**Colton Regular Monthly Town Board Meeting, August 10, 2022**

**County of St. Lawrence, State of New York, 94 Main St., Colton NY 13625**

Present: Ronald Robert, Town Supervisor Councilpersons: Lisa Fisher

Kevin Hawley, Highway Supt. Jacob Poste

Darren Richards, Code/Safety/DPW Supt. Randi-Lee Cook-Planty

Jennifer Cole, Town Clerk Kevin Beary

Meeting attendees: Matt Mitchell, Randa Mitchell, Rick Perkins, Kirk Robideau, Shelley Rayner, Jeff Tubolino, Darren Richards, Kirke Perry, Ed Fuhr, Jim McConkey, Ron Gilmore, Danny Collins

Zoom attendees: Cynthia Hennessy, Casey Dickenson, Mary Jane Watson, Peggy Shea

Supervisor R. Robert lead the meeting with the Pledge of Allegiance. Meeting opened at 6:06 pm.

Motion #1

**Approve July 2022 Minutes**

Motion made by Ms. Fisher, seconded by Mr. Poste to approve the minutes from the July 2022 regular monthly meeting.

Ayes 5

Noes 0

Motion carried

Motion #2

**Authorize Bank Recon, Transfers & Bills in Warrant #8, 2022**

Motion made by Mrs. Planty, seconded by Ms. Fisher to authorize payment of bills labeled Warrant #8, do a budget amendment and a transfer as indicated below.

Ayes 5

Noes 0

Motion carried

Transfer to A4068.12 Insect Control P.S.……………………………………$3,250.00

A5132.4 Garage Contractual……………………………………....3,000.00

A1440.4 Engineering Contractual…………………………………5,000.00

A3310.4 Signs Traffic Control…………………………………….2,000.00

from A4068.13 Insect Control P.S.……………………………………$3,250.00

A1990.4 Contingency…………………………………………….10,000.00

Transfer to DA5130.2………………………………………………………..$38,100.00

DA5130.4…………………………………………………………20,000.00

from DA5140.1 Brush/Weeds………………………………………….13,100.00

DA5110.1 Road Maint P.S…………………………………….…..3,000.00

DA5142.1 Snow Removal P.S…………………………………….3,000.00

DA599 Fund Balance…………………………………………….39,000.00

General Fund……………………………………………………$471,892.25

Highway Fund…………………………………………………....206,368.64

Library Fund………………………………………………………...1,549.56

Sewer Fund #1………………………………………………………3,324.18

Water Fund #1………………………………………………………2,465.77

Colton Light Dist……………………………………………………...846.30

S. Colton Light Dist……………………………………………….…..790.97

**Courtesy of the Floor:**

Matt and Randa Mitchell, owners of the Raquette River Pub, would like to request the towns permission to block off a section of Main St. Saturday September 24th – one day only – for an Octoberfest Block Party. They are requesting to block off from the start of the bridge to Riverside Dr.

Motion #3

Mrs. Planty made the motion to allow the Raquette River Pub to block off a section of Main Street on September 24th 2022 only for an Octoberfest block party, seconded by Ms. Fisher.

Ayes 5

Noes 0

Motion carried

Ron Gilmore asked for an update on West Higley Flow Camp Rd. Town Attorney Matt Norfolk advises we check with our Colton Hwy Superintendent as far as specifications and liabilities.

Kirk Robideau and Danny Collins of the SLC Multi-Use Trial System/Trial Oversight Committee request the town consider a local law to open up all Town of Colton roads to multi-use traffic to include ATVs and UTVs and that Swift Field be designated as a Trail Head. Mr. Collins stated that the trail runs from Brasher through Parishville to Russell with full support from the residents of those towns.

Motion #4

Ms. Fisher made the motion to schedule a public hearing on September 14th 2022 at 5:40pm for the discussion and possible acceptance of a local law opening all of Town of Colton roads to multi-use traffic including ATVs and UTVs, seconded by Mrs. Planty.

Ayes 5

Noes 0

Motion carried

Ed Fuhr reported that the Higley Flow Assoc. meeting was held on August 9th. Brookfield Power is going to start enforcing dock fees to residents and they will be requesting a certificate of insurance to use Brookfield’s land. Erie Boulevard/Brookfield is and will be enforcing their property rights.

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**County Legislators Report:**

We had 29 resolutions -

We had 13 modifications to the budget.

We had 2 Agreements/Contracts to be signed.

We had a resolution encouraging developers to purchase American-made equipment for Solar Energy Facilities that are

constructed in New York State.

We had a resolution authorizing the filling of 7 vacancies positions.

