**Colton Regular Monthly Town Board Meeting, November 16, 2022**

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

Present: Ronald Robert, Town Supervisor Councilpersons: Lisa Fisher

Jacob Poste

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

Jennifer Cole, Town Clerk Kevin Beary

Meeting attendees: Shelley Rayner, Grace Hawley, Ali Johnson, Justin Johnson, Chad Moore, Mike Schwartfigure, Andrew Cochran, Ed Fuhr, Mary Rutley, Rick Perkins

Zoom attendees: Peggy Shea, Dennis Eickoff, Mary Jane Watson, Peggy Mousaw, Jeff Tubolino, Judy Fuhr, Cynthia Hennessy

Supervisor R. Robert led the meeting with the Pledge of Allegiance. Meeting opened at 6:01pm. Supervisor Robert stated that the meeting is to follow the agenda. Several in attendance asked about “Courtesy of the Floor” stating that as taxpayers and residents of the Town of Colton they should and do have the right to speak at a public meeting. Supervisor Robert stated he took out “Courtesy of the Floor” for time purposes. Councilman Kevin Beary stated that it is not up to the Town Supervisor solely to remove “Courtesy of the Floor”, it must be a Town Board decision. Mr. Beary then read a section of Town Law pertaining to “Courtesy of the Floor”. At that time Supervisor Robert asked Councilman Beary to step outside. Raised voices and arguing ensued. Deputy Supervisor Lisa Fisher stated we are here for the public therefore it should not be removed.

Motion #1

Mr. Beary made the motion to keep Courtesy of the Floor on the agenda for Town Board meetings, seconded by Ms. Fisher.

Ayes 4 – Beary, Fisher, Planty, Poste

Noes 1 - Robert

Motion carried

More arguments ensued with accusations between some members of the DPW department, the towns cleaning person, Councilman Kevin Beary, and Supervisor Roberts. Supervisor Robert stated several times that the meeting was out of order and tried to bring the meeting back to order. Deputy Supervisor Lisa Fisher attempted to bring the meeting back to order as well. DPW Assistant Superintendent Justin Johnson requested executive session. Supervisor Robert told Mr. Johnson that it is not up to him to move to executive session. More arguments from some members of the DPW and Supervisor Robert.

Motion #2

Mr. Beary made the motion to move the meeting to executive session, seconded by Mrs. Planty.

Ayes 5

Noes 0

Motion carried

Regular Town Board meeting moved to executive session at 6:25pm. Executive session took place in the Town Clerks office with Supervisor Robert, all council members, bookkeeper Shelley Rayner, Code Officer and DPW Superintendent Darren Richards, all DPW staff, and Town office/building cleaner Ali Johnson.

State Police were called to the Colton Town Hall for a report of a fight. Town clerk Jennifer Cole escorted them to her office and left.

Councilpersons Lisa Fisher and Randi-Lee Cook-Planty left the meeting.

State Police left the Town Hall once executive session was over. Quorum was still present at this meeting.

Motion #3

Mr. Beary made the motion to move from executive session back to the regular town board meeting, seconded by Mr. Poste.

Ayes – 3 – Beary, Poste, Robert

Noes – 0

Absent – Planty, Fisher

Motion carried

Executive session moved to regular town board meeting at 6:40pm. **No results of executive session.**

Motion #4

**Approve October 22, 2022 Regular Board Meeting Minutes, approve October 26th 2022, Public Meeting Minutes, approve November 2nd 2022 Budget Meeting Minutes**

Motion made by Mr. Beary, seconded by Mr. Poste to approve the minutes from the October 2022 regular monthly meeting, the minutes from the October 26th 2022 public meeting, and the minutes from the November 2, 2022 budget meeting.

Ayes 3

Noes 0

Absent – Fisher, Planty

Motion carried

1

**Colton Regular Monthly Town Board Meeting, November 16, 2022**

Motion #5

**Authorize Bank Recon, Transfers & Bills in Warrant # 11, 2022**

Motion made by Mr. Poste, seconded by Mr. Beary to authorize payment of bills labeled Warrant #11, do a budget amendment and a transfer as indicated below.

