBLIC COMMENT

Eleanor Hopke asked the Town Board Members to consider allowing recreation to cover maintenance and upkeep of all parks in the Village of Potsdam. She said that it only makes sense to do this, since the parks are used by residents outside the village and we need to continue to broaden our ways to share expenses. She also suggested that the Recreation Committee should be looking at ways to include adult recreational needs in addition to youth activities.

OLD BUSINESS

SH 56N WATER/SEWER FOR GRANT FUNDING UPDATE

Supervisor Beattie reported that we had received initial notification that our application to study the expansion of water and sewer along State Highway 56N was approved. He said that he and Clerk Goliber would be meeting with USDA officials on Thursday to review and sign the contracts.

2016 BUDGET AMENDMENT – PAVE NY FUNDS

MOTION made by Councilperson Carvill and second by Councilperson Grant to approve a resolution to increase the 2016 Budget Highway DB 5112.2 in the amount of \$66,308.32 due to funding from PAVE NY.

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

AUTHORIZATION TO SPEND HIGHWAY FUNDS – PAVE NY

MOTION made by Councilperson Rich and second by Councilperson Rivezzi to approve the following resolution

BE IT RESOLVED pursuant to the provisions of Section 284 of the Highway Law, the Town of Potsdam agrees that moneys levied and collected for the repair and improvements of highways, and received from the State of New York for repair and improvement of 124.00 miles of highways in the amount of \$66,308.32 shall be expended as follows:

On the road commencing at Schoolhouse Road starting Finnegan Road and leading to Potsdam-Morley Road a distance of distance of 1 mile there shall be expended not over the sum of \$66,308.32.

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

NEW BUSINESS

SET PUBLIC HEARING ON CLOSE OUT OF CDBG GRANT

MOTION made by Councilperson Grant and second by Councilperson Rivezzi to set a public hearing on August 9, 2016 at 6:30 PM to take comment on the close-out of 2013 Community Development Block Grant Project #946HR57-13.

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

SECTION 504 GRIEVANCE POLICY – AMERICANS WITH DISABILITIES ACT

Town Clerk Goliber said that Planning and Development Director Fred Hanss informed the town that anyone receiving federal funds must have passed Section 504 Grievance Policy for Disabled Persons. The Village found this out during a grant audit. Each board member and Attorney Cappello had been given the policy for review.

Councilperson Rivezzi expressed concern that this should be considered by the Union, as with all policies. Attorney Cappello explained that this is a federal mandate and does not fall within the same category as the other policies. Clerk Goliber said that this policy was taken directly from the Department of Justice.

RESOLUTION

MOTION made by Councilperson Rivezzi and second by Councilperson Rich to adopt Section 504 Grievance Policy and complaint form pursuant to the Americans with Disabilities Act.

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

HARDSHIP EXEMPTION FOR T11-04 CDBG RECIPIENT

Attorney Cappello said that we had received a request from Attorney Snider for CDBG recipient T11-07 for a hardship discharge for mortgage liens we hold and filed in St. Lawrence County. The sale price of the house will not cover all of T11-07's expenses.

RESOLUTION

MOTION made by Councilperson Carvill and second by Councilperson Rivezzi to approve a resolution to issue a hardship waiver to T11-07 and release liens R2013-00000507 and 2000-16884 filed in St. Lawrence County, due to a significant financial hardship cause by physical health and amount due creditors, whereby he will have to spend more than the selling price of his house to clear title.

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

HIGHWAY SURPLUS

Highway Superintendent John Keleher said that the 1994 Chevy M-5 will not pass inspection. He asked the board to allow them to scrap the truck.

RESOLUTION

MOTION made by Councilperson Rich and second by Councilperson Carvill to approve a resolution declaring a 1994 Chevy M-5 #1GBGC24K6RE194454 Truck unneeded and authorize the Highway Superintendent to sell it.

ADOPTED: AYES 5 NAYS 0
(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

ADJOURNMENT

Motion made by Councilperson Rivezzi and second by Councilperson Grant to adjourn the meeting at 7:17 PM

ADOPTED:

AYES 5

NAYS 0

(Beattie, Rivezzi, Grant, Rich and Carvill voting yes.)

Respectfully submitted:

Cindy Goliber
Town Clerk