We had a resolution proclaiming August as national immunization awareness month.

We had a resolution accepting the Riley Basford Legacy Fund grant for the 2022 Youth Bureau Teen Suicide prevention

and Sextortion Campaign.

We had a resolution declaring the intent of St Law County to act as lead agency for the Lazy River Road over Grasse River

bridge replacement project.

We had a resolution declaring the intent of St Law County to act as lead agency for SEQRA assessment of the

Ogdensburg transfer station project at the Ogdensburg transfer station in the town of Lisbon.

We had a resolution determining that the construction of the Ogdensburg transfer station improvement project will not

result in any significant Adverse Environmental Impact.

We had a resolution accepting the Workers Comp Self Insurance Apportionment for 2023.

We had a resolution authorizing the conveyance of real property known as the Rathbun Site at 78 main St Hermon to

the Town of Hermon.

We had a resolution authorizing the issuance of tax-exempt revenue bonds by the St Law County IDA civic Development

Corp for St Lawrence University $80,000,000.

We had a resolution authorizing the creation of a Blighted residential property reserve account.

We had a resolution urging the State of NY to eliminate the requirement of DOT PERM 75 for Fiber Optic facilities and

Infrastructure.

We had a resolution requesting the Governor to continue heating the Ogdensburg Correctional facility until her prison

redevelopment commission develops a realistic plan for its reuse.

**Town Engineer Jeff Tubolino and BCA Engineer Casey Dickenson**

Casey Dickenson reported: The contractor for Contract No. 1 – General Construction (Park Lane) has submitted Payment Application No. 1 in the amount of $394,163.59. BCA has provided their Recommendation for Payment of this as they have agreed with the quantity of work done thus far. The Town Board should consider authorizing payment of $394,163.59 tonight. The Salt Barn is now approximately 90% complete with electrical completion at approx. 80%. The payment application is for approximately 75% of the contract value.

Motion #5

Ms. Fisher made the motion to authorize payment of $394,163.59 for Contract No.1 (Park Lane), seconded by Mr. Poste.

Ayes 5

Noes 0

Motion carried

 Other updates:

* Still waiting to hear from Park Lane regarding the aggregate base course material, and their schedule for furnishing that material for the Town to install.
* Contract No. 2 – Electrical has completed most of its scope of work this week. The conduit and duct bank trench should be ~100% complete by the end of the day today. I believe they will have most of the wiring and service upgrades complete today as well. The lights are in and wired. They did have one issue with the load center / panel box to be installed at the salt storage building. It was received damaged, cracked on one side. A replacement load center is approximately 6 weeks out. The contractor has proposed a repair for the load center, but BCA and Jade Stone Engineering are still evaluating the proposed repair. If approved, this repair would be temporary and removed and replaced with the new load center once it is received. More discussion between all parties will occur before a plan is finalized.
* Overall, the contracted portion of the scope of work is nearing completion. The Town highway department will have final site work, paving, and a bit of site grading to perform very soon. After that, the project should be complete.
* The project budget is in great shape with roughly $100,000 remaining in contingency and another $20,000 of field order allowances that we do not envision utilizing.
* The Town should begin compiling the highway departments labor, equipment, and material expenses on the project so far. Soon, we will be able to submit to the NYSDEC for the remainder of the grant money.

Jeff Tubolino reported: July 20th there was a Transfer Station committee meeting. Project costs and next steps were discussed. Geo-technical work needs to be done. Mr. Tubolino has reached out to ATL Laboratories. Next meeting for the Transfer Station will take place in October. On August 17th there is a meeting with NYS Dept of Health, NYS DEC, Mr. Tubolino, CEO D. Richards, Supervisor Ronald Robert, and Deputy Lisa Fisher at the Morgan Rd. Beach location. Mr. Tubolino presented the Town Board with a resolution for Town of Colton to be lead agency on the SEQR for Transfer Station Improvements. Town Attorney Matt Norfolk read the resolution out loud. Stated resolution is good to go if the board wishes to move forward and sign.

Motion #6

Ms. Fisher made the motion to adopt the resolution making the Town of Colton lead agency on the SEQR for the Transfer Station, seconded by Mrs. Planty.

Ayes 4 Fisher, Planty, Poste, Robert

Noes 1 Beary

Motion carried

St. Lawrence Co. has appropriated approximately $3 million from its American Rescue Plan Act (ARPA) to fund water and wastewater improvements throughout the county. The county ARPA grant funds will be a competitive process and successful recipients must spend the funds by 2026. Grant applications are due by 4pm on Friday, November 4, 2022. This grant could help lengthen the lifespan of our water treatment plant. There is approx. $175,000.00 or more available out of the $3 million.

