

AGENDA SUBJECT TO CHANGE UP TO AND INCLUDING THE DAY OF THE MEETING  
TOWN OF COLTON  
TOWN BOARD MEETING 6:00 P.M. JANUARY 15, 2025  
AGENDA

*Meeting is not open to the public discussion/opinion until and after "Courtesy of the Floor" unless asked.*

- CALL TO ORDER – PLEDGE OF ALLEGIANCE
- ADOPT THE AGENDA
- WARRANTS / TRANSFERS – APPROVAL OF BILLS, BANK
- RECONCILIATION, TRANSFERS
- COURTESY OF THE FLOOR – 3 MINUTE LIMIT PER PERSON
- COUNTY LEGISLATOR – RICK PERKINS
- TOWN ENGINEER – JEFF TUBOLINO
- DEPARTMENT REPORTS
  - Animal Control / Dog Warden
  - Assessor / Bookkeeper
  - BTI
  - Code Enforcement / DPW / Safety
  - Highway Dept.
  - Committee Reports
    - Library
    - Planning / Zoning
  - Town Clerk / Tax Collection (Appointments / Resolutions)
- CORRESPONDENCE
- UNFINISHED BUSINESS
  - Resolution for road between Mahogany Ridge and Town of Colton
  - Brookfield Assessment
  - Judge Appointment - ongoing
- NEW BUSINESS
  - Winterfest February 7-9
- EXECUTIVE SESSION – ERIC GUSTAFSON 7:00 P.M. (DAVID RUBIN CONTRACT)
- ADJOURNMENTS



**Town of Colton Town Board Meeting, January 15, 2025**  
**County of St. Lawrence, State of New York, 94 Main St., Colton, NY 13625**

Present: Ronald Robert, Town Supervisor - absent  
Kevin Hawley, Highway Supt.  
Darren Richards, Code/Safety/DPW Supt.  
Jennifer Cole, Town Clerk

Councilpersons: Lisa Fisher  
Kevin Beary  
Stephen Knight

Meeting Attendees: Kirke Perry, Grace Hawley, James Durham, Laura Richards, Jacob Poste, Chris Shea, Christina Smith, Kerry Cochran, Amy Cayey, James Hassett, Kay Hassett, Tracy Harcourt, Aaron Johnson, Jackie Johnson, Kirk Snyder, Derek Shea, Eric Gustafson, Jerry Bartlett  
Online Attendees: Cynthia Hennessy, Peggy Shea, Dennis Eickhoff

Supervisor Lisa Fisher opened the meeting with the Pledge of Allegiance at 6pm, as scheduled.

[Motion #1](#)

**Adopt the Meeting Agenda**

Councilman Beary made the motion to accept the agenda for this meeting, seconded by Councilman Knight.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

No transfers, bank reconciliation, or warrants. Motion unnecessarily made.

**Courtesy of the Floor:**

James and Kay Hassett came to the board with a complaint of trespass/light pollution. Pictures were provided. Mr. and Mrs. Hassett are requesting the board to review and examine the grandfather clause of the code for trespass/light pollution. Mr. and Mrs. Hassett also welcomed board members to come to their house at night to be able to better understand the issue the brightness of the neighbor's light is causing.

**County Legislators Report:** Rick Perkins

Nothing at this time.

**Engineer Report:** Jeff Tubolino

Blue Line Engineering merged with Cedarwood Engineering. Town engineer Jeff Tubolino requested the board approve the transfer in name of the open-ended contracts previously approved as Blue Line Engineering.

[Motion #2](#)

Councilman Beary made the motion to approve the transfer of all currently open Blue Line engineering contacts to the new title name of Cedarwood Engineering, seconded by Councilman Knight.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

Councilman Knight asked when Skelly Contractors would be finished at the transfer station. Mr. Tubolino stated that the last step is maintenance and training on the new compactors.

**Dog Warden Report:** Mike Gilbo

Nothing at this time.

**Bookkeeper/Assessor Report:** Shelley Rayner

There is a new process for electronic filing with the IRS and Social Security W2 and 1099. Ms. Rayner will be attending eight webinars to learn the new process. There is a new New York State Retirement law that effects tear 6 retirees. Ms. Rayner must submit reports on all TOC employee's income.

Ms. Rayner requested the board approve payment of a voucher for TOC temporary judge Brad Filiatrault in the early bills. This voucher for his services from October, November, and December.

[Motion #3](#)

Councilman Beary made the motion to pay the voucher from temporary judge B. Filiatrault with the early bills, seconded by Councilman Knight.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

Ms. Rayner has one class left to become fully certified as a NYS Assessor. That class is taking place in Rensselaer County in June. Ms. Rayner's requesting board permission to attend this essential final class.

[Motion #4](#)

Councilman Beary made the motion to allow Ms. Rayner to attend the assessment class taking place June 2025 in Rensselaer County to finalize becoming a NYS Assessor, seconded by Councilman Knight.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

**Town of Colton Town Board Meeting, January 15, 2025**

**BTI Report:** Andrea Malik

Andrea asked the public at the meeting if there would be interest of a public presentation of what the BTI program does and is about. Many stated they have interest. Andrea to work with Clerks office to get information out to the public.

**Code Enforcement/DPW Report:** Darren Richards

DPW Superintendent Richards requested the board to approve resolution 01-2025 NYS DEC Organics Reduction and Recycling Municipal Food Scraps Recycling Grants.

