**Colton Regular Monthly Town Board Meeting, June 21, 2023**

**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. Stephen Knight

Jennifer Cole, Town Clerk Kevin Beary

Meeting attendees: Nancy Robert, Dan Murphy, Randi-Lee Planty, Matt Planty, Jeff Tubolino, Jeff Rousell, Ed Fuhr, Aaron Johnson, Jackie Johnson, Rick Perkins, Danny Collins, Mary Rutley

Zoom attendees: Dennis Eickhoff, Cynthia Hennessy, Andrea Mallik, Peggy Shea, Mary Jane Watson

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

Motion #1

**Adopt the agenda for this meeting**

Motion made by Ms. Fisher, seconded by Mr. Poste, to adopt the agenda for this meeting.

Ayes 5

Noes 0

Motion carried

Motion #2

**Approve 2023 Regular Town Board Meeting Minutes**

Motion made by Ms. Fisher, seconded by Mr. Poste, to approve the minutes from the May 2023 regular monthly meeting.

Ayes 5

Noes 0

Motion carried

Motion #3

**Authorize Bank Recon, Transfers & Bills in Warrant #6, 2023**

Motion made by Mr. Beary, seconded by Mr. Knight, to authorize payment of bills labeled Warrant #6, do a budget amendment and a transfer as indicated below.

Ayes 5

Noes 0

Motion carried

General Fund…………………………………………………………………….…..$73,875.30

Highway Fund………………………………………………………………….….….97,174.53

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

Colton Light Dist…………………………………………………………………………819.88

S. Colton Light Dist……………………………………………………………………....766.67

Sewer Fund #1………………………………………………………………………….7,097.28

Water Fund #1………………………………………………………………………….3,158.87

TRANSFERS:

To: A1355.4 Assessor Contr………………………………………………………….$2,500.00

A1910.4 Unallocated Ins……………………………………………………….….1,500.00

From: A599 Fund Balance…………………………………………………………….$4,000.00

**Courtesy of the Floor:**

Lisa Fisher and Diane Ladison were the class advisors for the Colton-Pierrepont class of 2020. Due to COVID the CPCS class of 2020 was unable to go on their senior trip. The class generously has decided to donate their remaining funds to the Kathryn Hayes food pantry in the amount of $500.00 and another $1,000.00 for a bench for residents and visitors to enjoy in the town. THANK YOU AND GREATLY APPRECIATED!!!

Shelley Rayner spoke on behalf of Cynthia Hennessy. The Colton-Pierrepont Raqueteers would like to renew their contract with the Town of Colton for work they do at various locations owned by the town. The museum, library, book nook and town flower gardens. The contract would offer the Raqueteers no more than $1,500.00 a year for work they do at these locations.

Motion #4

Ms. Fisher made the motion to approve the contract for the 2023-2024 year for the Colton-Pierrepont Raqueteers to do various work at locations owned by the Town of Colton for payment not to exceed $1,500.00 yearly, seconded by Mr. Knight.

Ayes 5

Noes 0

Motion carried

**County Legislators Report:** Rick Perkins

We had 27 resolutions.

We had 5 modifications to the budget.

We had 13 Agreements/ Contracts to be signed.

We had a resolution authorizing the filling of 12 vacancies positions.

We had a resolution prohibiting placement of the social media application known as ‘TikTok’ on county-owned devices.

We had a resolution authorizing the addition of one (1) parcel of 0.3 acre to agricultural district 1 and eight (8) parcels

totaling 358.5 acres to agricultural district 2.

We had a resolution opposing senate bill s.6282, “an act to repeal section 257-c of the executive law relating to

probation administrative fees: to amend the executive law in relation to prohibiting certain fees associated with

probation; and to amend the correction law and the executive law in relation to termination and discharge of certain

sentences”.

We had a resolution proclaiming June as dairy month in St Lawrence County.

We had a resolution proclaiming June as family month in ST. Lawrence County.

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*Cont’ County Legis Report…*

We had a resolution approving New York State department of transportation supplemental agreement for preliminary

design for lazy river road bridge over Grasse River, bin 3341820, pin 775332.