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Motion #7

Mrs. Planty made the motion to approve Jeff Tubolino and Darren Richards to write/apply for the ARPA grant to fund improvements to our wastewater system, seconded by Ms. Fisher.

Ayes 5

Noes 0

Motion carried

**Highway Report:**

* Since the last meeting we finished our first round of road side mowing.
* We also finished our paving and shoulders put on the roads we paved. With the increase of asphalt prices, I was unable to put the top course of asphalt on Racquette River road we did get binder placed so it's good for this year.
* I do have some money left in General Repairs that I normally would spend on asphalt but fuel prices are expected to be double of previous years so I'm leaving a cushion in that account.
* The new truck was in Plattsburgh mid last week so I expect it is either in Harrisville now or it will be in the next day or two. My listing is on Auctions International as of this morning the prices were pretty low. The last day which I believe is Friday is when the prices normally go up the most.

**Code Enforcement Report:**

Transfer Station

Trash compactor broke down on a Saturday. We had to get an extra overflow brought in to cover the room it would take to service the Saturday. DPW fixed the ram plate cover with backhoe and the crew. Everything back on line.

Water/Sewer

Sewer Plant is still working out some biology and chemistry issues. Operators are continuing to make adjustments to get the plant at full efficiency. We have a water customer who has issues with water pressure and would like help with obtaining a mechanical solution for this issue. The water customer is proposing a solution to the board. We passed our strict tests on PFOA’s and PFOS’s. This is a very difficult water test to complete and we did not have any issues making our thresh hold levels. We have a proposal from our Engineer for a County RPA grant application which needs Engineering documents to apply for this grant I would like to pursue. I would like permission to pursue this grant with our Town Engineer’s help. Also, our annual hydrant flushing indicated a few more hydrants which need replacing. I propose we purchase two hydrants this year to install in the Fall. Here are our bids for your consideration. I propose we fund them like we’ve done in the past. 33% Town, 33% Water district, 33% Safety Budgets. I would like for you to except the bid of 3574.44 times two for two hydrants from Ferguson Water Supply. I’ve enclosed these bids for your perusal.

Motion #8

Ms. Fisher made the motion to accept the bid from Ferguson Water Supply in the amount of $3,574.44, seconded by Mrs. Planty.

Ayes 5

Noes 0

Motion carried

Building and Grounds

Salt Barn Storage is coming to completion with our contractors. No contingency or change order funding has been necessary so far. The building at Swift has been started for tower replacement. The school said they will help monetarily a little if we exceed our budget. Concrete was donated by Upstone materials, SnL Electric is donating the electrical supplies of the building, and the school has paid for the split faced block and trusses so far. It’s a very inexpensive building for the town so far materials-wise. Pump track future thoughts for the board to consider. Court grant/revamp is going well. The town has received the grant money of $23,400.00 for this upgrade. Monies for a generator was set aside for the court in the amount of $9,000.00. Also, there is $4,000.00 in contingency support. Mr. Richards suggests those monies to help pay for the towns end of the court upgrades. An invoice for Bonno Builders came in at $24,500.00 for work that has been done. Request Board permission to pay this bill asap.

Motion #9

Ms. Fisher made the motion to have the $9,000.00 for the generator and the $4,000.00 from contingency help pay for the towns end of the court upgrades and approve the payment schedule and work schedule provided by the contractor, seconded by Mr. Poste.

Ayes 4 Fisher, Planty, Poste, Robert

Noes 1 Beary

Motion carried

Safety

Sidewalk bids are in. We only received one bid. According to the amount proposed it exceeds the industry

standards by three times the normal range. We have included the bid for your consideration.

Code Enforcement Office

46 permits this year with a few more pending so far. 10 permits this past month. Two subdivisions were

processed last night. One subdivision was passed.

**Town Clerk Report:**

* ADK Paranormal Society is still interested in having a haunted house at the pavilion at Swift Field in October. They need approx. two months to prepare for this event. The event would be the first two weekends in October. It will be a haunted house open to the community. Saturday will be directed towards teens and adults. We will be holding a Sunday afternoon matinee for younger kids. Tickets will be priced at $7 for anyone over the age of 12 and $5 for 12 years and under. I would appreciate the board giving this consideration and a decision as October is just around the corner. Proceeds will be donated to Kathryn’s Kupboard Food Pantry.

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Motion #10

Ms. Fisher made the motion to grant permission to the Adirondack Paranormal Society for the use of Swift Field the first two weekends in October for a haunted house event with the exception of any possible school/soccer activities, seconded by Ms. Planty.