**Motion #5**

Councilman Beary made the motion to accept the NYS DEC ORRMFSRG, seconded by Councilman Knight.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

**NYS Department of Environmental Conservation Organics Reduction and Recycling  
Municipal Food Scraps Recycling Grants  
Resolution #01 - 2025**

**Whereas**, the Town of Colton hereby requests financial assistance from the New York State Department of Environmental Conservation's Organics Reduction and Recycling Municipal Food Scraps Recycling Grant Program.

**Whereas**, the Town of Colton certifies it is committed to providing the required match as staff wages, use of Town equipment and materials, and funds as needed to fulfill the required 25% grant project total match, totaling no more than \$25,000.

**Therefore**, be it resolved, the Town of Colton hereby authorizes Darren Richards, Town of Colton Superintendent of Public Works to act on its behalf in submittal of an application through the NYS State Financial System to be used for Town of Colton's Municipal Food Scraps Recycling Project.

I hereby certify that the foregoing resolution was duly adopted by the Town of Colton at a legal meeting on January 15, 2025.

The Town of Colton recently was awarded a grant in the amount of \$186,000.00 for our sidewalks. Special thanks to Kevin Hawley, Jeff Tubolino, and Karen Bage.

Over the course of seven years the Town of Colton has saved approximately over \$17,000.00 on energy costs by switching to energy efficient lighting in Colton and South Colton.

**Highway Report:** Kevin Hawley

Highway Supervisor Hawley stated that there have been issues with the skid steer used for sidewalk cleanup in South Colton. Mr. Hawley received a quote from CAT (Caterpillar Inc) for a replacement. Discussion on CHIPs money, Highway funds. Financing or paying outright. Paying outright would possibly require a budget adjustment. Mr. Hawley feels that financing would be the best option for the town. Council members decided to order the skid steer and snow blower combination and table finance discussions until the February meeting.

Mr. Hawley also discussed cutting trees on the corner of #9 Rd and St. Hwy 56, as well as in the parking area just past Kunoco on St. Hwy 56. The trees have become a safety concern. Mr. Hawley approached local arborist Chris Shea for removal. Mr. Shea quoted \$1000.00 for all three trees of concern.

**Motion #6**

Councilman Knight made the motion to accept the quote from Chris Shea to remove two trees at the corner of St. Hwy 56 and No. 9 Rd as well as one at the parking area on St. Hwy 56, seconded by Councilman Beary.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

**Library Report:** Dennis Eickhoff

Reorganizational meeting was held January 13<sup>th</sup>. President is Bill Swafford, Vice President is Joanne Fisher, Secretary is Jean Fallon.

The chimney needs repair. Currently leaking. Bonno Builders looked at it. They will enclose the chimney with a tarp until spring.

For 2025 Winterfest the library will be offering a story time and a quilt display.

**Planning Board Report:** Kirke Perry

Chairman of the Planning Board Kirke Perry requested the board approve a comprehensive plan committee.

**Motion #7**

Councilman Knight made the motion to approve the comprehensive plan committee for the TOC Planning Board, seconded by Councilman Beary.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

MJ Engineering will be working on the comprehensive plan. They will be paid by a grant previously received.

Councilman Beary requested a copy of the contract with MJ Engineering.

**Town of Colton Town Board Meeting, January 15, 2025**

**Town Clerk Report:** Jennifer Cole

Ms. Cole requested the board approve resolution 02-2025 Holding Harmless the County of St. Lawrence for Providing Service for 2025.

**Motion #8**

Councilman Beary made the motion to approve resolution 02/-2025 Holding Harmless SLC Providing Service for 2025, seconded by Councilman Knight.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

Concern on finding Church St. in the Town of Colton. Google maps takes you to Hannawa. Best solution would be to change Church St. to McKabe St. Deputy Town Supervisor Lisa Fisher to speak with Bruce Winters who brought the concern to the town clerk.

Update to the Town of Colton Employee Handbook. New FOIL law states employees must be notified by their employer if there is a FOIL request for their personal records.

**Motion #9**

Councilman Knight made the motion to update the TOC Employee Handbook to inform all employees of the new FOIL law requesting personal records, seconded by Councilman Beary.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

**Motion #10**

Councilman Beary requested executive session for the purpose of discussing the employment of a particular person, seconded by Councilman Knight.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

\*\*\*Executive session started at 7:13pm.\*\*\*

Present at executive session was DPW Superintendent Darren Richards, Councilman Beary, Councilman Knight, Councilwoman Fisher, Town Attorney Eric Gustafson, and Town Clerk Jennifer Cole.

**Motion #11**

Councilman Beary made the motion to bring the meeting back to regular session, seconded by Councilman Knight.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

Regular meeting came back into session at 8:32pm.

Discussions on Colton DPW department new hire. As well as Park Forestry NY LLC land donation to the Town of Colton.

\*\*\* Results of executive session reported separately \*\*\*

**Unfinished Business:**

Lot lease with Mahogany Ridge restaurant. Councilman Beary explained the lease to the public present as well as reading the NYS law regarding municipalities being allowed to lease.

**Motion #12**

Councilman Knight made the motion to agree to the terms of leasing the land between Mahogany Ridge and Town of Colton Swift field pavilion, seconded by Councilman Beary.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

**New Business:**

Winterfest 2025 is scheduled for February 7<sup>th</sup> through the 9<sup>th</sup>. Many activities are scheduled at various local businesses and organizations.

**Announcements:**

At the Organizational meeting re-appointments were overlooked. Councilwoman Fisher read out loud the re-appointments.