We had a resolution authorizing an official request of the State of New York to adopt legislation that would provide a

second family court judge for ST. Lawrence County in the fourth judicial district.

We had a resolution encouraging New York State to transfer agency responsibility of the Black Lake boat launch to the

Department of Environmental Conservation and to remediate to accommodate modern conditions.

**Engineer Report:** Jeff Tubolino

Transfer station - agreements have been signed – five contracts total. Mr. Tubolino has been working with the towns insurance agent to make sure everything is in order. A pre-construction meeting needs to be set within the next couple of weeks.

Wastewater Treatment Plant – there is a meeting with the DEC on June 22nd. Mr. Tubolino will send the engineers report to them.

**Dog Warden Report:** Mike Gilbo

Nothing at this time.

**Bookkeeper/Assessor Report:** Shelley Rayner

* Interest for the towns NYClass account for May is $18,685.00.
* Mrs. Rayner will be on vacation August 7th – 18th. She will be doing three payrolls the week ending August 4th. I will need timesheets for all employees for the weeks ending August 4th and 11th on Thursday, August 3rd at am which will require employees to estimate their hours including paid time off. Any discrepancies should be adjusted with the next payroll. Any timesheets not turned in will not be paid.
* I will process all invoices when I return starting August 21st and have them ready for approval ASAP. This will require a special board meeting to approve the August invoices.
* 2023 Cornell Pr4ofessional Development Classes will be held this year from July 16th to 21st. I will be processing a 2nd payroll the prior week on Friday July 14th. All depts will need to turn in timesheets on Friday the 14th by 8am.
* Mr. Dale Raymo, who has been helping Mrs. Rayner with her first year of assessment, will be done within the next week.

**BTI Report:** Andrea Malik

We are well into the 3rd or 4th round of stream treatments with black fly crew shifting to mosquito control when their streams are all caught up.

* I’ll be treating sections of the river this week, Five Falls bypass, South Colton bypass, and Colton bypass (Stone Valley). I’ll be treating the main river in South Colton at 4:45am since the generator is off-line from11pm-6am. I only need to use a fraction of the amount of Bti, approximately 1 gallon instead of 9-10 gallons during these conditions. I would like to request permission to take the BTI work truck home while treating the S. Colton main river.

Motion #5

Ms. Fisher made a motion to allow Ms. Malik to take home the BTI work truck while treating the S. Colton main river, seconded by Mr. Beary.

Ayes 5

Noes 0

Motion carried

* I feel the program has been going well and generally have had good feedback. I did hear of a few complaints, so I am attending this meeting to make myself available to answer any questions. I need to remind people that we are doing black fly control, not eradication, even though we try our hardest to get every single one. In a very bad bug year, which the wet cool spring helped create, if we kill 90% the remaining 10% might be more apparent. Also, strong winds can blow bugs in from outside the treatment area and again in a bad year, these could be more noticeable. The river was very high until mid May which made treatment very challenging. It’s important to travel outside the treatment area into untreated territory to really appreciate the difference.
* This winter, I expanded the treatment area (without any increase to the budget or to my salary) in an effort to do my job even better, to serve more people in the town. I included more of Big Cold Brook starting at the Catamount Lake Lodge club and on the opposite side of Rt 56, Big Cold Brook on Diamond Club. I also included streams on Cayey Rd including the outlet of French Lake and I treated a big section of the North Branch of the Grass River. There was a LOT of larvae in these previously untreated areas.
* As successful as the program is, it is in jeopardy. Two of the three crew members currently working are resigning because of low pay, lack of benefits and the need for year-round work. I unfortunately have Covid so cannot attend this meeting in person. I plan on attending the September meeting and address this issue in more detail during an executive session. One thing is for sure, the starting wage of $15.50 has to change. A new crew member has to take a 30 hour training course, pass two DEC exams to get their required NYS DEC Commercial pesticide technician certification, pass a physical and drug/alcohol testing. In order to be certified and ready to start in mid- March, I have to offer the course in January. In order to take the exams, you have to have already taken the course. Exams are pre-scheduled all over NYS, the closest being Utica, Watertown or Ray Brook and you have to be pre-registered 7-10 days before the exam. Since the prospective crew are not on payroll, they have to travel to and spend the time taking the exams on

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*Cont’ BTI Rep…..*

their time. They are reimbursed the course fee (they don’t actually pay for the course but since they are not on payroll, they can’t be paid to take it. Getting reimbursed the course fee, $385, if they work the entire season is what we came up with.) This is a lot to ask from someone, and then expect them to just wait and to be available in mid-March when the program is ready to start.

