**Colton Regular Monthly Town Board Meeting, December 15, 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.

Jennifer Cole, Town Clerk Kevin Beary

Meeting attendees: Shelley Rayner, Ed Fuhr, Grace Hawley, Michael Hayes, Kirke Perry, James Durham, Aaron Johnson, Jacqueline Johnson, Kathy Matzell, Mary Rutley, Sheriff Deputy John Jones, Nancy Robert

Zoom attendees: Councilperson Randi-Lee Planty, Mary Jane Watson, Peggy Shea, Anne Townsend, Dennis Eickoff, Cynthia Hennessy, Judy Fuhr

Supervisor R. Robert led the meeting with the Pledge of Allegiance. Meeting opened at 6:02pm.

Motion #1

Mr. Beary made the motion to adopt the agenda as presented for this meeting, seconded by Ms. Fisher.

Ayes 4

Noes 0

Absent – Mrs. Planty

Motion carried

Motion #2

**Approve November 2022 Minutes**

Motion made by Mr. Beary, seconded by Mr. Poste to approve the minutes from the November 2022 regular monthly meeting.

Ayes 4

Noes 0

Absent – Mrs. Planty

Motion carried

Motion #3

**Authorize Bank Recon, Transfers & Bills in Warrant # 12, 2022**

Motion made by Ms. Fisher, seconded by Mr. Poste to authorize payment of bills labeled Warrant #12, do a budget amendment and a transfer as indicated below.