**Motion #13**

Councilwoman Fisher made the motion to approve the re-appointments, seconded by Councilman Beary.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

**Town of Colton Town Board Meeting, January 15, 2025**

Town Clerk Jennifer Cole requested the board to approve a blanket motion to bring all policies current and active.

[Motion #14](#)

Councilwoman Fisher made the motion to bring all TOC policies to current and active, seconded by Councilman Beary.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

**Adjournment:**

[Motion #15](#)

With no further business to discuss, Councilwoman Fisher made a motion to close the regular monthly meeting at 8:52pm, seconded by Councilman Beary.

Ayes 3 Fisher, Beary, Knight

Noes 0

Absent 1 Robert

Motion carried

Meeting minutes by Colton Town Clerk Jennifer Cole.

**EXECUTIVE SESSION, COLTON TOWN BOARD, January 15, 2025  
COUNTY OF ST. LAWRENCE, STATE OF NEW YORK, COLTON, 13625**

Present: Deputy Supervisor Lisa Fisher  
Jennifer Cole, Town Clerk  
DPW Superintendent Darren Richards

Councilpersons: Kevin Beary  
Stephen Knight  
Town Attny E. Gustafson

Executive session started at 7:13pm.

Discussion on the new employee for the DPW department.

Council members decided to allow DPW Superintendent D. Richards discuss with selected applicants before announcing new DPW laborer position. Council members also decided to start the new employee at \$1.00 more than the union contract states for beginning wage. The reason for the increase in wage is due to previous work experience.

[Motion #1](#)

Councilwoman Fisher made the motion to start the new DPW laborer at \$1.00 more than union contract states due to previous work experience, seconded by Councilman Beary.

Ayes 3 Beary, Knight, Fisher

Noes 0

Absent 1 Robert

Motion carried

Discussion on Park Forestry's land donation to the Town of Colton. Attorney Gustafson discussed some items in the agreement. Council members decided to have attorney Gustafson speak with Park Forestry's attorney regarding issues in the agreement.

Meeting minutes by Jennifer Cole, Colton Town Clerk

# *Town of Colton*

*94 Main Street  
Colton, NY 13625  
(315) 262-2810*

*Ronald Robert  
Town Supervisor  
Jenn Cole  
Town Clerk*



*Kevin S. Hawley  
Supt. of Highways  
Darren T. Richards  
Supt. of Public Works*

To: Colton Town Board  
Re: Town Engineer Report for January Board Meeting  
From: Jeff Tubolino

We are excited to announce that as of January 1, 2025 Blue Line Engineering, DPC merged with Cedarwood Engineering Services, PLLC to expand our services and the area we serve.

## **Transfer Station**

Major items that need to be completed under contract include:

1. Compactor training.

Items that need to be completed by Town:

1. Site gates.

The NYSDEC Municipal Waste Reduction and Recycling Grant application was submitted.

## **Wastewater Treatment Plant Improvements**

The remaining equipment has been delivered, and the contractor is going to be onsite next week to install the remaining items.

## **Water Treatment Plant Improvements**

We have received and reviewed submittals from the Contractor. The chemical feed skid is scheduled for delivery by the end of January and the remaining equipment shortly after. S&L anticipates being done with the project by mid-February.

## **County Rte 58 Trail Improvements**

We have obtained preliminary topography and the existing trail location as necessary to prepare a conceptual plan for the improvements. We are working on a conceptual plan and will bring it to the February board meeting.

## **Culvert Crossing Improvements**

We received the topographical survey from Maine Surveying. Next steps:

1. Get with Kevin and Brittany to document damages and dimensions at each site.
2. Prepare hydraulic modeling for each site to size new culverts in accordance with codes and standards.
3. Prepare Engineering Report.

### **Pedestrian Improvements**

Congratulations to Darren Richards and Karen Bage for obtaining a \$186,000 Climate Smart grant for sidewalk improvements. The grant application was to replace sidewalks from Garrett Rd down to Main Street along NYS Route 56. We'll be coordinating with NYSDOT to determine what permitting will be required and will provide the Town with a proposal for the design, bidding, and construction for this project after.

## January 2025 Bti Report

- The new Bti crew member successfully completed the 30-hour training course last week and will be taking the DEC certification exams in Ray brook on February 4, 2025.
- I am continually working to prepare for hosting the annual North American Black fly association meeting Feb 11-13, 2025, including to have it approved as a DEC approved training course.

Andrea Malik

# ***Town of Colton***

*94 Main Street  
Colton, NY 13625  
(315) 262-2810*

*Ronald Robert  
Town Supervisor  
Jenn Cole  
Town Clerk*



*Kevin S. Hawley  
Supt. of Highways  
Darren T. Richards  
Supt. of Public Works*

January 14, 2025

To: Colton Town Board  
Re: Town Board January Report for the DPW / CEO Report  
From: Darren Richards, Superintendent of the DPW / Code Enforcement Officer

## **Transfer Station**

Our Compost Grant Application should be ready by Tuesday, January 21<sup>st</sup> to be submitted to the DEC. The saving could reduce our tonnage costs and hauling by a possible \$9000.00 in savings a year if we have 20-25% participation. Our first winter with the new transfer station is

## **Water/Sewer**

Water and Sewer district is running smoothly. Lots of changes to plant processing in the next couple of months in both plants. We have helped our water customers with some frozen water lines but nothing serious. Only one leak so far. We are asking the board to go into executive session to select a DPW candidate for the laborer's position which is vacant.