* Even though Bti is a benign substance to humans and to the environment it is still a Restricted Pesticide with DEC, as all aquatic pesticides in the NY are, and each technician is bound by laws and protocols around that.
* The work environment can be dangerous (as injury history shows). We work alone and have to bush-whack in rough terrain.
* In recent years we now have ticks to deal with and are susceptible to a dozen tick borne diseases such as Lyme, Anaplasmosis, Babesiosis, Powassan to name some.
* Again, I would like to address this in executive session in the September meeting

SIDE WALK

* I can see that weeds are starting to re grow in some areas of the sidewalk
* The section in front of the museum was the first section I did, and it had the worst weeds. I was still developing my method and wasn’t as aggressive with the power-washer. I want to redo this section.
* The polymeric sand from Lowes was poor quality. A lot of it didn’t set up correctly. So would like to get better quality polymeric sand and redo the sections where it didn’t set up correctly. I would also like to use a vibrating compactor when I re apply the sand. I believe Kevin Hawley said that the highway dept had one.
* I would like to get a utility wagon (Gorilla cart $170) that would hold my hand tools, a bag of sand, and my backpack BTI sprayer for water to do maintenance and touchup jobs
* So asking for approval to start working on this. I can start adding it to the end of some of my days after I get out of the field.

Motion #6

Mr. Knight made a motion to allow Ms. Malik to start on sidewalks for the season at $24.62 per hour, no more than 300 hours per week, seconded by Mr. Poste.

Ayes 5

Noes 0

Motion carried

Motion #7

Mr. Poste made the motion to transfer $7,500.00 from the Fund Bal line (A599) to the Brush & Weeds line (A5140.1), seconded by Mr. Knight.

Ayes 5

Noes 0

Motion carried

**Code Enforcement Report:** Darren Richards

Transfer Station

The GC is pulling the building permit for the transfer station build tomorrow morning if the contract is signed by then. We have the prints, insurances and comp in place for the permit to be issued. Whitton Construction LLC will go over grade elevations with me onsite tomorrow morning. Atlantic Testing will do a compaction on the geologicals on site as well. Whitton is also asking for a landing zone for staging they want to get in place for next week.

Water/Sewer

We have a pretty important WWTP inspection by the DEC that is going to discuss the rehabilitation of our plant as well as operations redundancy. As well as the physical redundancy, the DEC is expecting a backup WWTP assistant chief operator, a back up on-call personal for duality purposes, a backup on-site NY-ALERT reporter and a back up to our Dig-Safe utility locator. The back up asst. Chief Operator is outlined in Part 650, Chapter X of 6 NYCRR. DOH also recommends a back up to the DPW Supt. in the form of an assistant Chief Operator. We have been missing this position on and off for the last year or so. Mike Schwartfigure is our second and only other dual certified operator we currently have on staff right now. I am recommending we promote Mike to this role as described as in the Union contract. Mike, the Union, and the Town Supervisor all want this position to be an hourly position. One which can be changed during contract renewal time as it is coming up. For regulatory agency satisfaction, I would like this to done tonight, so I can satisfy our DEC questioning at

tomorrow morning’s inspection meeting. Blue Line Engineering will be at that inspection to go forward with the plant upgrades and our anticipated scheduled timeline. We still have a leak we are chasing down. Rural water did not give us good intel and we need to pursue other areas to detect this hidden water leak. We will continue to investigate our system. This does NOT increase anyone’s bills as the leak is before anyone’s meter…