Ayes 4

Noes 0

Absent – Mrs. Planty

Motion carried

General Fund………………………………………………………….$155,166.49

Highway Fund…………………………………………………………...27,359.78

Library Fund………………………………………………………………1,603.99

Sewer Fund #1…………………………………………………………….3,299.90

Water Fund #1…………………………………………………………….2,158.09

Colton Light Dist……………………………………………………………851.83

S. Colton Light Dist…………………………………………………………796.16

**GENERAL FUND**

To: A1110.4 Town Justice Contr…………………………………………….$1,000.00

A1355.11 Assessor P.S…………………………………………………….…200.00

A1490.12 Public Works Sec………………………………………………..5,150.00

A5140.1 Brush and Weeds P.S………………………………………………160.00

A5132.4 Garage Contr……………………………………………………..1,800.00

A3989.12 Safety Sec P.S…………………………………………………...1,200.00

A7140.1 Recreation P.S……………………………………………………2,000.00

A1620.1 Buildings P.S……………………………………………………..5,000.00

A8160.12 Transfer Station P.S……………………………………………...1,800.00

A8160.13 Transfer Station P.S………………………………………….…….200.00

A9035.8 Medicare………………………………………………………….1,000.00

A1420.4 Attorney Contr…………………………………………………….1,200.00

A1620.4 Buildings Contr…………………………………………….……..2,500.00

A3510.4 Dog Control………………………………………………………3,500.00

A50110.4 Supt. Highways Contr…………………………………….….…….700.00

A7450.2 Museum Imp………………………………………………….…52,400.00

A3010.2 Public Safety……………………………………………………...3,200.00

$83,010.00

From: A1355.2 Assessment Equip…………………………………………………..$200.00

A1620.11 Summer Help P.S………………………………………………….1,200.00

A1490.11 Public Works P.S………………………………………………...14,000.00

A9040.8 Workmans Comp…………………………………………………14,000.00

A9050.8 Unemployment……………………………………………………10,000.00

A9060.8 Health Ins…………………………………………………………15,000.00

A9010.8 State Retirement…………………………………………………..20,000.00

A5132.22 Salt Barn…………………………………………………………...5,410.00

A7140.21 Recreation Equip…………………………………………………..3,200.00

$83,010.00

**LIBRARY**

To: L7410.453 Grant Renovations………………………………………………..$7,000.00

From: L599 Fund Balance………………………………………………………….$7,000.00

**SEWER FUND**

To: SS8110.4 Sewer Contr………………………………………………………...$1,700.00

SS8110.13 Sewer Clerk………………………………………………………….1,000.00

SS8110.12 Sewer Admin P.S…………………………………………………….1,000.00

From: SS599 Fund Balance………………………………………………………..$3,700.00

**WATER FUND**

To: SW8310.13 Water Clerk P.S…………………………………………………..$1,000.00

SW8310.12 Water Admin P.S…………………………………………………..1,000.00

From: SW8310.4 Water Contr……………………………………………………….$2,000.00

**LIGHTING DISTRICT**

To: SL1-5182.4 Colton……………………………………………………………….$965.00

SL2-5182.4 S. Colton………………………………………………………………785.00

From: SL1-599Fund Balance…………………………………………………………$965.00

SL2-599Fund Balance………………………………………………………….785.00

**1**

**Colton Regular Monthly Town Board Meeting, December 15, 2022**

**County Legislators Report:**

We had 60 resolutions

We had 13 modifications to the budget.

We had 15 Agreements/ Contracts to be signed.

We had a resolution authorizing the filling of 20 vacancies positions.

We had 2 Grant resolutions.

We had a resolution Adopting the St Lawrence County Multi-Jurisdictional All-Hazard Mitigation Plan Update.

We had a resolution charging tax items &amp; omitted tax paid.

We had a resolution adopting mortgage tax report.

We had a resolution authorizing Elections, Real Property &amp; Community Apportionments for the year 2023.

We had a resolution adopting the St Lawrence County Corporate Compliance report.

We had a resolution designating Multi-jurisdictional All-Hazard Mitigation Plan update the St Lawrence County Chamber

of Commerce as the St Lawrence County Tourism Promotion agent.

We had a Proclamation recognizing the 100th Birthday of Mr. William Plantz from Hammond.

We had a resolution authorizing the forgiveness of interest, Penalties, and certain fees on the property known as the

property of Ellen Smith located in the town of Norfolk.

We had a resolution establishing the date and time for the Organizational Board Meeting.

We had 16 resolutions asking the State to fund the unfunded State mandated Regulations.

We had a Public hearing and a resolution Adopting the 2023 Budget.

**BTI Report:**

* Still, no responses yet. I have been advertising for a prospective Bti crew member for the 2023 season.
* Mosquito permit applications are done and will be submitted to DEC in January.
* The Black fly expanded area application is almost completed and will be submitted to DEC before the end of the year.

**Highway Report:**

Since the last meeting we have been doing vehicle maintenance and concentrating on snow and ice.

We have had several wind events that has caused numerous trees down. Obviously, we need to patrol all of our town roads during these events. We have the roads split up into 3 routes. Having 3 pickups in the past has worked out well, as we can check everything in two hours or so. As you know one of the trucks broke down and was too costly to repair so it was sold and not replaced. This causes us to patrol roads with two trucks extending our response time. The loan from you of the BTI truck has taken care of that for the time being. We really need the 3rd truck. I still recommend the purchase of a used truck via auctions international. I have been asking other superintendents that have purchased recently via state contract. The price ranges from mid $40,000 to $70,000 depending on options. Used Trucks all set up are available regularly on auctions international for half the cost. One of the trucks we have is going to need some engine work soon so we'll be back to 2 again. I'm including a picture of an example. This is a 2013 with 60,000 miles. New it would be about $50,000. I'm sure it will go for half that. We are in great shape with our large trucks as previous boards have understood the need to invest in equipment.  The pickups will basically never leave town. I don't feel currently a new one is in the best interest of the taxpayers. I've only purchased two new pickups since I've been here one was the truck that did the village the other is my truck that I drive currently.

**Code Enforcement Report:**

Transfer Station

Blue line Engineering conducted the geological testing with Atlantic testing. Our crew dug the 8-foot test pits. Plans were preliminarily approved with the transfer station subcommittee which consisted of Ronald Robert, Jake Post, Jeff Tubolino and Darren Richards. The full board will see the updated plans and alternative at the board meeting. DEC inspected the transfer station and all went well. Good job to our guys who maintain it and keep it running. Does the board wish the transfer station to be open Christmas eve?

Water/Sewer

Our DEC inspections went very well at our wastewater facility. City of Watertown inspected the wastewater

facility this past Monday as well. It’s part of the sourcing inspection of part 360 regs.