Ayes 5

Noes 0

Motion carried

* Donna and I have been working on updating our dog (BAS) program. With the current rabies clinics in SLC, we are finding many dogs that are not registered in the town. We have and are sending letters to residents who have dogs that are not registered and to residents that need to update their dog’s registration and rabies vaccination. Thus far, we have been successful.
* Resolution for Persons with Limited Incomes. This is updating a previous resolution from 2014. The town will need to set up a Public Hearing for this. Hoping for 5:50pm Sept 14th.

Motion #11

Ms. Fisher made the motion to schedule a public hearing on September 14th at 5:50pm for the resolution for Income Limitations for Senior Citizens, seconded by Mr. Poste.

Ayes 5

Noes 0

Motion carried

* Webinar for Town Budgets 2023: Doing More with Less, Again. Webinar is free. I will be attending. For any board members who are unsure of how a municipal budget works, I highly recommend you attend as well.

**Assessor Report:**

Assessor training went very well. All tests were passed.

**BTI Report:**

We finished up the Bti Program for the season in July.

I’ve been looking for people who might be suitable to work on the Bti program since I don’t know if most will be able to come back. Hopefully my crew will know by the fall.

I would like to expand the treatment area a bit, without having to increase the budget. I’ll try and attend the September or October meeting to discuss my ideas.

I’ll begin knotweed treatments in September.

**Planning Board Report:**

The Colton Planning Board met on 07/19/2022.

We had no subdivisions.

We had a request from the ZBA for a letter of opinion on a variance that the ZBA was going to discuss at their next meeting. It was for a garage apartment. (Which would be a second dwelling on a lot that was too small for two dwellings.) As the proposed apartment did not change the footprint of the lot and did not require any changes in the infrastructure in the water or sewer the planning board did not have any objections to the variance.

Darren had questions on our proposed solar law from two interested developers on setbacks and lot coverage. We clarified those points and finalized the proposed law. A copy has been sent to the County Planning Board for their review, and to the Town Board for their review. The Town Board should also send it on to the town’s lawyer for review.

The Planning Board also discussed SEQRs and feel strongly that the town board should send SEQRs to the town engineer for review, and should refrain from sending it to the town lawyer. SEQRs have never needed a legal review in the past, and we believe that it adds an unnecessary expense for the town and an unnecessary delay to whatever project the SEQR is for.

**Dog Warden Report:** nothing at this time

**Library Report:** nothing at this time

**Correspondence:** nothing at this time

**Unfinished Business:**

* Museum roof update – waiting on start date from contractor
* Pedestrian improvements/Sidewalks update
* We had one sealed bid dropped off by Northern Sons Construction LLC/Phil Collins.

Motion #12

Ms. Fisher made the motion to reject the bid from Northern Sons Construction and hold off on the improvement plan for the sidewalk from Garrett St. to Hull St. until next year, seconded by Mrs. Planty.

Ayes 5

Noes 0

Motion carried

Motion #13

Mr. Beary made the motion to repair the panels of sidewalk on State Hwy 56 between Garret and Hull Streets, seconded by Mr. Poste.

Ayes 5

Noes 0

Motion carried

**New Business:**

* Open Container Law for Swift Field lifted for August 27th ONLY for the Tim Sharlow Memorial

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Motion #14

Ms. Fisher made the motion to lift the open container law at Swift Field for August 27th 2022 only, seconded by Mrs. Planty.

Ayes 5

Noes 0

Motion carried

* Pump Track – CEO Darren Richards brought to the Board some thoughts on revamping the current pump track located on County Route 58. Mr. Richards requested that his team be able to bulldoze the track flat and return it to seed. Cynthia Hennessy requested the Town Board consider naming the new track after her late husband Timothy Hennessy.

Motion #15

Mr. Poste made the motion to allow the DPW crew to bulldoze the current pump track located on County Route 58 and return the area to seed, seconded by Mrs. Planty.

Ayes 5

Noes 0

Motion carried

* Local Law to regulate Solar Energy Facilities in the Town of Colton

Motion #16

Motion made to move into executive session by Mr. Poste at 8:08pm, seconded by Mrs. Planty.

Ayes 5

Noes 0

Motion carried

No results from the executive session.

**Adjournment:**

Motion #17

With no more business to discuss Mrs. Planty made a motion to close the regular monthly meeting at 8:45pm, seconded by Mr. Poste.

Ayes 5

Noes 0

Motion carried

Meeting minutes by Colton Town Clerk Jennifer Cole

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