## **Building and Grounds**

Rink has been a huge hit over break. The kids are enjoying a lot of ice time. We've been 60-70 kids on a Saturday easily and sometimes at once! Our crew has worked hard to keep snow removal up while doing shiftwork at transfer and Rink. We have a truck out on state contract bidding process and have results at the February meeting.

## **Safety**

We've updated our lighting on buildings and street light replacements to keep visibility up during darker days of winter. I am pleased to announce an 186,000.00-match grant for a new sidewalk from the corner of the Hepburn Library to the new sidewalk by Hull Street and Garret Street. This sidewalk will improve our walkability for students coming from town to the school much more safely.

## **Code Enforcement Office**

We have had one permit so far with 4 continuous home builds. We have one subdivision application coming up on the corner of Reihl Road and County Route 58 for the Planning Board. We also received one complaint, a light pollution complaint.

Name	Vendor No	Solar Refund Issued					Total Refunds	
		2018-19	2019-20	2020-21	2021-22	2022-23		
Town of Colton	900298	769.85	450.97	706.29	2,707.71	6,299.82	6,278.89	17,213.53

Kevin Hawley  
Colton Highway Superintendent  
94 Main Street, Colton, NY 13625  
Ph: 315-262-2500 Fax: 315-261-4767  
[hwysup@townofcolton.com](mailto:hwysup@townofcolton.com)

January 15, 2025

- Since the last meeting, we have been focusing on snow and ice. Everything is working well with the exception of our 20-year-old skid steer. Since we switched to one man plowing, it's made for more flexibility with our staff - making sidewalk plowing more achievable on a routine basis. We use the skid steer in South Colton and the Ventrac in Colton.
- The skid steer snow blower is completely worn out and the machine as a whole is as well.
  - We also use the skid steer during spring street cleaning where there is a lot of dust, the cab is very rusty and does not seal anymore, we also use the machine with an asphalt milling head to plane rebates for starting and finishing paving projects.
  - I have a quote from Caterpillar for a new machine. It could either be added to the finance quote on our new loader or, if purchased with snowblower, can be a CHIPS eligible purchase.
- The new loader is built and awaiting transportation. I expect to take delivery in the next couple weeks. The skidsteer and blower are in stock and could be delivered together upon your approval.
- I have a quote from Chris Shea to cut 2 large dead maples on the corner of State Highway 56 and Number 9 Road, as well as a large white pine at the parking area at Mcrobbie Bay.
  - The quote of \$1,000 is very reasonable. I feel with the Town promoting parking there that we assume some responsibility. The states bucket truck cannot reach high enough to safely take it down. I reached out to Scott Mcrobbie and he is very much in favor of making this happen.

# Sun First, LLC

November 8, 2024

## FORMAL PROPOSAL

**OBLIGOR:** TOWN OF COLTON, NY

- ✓ This is a finance/ownership contract. No residual value.
- ✓ Fixed interest rate for the three (3) year, and four (4) year terms.

**EQUIPMENT:** NEW WHEEL LOADER

**OPTION 1**

Acquisition Cost:	\$236,707.08	Term:	Three (3) years	First Payment Due:	One Year from Close
Down Payment:	\$ 50,000.00	Payment Mode:	Annual in Arrears	Payment Amount:	\$70,133.44
Trade In:	\$ 0.00	Interest Rate:	6.220%		
Principal Balance:	\$186,707.08	Rate Factor:	0.375634		

**OPTION 2**

Acquisition Cost:	\$236,707.08	Term:	Four (4) years	First Payment Due:	One Year from Close
Down Payment:	\$ 50,000.00	Payment Mode:	Annual in Arrears	Payment Amount:	\$54,091.98
Trade In:	\$ 0.00	Interest Rate:	6.170%		
Principal Balance:	\$186,707.08	Rate Factor:	0.289716		

- This is a proposal only and is not a commitment to finance. This proposal is subject to credit review and approval and proper execution of mutually acceptable documentation.
- Failure to consummate this transaction once credit approval is granted and the documents are drafted and delivered to Obligor may result in a documentation fee being assessed to the Obligor.
- This transaction must be credit approved, all documents properly executed and returned to Sun First, LLC and the transaction funded on ALL proposals on or before November 22, 2024. If funding does not occur within that time-frame, or there is a change of circumstance which adversely affects the expectations, rights, or security of Obligee or its assignees, then Obligee or its assignees reserve the right to adjust and determine a new interest rate factor and payment amount, or withdraw this proposal in its entirety. Should there be a significant change in market rates at any time prior to funding of the transaction, Baystone Government Finance reserves the right to adjust the Interest Rate quoted above.
- This transaction must be designated as tax-exempt under Section 103 of the Internal Revenue Code of 1986 as amended.
- **OBLIGOR'S TOTAL AMOUNT OF TAX-EXEMPT DEBT TO BE ISSUED IN THIS CALENDAR YEAR WILL NOT EXCEED THE \$10,000,000 LIMIT, OR THE INTEREST RATE IS SUBJECT TO CHANGE.**