Building and Grounds

The streetlights were decorated for both Colton and South Colton. The memory tree was planted at the green space between the town hall and the library. The big Colorado Spruce was decorated again with multicolor lights and it looks great. A big thanks goes out to S&L Electric and Chris Shea for their volunteerism and bucket trucks which were all donated for our holiday lighting needs. Winter prep is complete and we are ready for snow removal where needed. We have installed a low heat indicator in the window of the food pantry window. It’s a flashing red light beacon. Since this building goes days without being staffed. Preparing the rink for skating season is now upon us.

Safety

Winter PPE was ordered consisting of gloves for the crews. Three sessions were conducted for sexual harassment training, right to know, and workplace violence.

Code Enforcement Office

We are now up to 71 permits for the year and still climbing. Last training session for the planning board was conducted this week.

**Dog Warden Report:**

Nothing at this time.

**Library Report:**

Last meeting was Monday December 12th. Nothing further currently.

**2**

**Colton Regular Monthly Town Board Meeting, December 15, 2022**

**Bookkeeper/Assessor Report:**

NYClass/NBT for November our investment is over $8,000.00.

ENI Mechanical sent its final bill for the Salt Barn project. There is an invoice in the amount of $5,475.00 that needs to be paid as soon as possible.

Motion #4

Mr. Beary made the motion to pay the ENI Mechanical bill in the amount of $5,475.00 in full with this months bills, seconded by Ms. Fisher.

Ayes 4

Noes 0

Absent – Mrs. Planty

Motion carried

**Planning Board Report:**

The Colton Planning Board met on 12/13/2022. We had no subdivisions or conditional use permits. Kirke Perry brought up joining the New York Planning Federation, a group that “provides training, educational and informational services to a broad range of members, enabling them to better assist themselves and their municipalities with development and land use decisions.” They provide a number of training webinars that qualify for our annual training as well as a library of recorded

programs and articles, and an online forum. The training would be accessible for all municipal members, not just Planning and ZBA. The cost is set by population of the municipality. The Town of Colton is at the lowest rate of $295 per year. The cost would come from the Planning Board budget. The Planning Board voted unanimously to join.

The Board then viewed a film, “Pottytown”, about the display of toilets in Potsdam. After the film we discussed ways to avoid the same situation in Colton. Our next meeting is January 17, 2023.

**Town Clerk Report:**

* Request to apply the unpaid water and sewer relevies to the January 2023 tax bill.

Motion #5

Mr. Beary made the motion to apply the unpaid water and sewer relevies to the January 2023 tax bill, seconded by Ms. Fisher.

Ayes 4

Noes 0

Absent – Mrs. Planty

Motion carried

* Current judge requesting to keep his judge’s robe. He will be using it for performing marriages etc. Town clerk Jennifer Cole read a letter Judge Robar wrote to the board.

Motion #6

Mr. Poste made a motion to allow current Judge Robar to keep his judges robe after leaving office, seconded by Mr. Beary.

Ayes 4

Noes 0

Absent – Mrs. Planty

Motion carried

* Gearing up for beginning of the year and tax collection to start. Making sure all ducks are in a row.
* Reappointment of William Swafford to the Board of Trustees for the Colton-Hepburn Library.

Motion #7

Ms. Fisher made the motion to reappoint William Swafford to the Colton-Hepburn Library Board of Trustees, seconded by Mr. Poste.

Ayes 4

Noes 0

Absent – Mrs. Planty

Motion carried

**Correspondence:**

Nothing currently.

**Unfinished Business:**

* Norfolk invoice(s)? Invoice from Norfolk Law showing Attorney Matt Norfolk attending a county meeting regarding the SLC Multi-Use Trial System. Why are taxpayers paying for the Town Attorney to attend a meeting in SLC? Councilman K. Beary stated that previously the town challenged opening town roads to the trail system and the town won an article 78 in 2013. Neither the town nor the county have the authority to open the quarter-mile section of State Highway 56 in South Colton that the SLC Trail System is interested in opening to ATVs and UTVs. That is up to NYS. This process must be done properly, not a piece meal.
* Mr. Beary also asked about a resolution that was tabled at a previous meeting terminating the Morgan Road Beach Project. He stated that previously there was a petition against a beach on Morgan Rd. and he believes there is a new petition currently being circulated.