Building and Grounds

Grounds really looked sharp for Memorial Weekend. The flags were replaced, the landscaping looked great, banners were all hung, and the overall grounds looked great. Thanks to the State DOT for their hydro-seeding as part of a shared service. The library lawn was brought up to grade for the front walkway providing a safer walking path. It also shored up the remaining wall. Now we need direction on capping the existing short wall. Possibly bidding out to a mason company? ***Supervisor Robert stated he would take care of the mason/bid for the wall capping at the library.*** We are gearing up for the fourth of July, hoping to have the grounds looking just as good or better. Our transmission went out on our smaller z-turn mower. This is still a commercial grade, 54-inch cut mower, just smaller than our 72-inch Swift field big mower. The repairs are $2.800.00 and their will still be a “tick” in the engine which indicates it’s time for a replacement. JD on state contract would be over $9,000.00 for a 54-inch commercial mower including the trade-in of the old Z-turn of a $575.00 credit. A Ferris Mower 54-inch cut commercial is $8.900.00. The DPW would like to go with a $6,000.00 E-Go 52-inch cut mower from Coakley’s and save $3000.00 by trying a fully electric z-turn. This will help us move towards green fleet credits later on the

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*Cont’ Codes/DPW Rep……*

line. Can I get approval on this equipment? We are reconditioning an older trailer to save $10,000.00 on our equipment line to buy a new mower and a pusher blade for our backhoe. The snow pusher will be around $4,500 as well. Can I get a not to exceed 4,500.00 and go with the lowest quote when they come in?

Motion #8

Mr. Knight made a motion to approve DPW Superintendent D. Richards purchase an electric zero turn mower from Coakleys in the amount of $6,000.00 and a snow pusher not to exceed $4,500.00, seconded by Mr. Poste.

Ayes 5

Noes 0

Motion carried

We have some applications for your review and approval. We would like to hire our second candidate for the summer. Mr. Harley Besio applied to be a summer temp position. We are currently in the process of hiring Cole Blackmer as our first summer position. This will help us temporarily get by while we start a search for a full-time replacement position in the DPW. The crew would like to have assurance that this position will be filled before fall. Two of my crew members are needing to use some vacation time and can’t find a hole in our busy schedule.

Safety

I have written a form for our D&amp;A policy that mirrors the BOCES minor permission form for a parent to sign for D&amp;A testing to occur. Our current hire needs this form for Safety sensitive criteria. Can I get this form passed as it is vetted through BOCES? Two hydrants will be replaced next week if our schedule stays on track. I would also request executive session on a safety sensitive issue. Can we also approve the sidewalk repair from Fisher Builder’s for the two spots that have been dug up on 56? I also propose that the water district pays half and the sidewalk general Fund pays the other half?

Motion #9

Ms. Fisher made a motion to implement the new drug & alcohol “permission for testing” form to the pre-employment packet, seconded by Mr. Poste.

Ayes 5

Noes 0

Motion carried

Motion #10

Mr. Knight made a motion to approve the quote from Fisher Builders for two sections of sidewalk on Route 56, 40 feet in total in the amount of $3,800.00. Half to be paid by the water line, half to be paid by the sidewalk line; seconded by Mr. Poste.

Ayes 5

Noes 0

Motion carried

Code Enforcement Office

50 permits for the new year. We have had two subdivisions passed, and two ZBA applications passed. We currently have two more subdivisions coming down the pike. Lots of activity in the construction arena. 50 permits before summer are a high amount for this time of year.

**Highway Report:** Kevin Hawley

* Since the last meeting we have finished grading our gravel roads, with the exception of Lenney Road. We are working on this road cutting trees and widening it for drainage and plowing purposes. Parishville is also doing the same on their end.
* The County is pretty much finished with the design phase on the Cayey Rd bridge project. The total cost is going to be $240,000. This project is fully reimbursable by Chips.
* We are approximately one third done with our roadside mowing.
* DEC did an inspection of the highway’s bulk storage tanks for petroleum. They like everything we’ve done with the additions. There is a fee from the DEC for the permit in the bills.

**Library Report:** Dennis Eickhoff

The ribbon cutting for the story walk at the library was June 10th. We had approximately 200 people in attendance. Some suggested having a yearly event at the library.

Mr. Eickhoff wanted the town board to know that the library board will not meet in July or August.