Ayes 3

Noes 0

Absent – Fisher, Planty

Motion carried

General Fund…………………………………………………………$148,258.33

Highway Fund……………………………………………………….….60,375.95

Library Fund……………………………………………………………..5,920.84

Sewer Fund #1…………………………………………………………...9,710.22

Water Fund #1……………………………………………………………7,367.01

Colton Light Dist…………………………………………………….……..885.62

S. Colton Light Dist………………………………………………………..827.44

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| --- | --- | --- | --- | --- | --- | --- |
| **GENERAL FUND** | |  |  |  |  |  |
| A1375.400 |  | Credit Card Fees | |  |  | $100.00 |
| A1410.400 |  | Town Clerk Contr | |  |  | $400.00 |
| A1440.400 |  | Engineering Contr | |  |  | $8,000.00 |
| A1620.400 |  | Buildings Contr | |  |  | $27,000.00 |
| A3010.200 |  | Public Safety | |  |  | $2,000.00 |
| A7140.210 |  | Recreation Equip | |  |  | $6,000.00 |
| A7140.400 |  | Recreation Contr | |  |  | $1,000.00 |
| A1490.120 |  | Public Works Secretary | | |  | $1,500.00 |
| A1990.400 |  | Contingency | |  |  | $1,400.00 |
|  |  |  |  | Total |  | $47,400.00 |
| RECOMMENDATION FOR TRANSFER | | | |  |  |  |
| A3510.100 |  | Dog Control P.S. | |  | 1,000.00 |  |
| A1620.20 |  | Buildings Equip | |  | 10,000.00 |  |
| A1910.400 |  | Unallocated Ins | |  | 2,500.00 |  |
| A3510.400 |  | Dog Control Contr. | |  | 5,000.00 |  |
| A3989.400 |  | Safety Contr | |  | 10,000.00 |  |
| A4068.13 |  | Mosquito P.S. | |  | 1,000.00 |  |
| A6310.200 |  | Neighborhood Ctr | |  | 1,000.00 |  |
| A6989.400 |  | Tourism |  |  | 2,000.00 |  |
| A7110.400 |  | Parks |  |  | 1,400.00 |  |
| A7310.400 |  | Youth Program | |  | 4,500.00 |  |
| A7310.100 |  | Youth Program P.S. | |  | 3,200.00 |  |
| A7550.400 |  | Colton Event | |  | 1,000.00 |  |
| A8020.410 |  | Planning |  |  | 2,800.00 |  |
| A8510.400 |  | Beautification | |  | 2,000.00 |  |
|  |  |  |  | Total | 47,400.00 |  |
| **HIGHWAY FUND** | |  |  |  |  |  |
| DA5110.100 |  | Road Maint. P.S. | |  |  | $28,500.00 |
| DA5110.400 |  | Road Maint. Contr | |  |  | $3,000.00 |
| DA5140.400 |  | Brush & Weeds | |  |  | $2,000.00 |
|  |  |  |  | Total |  | $33,500.00 |
| RECOMMENDATION FOR TRANSFER | | | |  |  |  |
| DA5142.100 |  | Snow P.S. | |  | 33,500.00 |  |
|  |  |  |  |  |  |  |
| **SEWER FUND** | |  |  |  |  |  |
| **SS8110.200** |  | Sewer Equip | |  |  | $6,000.00 |
| SS8110.400 |  | Sewer Contr | |  |  | $3,000.00 |
|  |  |  |  | Total |  | $9,000.00 |
| RECOMMENDATION ROR TRANSFER | | | |  |  |  |
| SS9010.800 |  | NYS Retirement | |  | 1,400.00 |  |
| SS599 |  | Fund Balance | |  | 7,600.00 |  |
|  |  |  |  | Total | 9,000.00 |  |

2

**Colton Regular Monthly Town Board Meeting, November 16, 2022**

**County Legislators Report:** Rick Perkins

We had 34 resolutions.

We had 14 modifications to the budget.

We had 14 Agreements/Contracts to be signed.

We had a resolution authorizing the filling of 10 vacancies positions.

We had a resolution renaming St Lawrence County Community Services Mental Health Clinic to St. Lawrence County

Mental Health Services.

We had a resolution Authorizing the St Lawrence County Workforce Development Board to fulfill the functions of the

One Stop Network operator.

We had a resolution supporting an increase in snowmobile registration fees to generate further financial support for

snowmobile trail development and maintenance fund.

We had a resolution supporting Operation Green Light and illuminating the towers at the St Lawrence County Court

House green from November 7th – 13th in honor of the veterans in St Lawrence County.

We received news from the County that the recently enacted “Concealed Carry Improvement act” was struck down by

Judge Suddaby.

**Code Enforcement Report:**

Transfer Station

Everything running smoothly. The Town Board needs to vote on shutting down Transfer Station on Christmas Eve or not? Would like to put up posters as soon as possible to give notice either way.

Water/Sewer

WWTP grant was submitted. Fingers crossed we will be granted close to our proposal. Sewer had a great deal of upgrades this year. Lots of replacement parts as it took out contingency funding and more this year. Pumps were serviced at lift stations and guide rails were replaced on 56 lift station. Cemeteries and seasonal water lines are shut off for the season.