Motion #8

Mr. Beary made a motion to accept the resolution terminating the Morgan Road Beach Project. No second motion was made.

Abstain – Fisher

Absent - Planty

Motion denied

**3**

**Colton Regular Monthly Town Board Meeting, December 15, 2022**

*Unfinished Business cont’*

* Zoom for meetings? What is the cost for the town to have Zoom? Can or should meetings be recorded via Zoom? In previous meetings it was decided that for liability reasons the town would not record meetings via Zoom. Resident and Planning Board member Ed Fuhr spoke up stating that Zoom is very beneficial especially to the elderly of the town.

Motion #9

Ms. Fisher made the motion to keep Zoom for all future town meetings, seconded by Mr. Beary.

Ayes 4

Noes 0

Absent - Planty

Motion carried

* Courtesy of the Floor – time allowed for the public to speak?

Motion #10

Mr. Beary made a motion to allow five minutes per person at Courtesy of the Floor, no second was made.

Motion denied

Motion #11

Mr. Poste made a motion to allow three minutes per person at Courtesy of the Floor, seconded by Ms. Fisher.

Ayes 4

Noes 0

Absent – Planty

Motion carried

Motion #12

Ms. Fisher made the motion to move Courtesy of the Floor to the beginning of the meeting, seconded by Mr. Beary.

Ayes 4

Noes 0

Absent - Planty

Motion carried

* Christmas parade? Unfortunately, the town will not be able to host a Christmas parade this year.
* Time clocks? Deputy Supervisor L. Fisher suggested some research be done as far as pricing, how time clocks would work for employees etc.

**New Business:**

* Transfer station hours for Christmas Eve and New Year’s Eve?

Motion #13

Ms. Fisher made the motion to keep the Transfer station hours as is for Christmas eve and New Years Eve, seconded by Mr. Beary.

Ayes 4

Noes 0

Absent – Planty

Motion carried

* Mr. Beary asked why law enforcement is present at the meeting? Is this necessary? Supervisor Robert stated that he requested law enforcement to be present because the last meeting was chaos and he didn’t want that to happen again. Mr. Beary stated that it is not up to the Supervisor solely, that it is a board decision to have law enforcement present at meetings. Ms. Kathy Matzell spoke up stating that as a taxpayer she would much rather see law enforcement out on the roads attending to others in an emergency situation.
* Local Law #1-2022 Repeal and Replacement of the Town of Colton Uniform Construction Code Local Law No. 3-2006.

Motion #14

Ms. Fisher made the motion to accept and approve Local Law No. 1-2022 Repeal and Replacement of the Town of Colton Uniform Construction Code Law No. 3-2006, seconded by Mr. Poste.

Ayes 4

Noes 0

Absent – Planty

Motion carried

**Courtesy of the Floor:**

Colton Volunteer Fire Department Chief Aaron Johnson asked the board to consider a resolution stating that active volunteers (fire and EMS) in the Colton Fire Department get 10% off their land taxes. Chief Johnson stated that this is something the Town of Pierrepont has already adopted. Chief Johnson also asked about a FOIL request he submitted regarding ARPA funds previously given to the town via a grant? Is there any update on that? Town Clerk Jennifer Cole stated that currently herself and Code Enforcement Officer Darren Richards are working on the response to his FOIL request. Chief Johnson also stated that the Town of Colton has a supervisor that is out of control and it is up to the Town Board to do something about it.

**4**

**Colton Regular Monthly Town Board Meeting, December 15, 2022**

*Courtesy of the floor cont’*

Resident and board member of the Colton ZBA Judy Fuhr submitted a letter regarding a grant she has been diligently working on for an ADA Kayak launch at Higley Flow State Park. The grant suggests getting local support. She asked the town board to pass a resolution stating “We the Town of Colton support the concept of an ADA Kayak Launch at Higley Flow State Park; any improvement that makes the Town attractive to a larger segment of the population is an asset to the Town.”