**SUN FIRST, LLC**

**TOWN OF COLTON, NY**

Signature

Title

Signature

Title

Date

Date

# Sun First

## Equipment Finance

### SIMPLE FUNDING PROGRAM

*Return completed application with required financial information.*

Legal Name of Obligor:		Fed. Tax ID #:	
Address:			
City:	County:	State:	Zip:
Contact Person:		Title:	
Phone: (    )		Fax: (    )	
Email Address:		Alt Contact Email Address:	
Alternative Contact Person:		Title:	
Date municipal entity was established:		Phone: (    )	
Total Cost of Equipment/Project: \$		Does the obligor self-insure for property & liability insurance?	
*Down Payment: \$		Term (years):	
Trade In: \$		Source of Down Payment:	
Other: \$		Payment Amount: \$	
Amount to Finance: \$		Delivery Date:	
		Payment Due: <input type="checkbox"/> Advance <input type="checkbox"/> Arrears	
		Payments: <input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input type="checkbox"/> Annual	
<small>*Obligor's down payment should be made before or at delivery. Proof of down payment is required prior to payment of any contract proceeds, unless otherwise negotiated.</small>			
Has the obligor paid, or does obligor intend to pay, a vendor for any portion of the equipment being financed with the intent of being reimbursed with proceeds from this financing? <input type="checkbox"/> Yes <input type="checkbox"/> No			
How will the contract payments be made? <input type="checkbox"/> P-Card *Add'l Fees Will Apply* <input type="checkbox"/> Check <input type="checkbox"/> ACH <input type="checkbox"/> Other (specify)			
What fund will the remaining contract payments be made from? <input type="checkbox"/> General <input type="checkbox"/> Special (specify)			
Will any federal monies be applied to the contract payments? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain.			
Equipment Description:			
New Equipment:	<input type="checkbox"/> Yes <input type="checkbox"/> No	If no, list age of equipment or date manufactured:	
Refurbished:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Year:	
Replacement:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Age of current equipment:	Year purchased:
If not a replacement, why is the equipment needed?			
Buyout Included:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Amount of buyout included: \$	
Soft Costs Included:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Amount of soft costs included (shipping, software, and sales tax): \$	
Physical location of equipment after delivery:			
Describe the essential use of the equipment:			
Has the obligor ever defaulted or non-appropriated on a lease, bond, or legal obligation?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Will the obligor issue more than \$10,000,000 in tax-exempt debt in this calendar year?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the project a building? <input type="checkbox"/> Yes <input type="checkbox"/> No		If yes, who owns the land?	
What is the physical address of the new building/project?			

### Financial Information Required

- Two (2) most recently completed audits
- If the fiscal year end of the audit is more than three (3) months ago, also provide current year-to-date Balance Sheet with Debt Service Commitments and Income Statement
- For any unaudited fiscal year provide comprehensive financial statements to include a Balance Sheet with Debt Service Commitments and an Income Statement in place of the audits

Without complete financial information, the credit review process may be delayed. Please call if you have any questions or concerns prior to returning this application to Baystone Government Finance.

Completed By (signature):

Printed Name and Title:

Date:

- Additional financial information may be requested if deemed necessary during credit review.
- By signing this application Obligor representative agrees to the following statement: "Everything stated in this application is correct to the best of my knowledge. I understand Obligee will retain this application whether or not it is approved. Obligee is authorized to verify any information on this application with an appropriate third party as necessary to complete the credit review process."
- Please note that, depending on circumstances, we reserve the right to charge a reasonable fee to Obligor/broker, if this transaction is not funded. This fee is for expenses incurred and services performed related to the processing of the transaction. This fee will NOT be charged if the transaction is funded by Obligee.

# Sun First, LLC

January 9, 2025

## FORMAL PROPOSAL

**OBLIGOR:** TOWN OF COLTON, NY

- ✓ This is a finance/ownership contract. No residual value.
- ✓ Fixed interest rate for the three (3) year, four (4) year, and five (5) year terms.

**EQUIPMENT:** NEW WHEEL LOADER AND NEW SKID STEER

**OPTION 1**

Acquisition Cost:	\$310,122.09	Term:	Three (3) years	First Payment Due:	One Year from Close
Down Payment:	\$ 50,000.00	Payment Mode:	Annual in Arrears	Payment Amount:	\$97,710.59
Trade In:	\$ 0.00	Interest Rate:	6.220%		
Principal Balance:	\$260,122.09	Rate Factor:	0.375634		

**OPTION 2**

Acquisition Cost:	\$310,122.09	Term:	Four (4) years	First Payment Due:	One Year from Close
Down Payment:	\$ 50,000.00	Payment Mode:	Annual in Arrears	Payment Amount:	\$75,361.46
Trade In:	\$ 0.00	Interest Rate:	6.170%		
Principal Balance:	\$260,122.09	Rate Factor:	0.289716		

**OPTION 3**

Acquisition Cost:	\$310,122.09	Term:	Five (5) years	First Payment Due:	One Year from Close
Down Payment:	\$ 50,000.00	Payment Mode:	Annual in Arrears	Payment Amount:	\$62,037.91
Trade In:	\$ 0.00	Interest Rate:	6.170%		
Principal Balance:	\$260,122.09	Rate Factor:	0.238495		

- This is a proposal only and is not a commitment to finance. This proposal is subject to credit review and approval and proper execution of mutually acceptable documentation.
- Failure to consummate this transaction once credit approval is granted and the documents are drafted and delivered to Obligor may result in a documentation fee being assessed to the Obligor.
- This transaction must be credit approved, all documents properly executed and returned to Sun First, LLC and the transaction funded on ALL proposals on or before January 23, 2025. If funding does not occur within that time-frame, or there is a change of circumstance which adversely affects the expectations, rights, or security of Obligee or its assignees, then Obligee or its assignees reserve the right to adjust and determine a new interest rate factor and payment amount, or withdraw this proposal in its entirety. Should there be a significant change in market rates at any time prior to funding of the transaction, Baystone Government Finance reserves the right to adjust the Interest Rate quoted above.
- This transaction must be designated as tax-exempt under Section 103 of the Internal Revenue Code of 1986 as amended.
- **OBLIGOR'S TOTAL AMOUNT OF TAX-EXEMPT DEBT TO BE ISSUED IN THIS CALENDAR YEAR WILL NOT EXCEED THE \$10,000,000 LIMIT, OR THE INTEREST RATE IS SUBJECT TO CHANGE.**