Building and Grounds

The roof at the library is complete and prevailing wage schedule and I voices are all submitted to the library board to process the grant paperwork on that project. The museum roof has been replaced and is back as completely waterproof. It was hosting 4 layers of older roofs and two additional linings, making the total 6 layers. Over 900 sq feet of decking needed to be reached and we passed our asbestos abatement testing. Benches were picked up and stored before Halloween. Film tower and garage building is shelled out and closed in for the season. Rink liner has been ordered. Casella has donated funding for the liner once again. Motion lights are being installed at the salt barns for winter.

Safety

Sexual harassment, work place violence, right to know and blood borne pathogens trainings were held both in October and November. December is your last chance to be trained this year.

Code Enforcement Office

Code Enforcement is up to 68 permits this year so far with several close out inspections are being co ducted this month. The model law is ready for the board to review and vote on a public hearing.

Mr. Richards asked the board if they had time to review the quote he gave them at the last budget meeting on November 2nd. He would like to move forward with quote and order the forms and hardware to repair a portion on sidewalk near Hull St. Mr. Richards asked if the WHITE CAP invoice could be paid with the early bills.

Motion #6

Mr. Poste made the motion to move forward with the quote from WHITE CAP and order the forms and hardware for the sidewalk improvements near Hull St., seconded by Mr. Beary.

Ayes 3

Noes 0

Absent – Fisher, Planty

Motion carried

Motion #7

Mr. Poste made the motion to pay the WHITE CAP invoice with the early bills, seconded by Mr. Beary.

Ayes 3

Noes 0

Absent – Fisher, Planty

Motion carried

**Highway Report:**

* Since the last meeting we have been getting our equipment ready for snow and ice season. We have had the trucks all set up since last Monday. The new salt barn is full and by my figures it should hold enough sand for the winter. I did put an extra 100 loads outside just for a reserve being the first year with the new building.
* The work on our new plow truck/tractor is complete. They should be doing the final inspection on it at Viking today then we can pick it up. It will be coming to our shop, the plows removed then it goes back to Watertown for their final inspection. Then to Whitesboro for installation of a passenger side air assist spring to help carry the weight of the wing. I expect the truck to be in service in the next 2 or 3 weeks.
* I have a potential slope failure on Pine Road caused by underground water pressure. I have reached out to Thomas Pahler as he is familiar with the issue. I would like to ask the boards approval to hire Tom to submit a cost associated with engineering and monitoring the issue. I would expect his services for the initial report to be under $1000.

Motion #8

Mr. Beary made the motion to hire Thomas Pahler to submit a cost assessment for engineering and monitoring the issue of the slope failure on Pine Road, seconded by Mr. Poste.

Ayes – 3 – Beary, Poste, Robert

Noes – 0

Absent – Planty, Fisher

Motion carried

3

**Colton Regular Monthly Town Board Meeting, November 16, 2022**

**Town Clerk Report:**

The haunted carnival that was held at Swift Field Pavilion October 8&9 and 15&16 did very well. A donation of $621.00 was made to our local food pantry aka Kathryns Kupboard.

**Assessor/Bookkeeper Report:**

Our new judge for the Town has mandatory training coming up the first week of December in Hudson NY. The training is free, however there will be a cost for meals, hotel, and mileage. Requesting board approval for reimbursement of his meals, hotel, and mileage.

Motion #9

Mr. Beary made the motion to reimburse the Towns new judge, Bill Reed for meals, hotel, and mileage while in Hudson NY at the mandatory new justice training, seconded by Mr. Poste.

Ayes 3 – Poste, Beary, Robert

Noes 0

Absent – Fisher, Planty

Motion carried

**BTI Report:**

Bti

* I have been advertising for a prospective Bti crew member for the 2023 season. No responses yet.
* I’ll be working on re-doing the permits now that the sidewalk work is finished for this season.

Sidewalks

* On 11/15/22 I finished cleaning, weeding, and applying polymeric sand to the sidewalk section on the library side, down to Gustin Square. All the sidewalks except for the section in front of the Town Hall have been pressure washed, removing all the dirt from the cracks, weeded, and then topped off with polymeric sand.
* Some of the polymeric sand was defective. In some sections I noticed the sand didn’t harden up. I ended up calling Lowes and exchanging 23 bags that obviously seemed that had gotten wet in their storage. They confirmed that they had other customer complaints about the polymeric sand. So, I will have to redo a few sections next season.
* I would also like to clean the weeds and seal with tar where the curb meets the road.
* As I had mentioned previously, I would be happy to continue to maintain the sidewalk, spending a few hours a week during BTI season, inspecting and doing touch up with weeding and sanding as needed.