Motion #15

Mr. Beary made the motion to pass the resolution stating “We the Town of Colton support the concept of an ADA Kayak Launch at Higley Flow State Park; any improvement that makes the Town attractive to a larger segment of the population is an asset to the Town.”, seconded by Mr. Poste.

Ayes 4

Noes 0

Absent - Planty

Motion carried

Resident Mary Rutley then had questions for the board. She presented the Town Clerk with a written document of her questions and asked that it be made part of the minutes. The document is as follows:

Now that the Courtesy of the Floor comments are restricted to two minutes per speaker and scheduled at the end of the meeting agenda, I assume that this strategy is to further restrict citizen participation. I see the Board’s hope that folks will have to leave before speaking or fall asleep during the conduct of boring business.

My questions and comments:

Why was Justin Johnson’s request for an executive session eliminated from the December meeting? Since no motion was made in public meeting after last month’s executive session no decision was made for Mr. Johnson. How long are employees of Colton expected to wait before personnel issues are settled? Who made the decision to make

Johnson eligible for overtime?

What is the total amount of taxpayer money expended for lawyer fees for advising Mr. Robert in decisions made regarding the County Multi-use Trail? Why is the Town spending needed funds for a lawyer relative to a County program? I don’t find authorization by the Town Board in the monthly minutes.

I am against eliminating ZOOM participation by Colton taxpayers. This is another obvious move to suppress citizen participation. This may be the only avenue available to persons to tune in to Town meetings. I understand funds are available to the Town for covering the cost of ZOOM.

At last month’s meeting someone talked about two evergreen trees that were given to the Town for planting in Colton and South Colton. Where were they planted? Did the Grinch steal a Christmas tree?

And finally, Happy Holidays, Merry Christmas and a Happy New Year. And may our Town Board meetings be merry and bright in the coming year.

Supervisor Robert responded to Ms. Rutleys questions during the meeting. His response was as follows.

* + Question regarding Mr. Johnson – We (the town board) have spoken to and are waiting for finalization from Attorney M. Ryan.
  + Question regarding lawyer fees and the Multi-Use Trail System – Attorney Norfolk was present because part of the trail system is for the Picketville Rd. joining the Morgan Rd.
  + Ms. Rutleys question on Zoom was previously handled during this meeting.
  + Question on donation of trees – One tree was donated, not two.

Resident Mary Jane Watson asked the board via Zoom – Why are Colton taxpayers paying a bill from Attorney M. Norfolk for a county meeting regarding the Picketville Rd.? The Picketville Rd is in the Town of Parishville. Supervisor Robert stated that not all of the Picketville Rd. is in the Town of Parishville, some of it is in the Town of Colton.

Motion #16

Ms. Fisher made the motion to move to executive session for a personnel matter, seconded by Mr. Poste.

Ayes 4

Noes 0

Absent - Planty

Motion carried

Regular monthly meeting moved to executive session at 7:05pm.

Motion #17

Mr. Beary made the motion to move back to the regular town board meeting at 7:34pm, seconded by Mr. Poste.

Ayes 4

Noes 0

Absent - Planty

Motion carried

**Result** of executive session: Town of Colton board deemed that Laurie Wright will be paid $200.00 per month for three years upon submission of a health insurance bill of at least that amount or more pending attorney approval. This reimbursement is for Mrs. Wrights years of service as deputy town clerk which is a non-union position.

Colton Town Clerk Jennifer Cole requested a motion to have the 2023 Organizational meeting held Tuesday, January 3rd at 6pm at the Colton Town Hall.

Motion #18

Ms. Fisher made the motion to hold the 2023 Organizational meeting on Tuesday, January 3rd at 6pm at the Colton Town Hall, seconded by Mr. Poste.

Ayes 4

Noes 0

Absent – Planty

Motion carried

**5**

**Colton Regular Monthly Town Board Meeting, December 15, 2022**

**Adjournment:**

Motion #19

With no further business to discuss Mr. Beary made a motion to close the regular monthly meeting at 7:42pm, seconded by Ms. Fisher.

Ayes 4

Noes 0

Absent - Planty

Motion carried

Meeting minutes by Colton Town Clerk Jennifer Cole

**6**