**SUN FIRST, LLC**

**TOWN OF COLTON, NY**

Signature

Title

Signature

Title

Date

Date

**PLANNING BOARD  
TOWN OF COLTON, NY  
December 17, 2024  
Town Hall**

**Members Present:** Kirke Perry (Chair), Jeff Rousell, Jeremy Bronson, Anne Townsend

**Members Absent:** Dan Murphy, Ed Fuhr, Kris Koehler

**Public Present:** Stacie Cole (Secretary), Darren Richards (CEO)

Gary & Shelley Raynor, Peggy Mousaw, zoom guests Nicholas Smith and Chris Otness from Blue Wave Energy

---

Meeting called to order at 6:00 pm. Quorum present.

**Adoption of the Agenda:** A. Townsend made a motion to adopt the agenda, 2nd by J. Bronson. All in favor. Motion passes.

**Adoption of the Minutes:** J. Rousell made a motion to accept the November 2024 minutes, 2nd by J. Bronson. All in favor. Motion passes.

**Courtesy of the Floor:** Chris Otness and Nicholas Smith from Blue Wave Energy with some preliminary questions for proposed solar panels on the corner of the Gulf Rd/Hanson Rd and further back on the Gulf Rd just deeper in the woods.

- Q1: Section 3.01-1 tree removal and what exactly is the Planning Board looking for in the survey? Jeff said he could check with the county and see if they have examples to provide to Blue Wave.
- Q2: certified forester? The answer is yes, which is part of our law. Darren told Chris and Nick he could provide them with a list of certified foresters.
- Q3: planting trees after removing, not a lot of options for reforestation on current land. They raised the question of if they don't have a place to replant trees on the current property, would they be able to plant trees elsewhere in the town? The Planning Board will need to discuss and get back to Blue Wave. Deforestation will be a possible roadblock for them. Under the current law the answer would be no.
- Q4: Screening (which has to be at least 6') Code says shall be screened with a buffer. Suggested area is a residential neighborhood. Maybe a line-of sight model can be provided. Simulation of seasonal conditions as well (artist rendering).

There will be two access roads, one on Hanson Rd with the already existing driveway of the Fireman's Field. The second would be on the Gulf Rd in a pre-existing driveway. The plan is to tap into the existing poles but that may not be an option. Darren did speak to National Grid and lots of upgrades and replacements would need to happen (3 phase, 5 megawatts).

- Peggy is worried about stormwater runoff. There is a whole underground artesian system underneath the Fireman's Field that runs through the property. She kept mentioning a depression which is right in front of JJ Jenks house at the guardrails.
- Shelley questioned the big power poles and transmitters, which have the potential to be run underground

**Correspondence:** Verizon is applying for an APA permit just outside of Carry Falls (East side of Carry)

**CEO Report:**

- 71 permits, subdivisions, conditional use permits; more homebuilds this year.
- Jeff is looking to maybe get some data from Darren in regards to permits issued each year, looking to build some trend data for the area. Darren submits all of that information once a year to the Department of State.

**New Business:**

- Cell phone towers
- Subdivision on the Reihl Rd (Bruce Stone) for January 2025

**Old Business:**

- Comprehensive Plan: we got our grant!
- Jason Pfothenhauer is on board with being on the Comprehensive Plan Committee (CPC) , which is a 16 month commitment to this committee.
- We need to finalize the contract with MJ Engineering. Need to schedule a meeting with CPC members. Members need to take a NYS Smart Growth Training. The plan is also to hopefully have a kick off meeting with members sometime in January.
- Battery storage: still looking into this.
- Darren recommended the Planning Board request a moratorium with the Town Board on battery storage, until we have something in place.
- Kris cleaned up the old Transfer Station Ordinance so it can be updated and edited. Doing all this so we can start working on a solid waste reduction grant.
- Talk of transfer station brought up creating more signage and the possibility of an “education folder” of do’s and don’ts to do at the transfer station (ie/e-waste, why we recycle, products with cords and what to do with them, etc...)

**Next Planning Board meeting to be held:** Tuesday, January 21, 2025 at 6pm at the Town Hall.

**Adjournment:** With no further issues up for discussion, J. Bronson made a motion to close the meeting, 2nd by J. Rousell. All members were in favor. Motion passed. Meeting closed at 7:12 pm.

Respectfully submitted  
Stacie Cole, Secretary

Town of Colton

# Comprehensive Plan Status Update

---

**Date** :Friday December 27, 2024

**Author** : Jeff Rousell ([jeff@rousell.org](mailto:jeff@rousell.org))

## Recent Progress

- Grading and selection of winning proposal (MJ Engineering)
- Communications with all firms submitting a proposal regarding our decision and feedback
- Fully executed contract received from the NY Department of State
- Discussion w/ Jason Potenhauer (Director of County Planning Office) regarding his availability for an advisory role within the committee.
- Discussions with NY DOS on committee composition and with all committee members (below) about their role, responsibilities, and commitment for the next 16 months. This is not a small commitment so we thank them all for their service!