**Planning Board Report:**

The Colton Planning Board met on 11/15/2022. We had no subdivisions or conditional use permits. Jeff Rousell and Jeremy Bronson met with Carol Pinchon, who was involved with creating Canton’s comprehensive plan. They hired an outside company to develop their plan over a span of 2 years and a cost of $50,000. Potsdam had a volunteer spend a large amount of

personal time developing a plan. We realize that after coming up with a plan that we might want to hire a professional to actually write it. We also learned that there are grants that we can apply for to offset the cost.

Jeff Rousell developed a sample online questionnaire to help determine what people want to have in a plan for Colton. It was tested among the board members. He will be updating the questionnaire to send to all Colton residents.

I met with Jason Pfotenhauer and Matilda Larson of the county planning department so that they could clarify some of the changes that they had recommended in the wind law. We made all the recommended changes and are submitting the proposed law to the Town board so that they can review it and send it to the town attorney for review.

**Dog Warden Report:**

Nothing at this time.

**Library Report:**

Dennis Eickoff reported that there has been an issue with the front door at the library. It is very difficult to open. Some people even think its locked. Code Officer Darren Richards stated that he would get together with Mr. Eickoff to find a solution. Mr. Eickoff also stated that there is a quote that is needed for the inside of the Colton Museum. There is damage upstairs from before the roof was fixed.

**Correspondence:**

Nothing at this time.

**Unfinished Business:**

Laurie Wright – insurance? This is just a reminder to the board – needs to be discussed in executive session.

4

**Colton Regular Monthly Town Board Meeting, November 16, 2022**

**New Business:**

Zoom?

Time Clocks?

Christmas parade – recognizing local businesses.

Motion #10

Mr. Poste made the motion to table the subject of Zoom, time clocks and the Christmas parade until the next town board meeting, seconded by Mr. Beary.

Ayes – 3 – Beary, Poste, Robert

Noes – 0

Absent – Planty, Fisher

Motion carried

Spending freeze? Mrs. Rayner went over the town budget accounts that have been overdrawn due to spending for this year.

Motion #11

Mr. Beary made the motion to start a spending freeze from now until the end of the year, seconded by Mr. Poste.

Ayes – 3 – Beary, Poste, Robert

Noes – 0

Absent – Planty, Fisher

Motion carried

**Courtesy of the Floor:**

Resident and Town Planning Board member Ed Fuhr stated that it is up to the Town Board to make sure that the rules are followed and to keep costs down. Thus far, you are doing a good job but to keep on top of that.

County Legislator Rick Perkins stated that at a county meeting someone brought it to his attention that there is a concern in Colton about homeless people. He was told that there are people living in tents and old cabins. He requested any information from the public and town to help assist these persons.

Resident Mary Rutley asked if there was a committee finance meeting on October 31st authorizing monies for the bridge from Morgan Rd to Picketville Rd. County Legislator Perkins told Ms. Rutley to see the county website for that information. Ms. Rutley then asked Mr. Perkins if there would be a bridge or not connecting the Morgan Rd in Colton to the Picketville Rd. in Parishville. Mr. Perkins stated that there are laws that must be followed and certain legal procedures, but nothing as of yet is set in stone.

Code Officer and DPW Superintendent Darren Richards and for this meeting zoom coordinator stated that people on zoom were asking if the meeting was recorded? Mr. Richards stated that it was determined that last year, for liability purposes, that zoom would not be recorded. It is not state law or required to record zoom meetings or public meetings. And that nothing involving this meeting or previous meetings was the reason behind this decision.

Resident Peggy Mousaw asked the town board to consider a local law removing yard signs during the snow season. She stated that the signs would be very easy to possibly hit especially by snowmobilers and cause someone harm or monetary damage to their property. Could the town be held liable for this? Ms. Mousaw then stated that she believes part of the ARPA funds received previously were for Zoom and that the board may want to consider this if they consider removing zoom from meetings. Ms. Mousaw also wanted to bring to the boards attention that she has sent a FOIL request in previously with no response from the FOIL officer. She stated that the specific timeline associated with FOIL requests/responses was not met by the FOIL officer and that she would be sending an appeal into the state.

**Adjournment:**

Motion #12

With no further business to discuss, Mr. Poste made a motion to close the regular monthly meeting at 7:50pm, seconded by Mr. Beary.

Ayes 3 – Beary, Poste, Roberts

Noes 0

Absent – Fisher, Planty

Motion carried

Meeting minutes by Colton Town Clerk Jennifer Cole

5