## Next Steps

- [Town Board] We need a simple motion by the Town Board to approve the following Comprehensive Plan Committee:
  - Jeff Rousell, Anne Townsend, and Kirke Perry (Planning Board)
  - Judy Fuhr (Zoning Board of Appeals)
  - Lisa Fisher (Town Board)
  - Randa Mitchell (local business rep)
  - Jason Potenhauer (County Planning Office – *advisory role*)
- [Jeff] Finalize contract with MJ Engineering
- [Jeff] Update NY DOS with required project update and MWBE paperwork
- [Jeff] Schedule a “prep” meeting for the committee in January to ensure everyone is ready to go and has the necessary training.
- [Jeff] Plan kickoff meeting with MJ Engineering

January 15, 2025

## TAX COLLECTION

- Off to a good start, minus the error with water districts residents.
- Working closely with the county on rectifying the error. Currently we are not taking payments for water district residents. I spoke with Christine Carbone from the Real Property Tax Office on Wednesday, Jan 8; nothing new yet. Emily Wilson from the Treasurer's office called the 14<sup>th</sup> and explained the most likely solution. Just waiting on the county board to give the ok.
- Wednesdays only for the month of January, the office is staying open until 6pm.

## CLERK OFFICE

- I met with Gray & Gray regarding the town clerk bank account with NBT. They agreed the best course of action is to close the existing clerk account and open a new one. They attempted to find the issue with this account and were unsuccessful. Sloppy bookkeeping was their answer to the "inherited mess".
- Resolution 01-2025 NYS DEC Food Scraps Grant.
- Resolution 02-2025 Hold Harmless.
- Possible sign modification at the intersection of Church St. and NY Route 56.
- FEMA Claims Process re Flood: Submitted the Town of Colton's first project for review, for approximately \$42k. The project is currently in step three of five, no timeline yet on when funds will be received. At this time, we're working through the next two project batches as well as with the DEC to receive retroactive permitting for the work done on the four stream sites in August.

## FOIL

- At the December regional meeting that Brittney and I attended, we learned the town must adopt a policy to notify town employees when the town responds to a FOIL request for their disciplinary records. Brittney and I discussed where would be the best place to inform all employees of this new law and decided the employee handbook would be most appropriate. Previously, I explained such in an email to the board. We would need a motion to permanently add this information to the employee handbook.
- Initial steps have been taken to kick off our Records Management Program – starting with scanning monthly invoice vouchers in a central location for employees to utilize. As steps are put in place and feedback is received from applicable departments, we'll work through drafting an RM Policy.
  - Tomorrow, January 16, we have our first webinar to re-apply for the NYS Archive Grant. The grant will apply to our inactive files only (2+ years old), while our daily efforts will address active files.

# Town of Colton

94 Main Street  
Colton, NY 13625  
(315) 262-2810

Ronald Robert  
Supervisor  
Jennifer R. Cole  
Town Clerk



Kevin S. Hawley  
Supt. of Highways  
Darren T. Richards  
Supt. of Public Works

## HOLDING HARMLESS THE COUNTY OF ST. LAWRENCE FOR PROVIDING SERVICE FOR 2025 2-2025

**WHEREAS**, the Town of Colton is desirous of St. Lawrence County Department of Highways providing shared services such as paving, signage, road stripping, blasting, and other routine maintenance activities to the Town, and

**WHEREAS**, both the Town of Colton and the County of St. Lawrence are desirous of promoting partnering efforts for the safety of the traveling public in St. Lawrence County, and

**WHEREAS**, in this joint cooperative endeavor the Town of Colton and the County of St. Lawrence desires to be reimbursed for their expenditures, and

**WHEREAS**, the Town of Colton is aware that the County may incur liability in the providing of the services and wishes to indemnify the County in this regard,

**NOW, THEREFORE, BE IT RESOLVED** that to the fullest extent permitted by law, the Town of Colton will indemnify and hold harmless the County, their officers, directors, partners, representatives, agents and employees from and against any and all claims, suits, liens, judgments, damages, losses and expenses, including legal fees and all court costs and liability (including statutory liability) arising in whole or in part and in any manner from injury and/or death of person or damage to or loss of any property relating to or arising out of any negligent or intentional acts and/or omissions of the Town of Colton or any of its directors, officers, employees, contractors, representatives, or agents.

**BE IT FURTHER RESOLVED** that the following request for General Liability (GL) coverage is as follows:

General Liability Insurance

On an "Occurrence" basis, with the following limits:

- \$1,000,000 Each Occurrence
- \$3,000,000 General Aggregate
- \$1,000,000 Products Aggregate
- \$1,000,000 Personal Injury
- \$ 50,000 Fire Damage Legal Liability
- \$ 5,000 Medical Payment Expense

**BE IT FURTHER RESOLVED**, that St. Lawrence County shall be an additional insured on the GL Policy, via ISO endorsement CG 2026.

Dated: January 15, 2025

SEAL

absent

Ronald Robert, Supervisor

Lisa Fisher  
Lisa Fisher, Councilperson

\_\_\_\_\_  
Vacant

Stephen Knight  
Stephen Knight, Councilperson

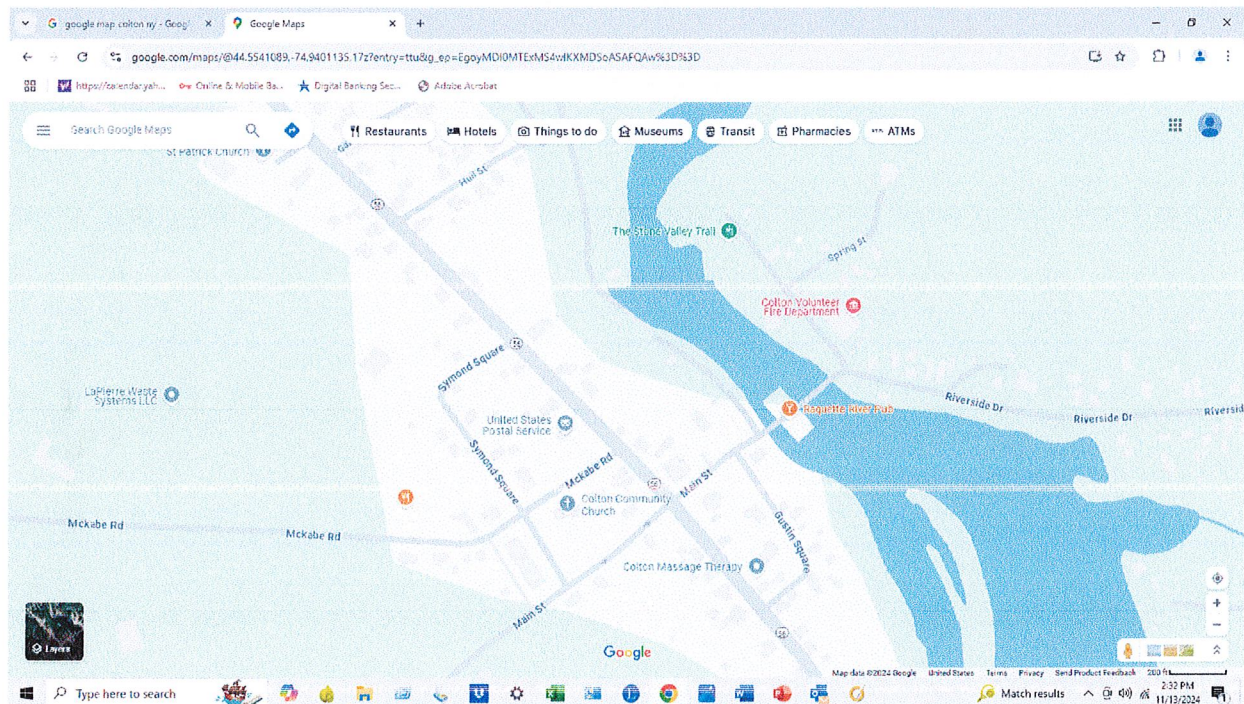
Kevin Beary  
Kevin Beary, Councilperson

To: Jennifer Cole - Town Clerk /Town of Colton

From: Bruce Winters – Board President – Colton Community Church

Subject: Sign modification / Intersection of Route 56 and Church Street

This letter is to request the Town of Colton assistance and guidance to address a problem we are experiencing with people finding our church building at the 11 Church Street address when using their GPS guidance systems. The GPS systems often do not recognize Church Street when people enter the address as maps show Mckabe Road intersecting Route 56 (see below).



As the church building is not easily seen from route 56, we believe having both the existing Church Street and a Mckabe Road sign on the existing post will assist people in finding our church building as they travel on Route 56. We appreciate it if you review this request at your upcoming town board meeting. Our understanding is that we need Town of Colton approval first and once received, the next phases can take place to get further approvals and implementation.

We appreciate your support and May God Bless,

Bruce Winters

Colton Community Church BOD President - [winters4@att.net](mailto:winters4@att.net) 315-261-4357

New York Consolidated Laws, Town Law - TWN § 64. General powers of town boards

Subject to law and the provisions of this chapter, the town board of every town:

2. Acquisition and conveyance of real property. May acquire by lease, purchase, in the manner provided by law, or by acquisition in the manner provided by the eminent domain procedure law, any lands or rights therein, either within or outside the town boundaries, required for any public purpose,

### NYS Comptroller's Office **Opinion 92-42**

Article VIII, §1 of the State Constitution, inter alia, prohibits municipalities from making gifts or loans of their money or property to or in aid of private entities. Further, it is a general rule that, because town equipment is acquired for town purposes (see Town Law, §64[2-a]) and town personnel is hired to provide services for the town (see, e.g., Highway Law, §140[4]), a town may not perform work on private property in furtherance of purely private purposes even if fair and adequate consideration is paid to the town under a contract (see, e.g., 1988 Opns St Comp No. 88-41, p 81; 1985 Opns St Comp No. 85-37, p 51; 1983 Opns St Comp No. 83-103, p 127; 29 Opns St Comp, 1973, p 122).

It is not an improper use of town equipment and personnel, however, to perform work on private property if the work primarily furthers a proper town purpose and is undertaken pursuant to a statutory or contractual obligation, although the work may also provide an incidental private benefit (see, e.g., Schulz v Warren County Board of Supervisors, 179 AD2d 118, 581 NYS2d 885; Murphy v Erie County, 28 NY2d 80, 320 NYS2d 29; 1990 Opns St Comp No. 90-59, p 136; 1982 Opns St Comp No. 82-123, p 153; see also 1989 Opns St Comp No. 89-30, p 71). Thus, town equipment and personnel may be used to perform work on private property as consideration under a lawful town contract if the work performed is primarily in furtherance of a town purpose and the value of the work to the private party, plus other consideration provided by the town, is commensurate with the value of the benefits received by the town under the contract. For example, we have concluded that a municipality may agree to routinely plow snow from the private property of a volunteer ambulance corps as consideration for services provided by the corps under a contract with the municipality in order to facilitate the efficient provision of ambulance service to the municipality (Opn No. 82-123, supra).