**Planning Board Report:** Jeff Rousell

Comprehensive Plan:

* Engagement w/ Clarkson C3G
  + Proposal from Clarkson C3G was received. Anne and Jeff met with them to suggest changes and their next step is to send us back an updated proposal.
  + They would be contracted via money from the ST. Lawrence Health initiative to facilitate community feedback process and draft a "section" of what could become our future Comprehensive Plan(pedestrian infrastructure and "complete streets" vision...)
* NY Smart Growth Grant Application
  + Jeff has started the application process with guidance from Karen Bage. The deadline is July 28.
  + LaBella Associates has been contacted to get an estimate that could be used to support the application process. They have worked with Long Lake and Indian Lake in recent years to write their Comprehensive Plans. This would in no way tie us to using them -- just meant to provide real-world numbers that are needed for the application.
* Solar Law - we REALLY need to get moving on finalizing this ...  A review from the town’s Attorney has been 6 months now.

Discussion on lease per acre, protecting property values, regulation/promotion, limits on certain capacities, Colton Vol. Fire Dept. considering leasing part of the fireman’s field, and vegetation easement.

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*Cont’ Planning Rep….*

Motion #11

Ms. Fisher made a motion to schedule a public hearing with both boards to help speed things along for this local law, seconded by Mr. Knight.

Ayes 5

Noes 0

Motion carried

**Town Clerk Report:** Jennifer Cole

* Tax collection has come to an end for Colton land taxes. We collected 98% of the taxes in office. The remainder, the county will attempt to collect.
* I have been getting a lot of calls asking about the town wide garage sales. I will be making a list of addresses for garage sale sites. To be added to the list please call the town hall. Last date to be added is July 7th. The list will be ready for pick up at the Colton town hall on July 10th. I will also add the list to the towns Facebook.

**Correspondence:**

Nothing at this time.

**Unfinished Business:**

* Temporary cleaner – 5 applicants – interviewed two - $15.00 per hour, 20 hours per week, no benefits. Ms. Fisher suggested increasing the pay for this position. She suggested $18.00 per hour. Discussion on the rate of pay for professional cleaners.

Motion #12

Mr. Beary made a motion to raise the new temporary cleaners pay to $18.00 per hour, not to exceed 20hours per week, no benefits; seconded by Ms. Fisher.

Ayes 5

Noes 0

Motion carried

Motion #13

Ms. Fisher made a motion to hire Stacey Coleman as the temporary cleaner for the Town of Colton, seconded by Mr. Poste.

Ayes 5

Noes 0

Motion carried

Motion #14

Ms. Fisher made a motion stating that if Mrs. Coleman is unable to accept the job as temporary cleaner the Town of Colton would hire Barb Burcume, seconded by Mr. Beary.

Ayes 5

Noes 0

Motion carried

* Museum ceiling – discussion on quote from Bonno Builders, last month’s meeting, the town’s procurement policy, emergency situation.

Motion #15

Mr. Knight made a motion to hire Bonno Builders and to move forward with the museum ceiling repairs not to exceed $18,200.00, seconded by Ms. Fisher.

Ayes 4

Noes 1 - Beary

Motion carried

**New Business:**

* Lazy Hazy Days of Summer – next meeting is Monday, June 26th at 9:30am. Discussion on what will be at this event. Ms. Fisher stated that there will be a parade, vendors/crafters, a children’s waterslide, a corn hole tournament and a pickle ball tournament, the New Boyces store will have their ice cream truck there, Bakers Sizzling Grill will be cooking burgers, hotdogs, sausages. Ms. Fisher and Supervisor Robert have spoken with local businesses for participation. Mr. Robert asked if the Colton Vol. Fire Dept would be able to be in the parade and possibly have their chicken BBQ? Aaron Johnson, Colton Vol. Fire Dept. Chief, stated they would not be participating due to the Potsdam festival happening the same weekend and with all of the Colton event taking place in S. Colton, they feel no one will come to Colton to purchase the meal. They do plan on having the BBQ on another date.
* Resolution #7-2023 SUPPORT BILL #S7390 TO PREVENT USE OF SUNY CAMPUS HOUSING AS MIGRANT LIVING QUARTERS

**SUPPORT BILL #S7390 TO PREVENT USE OF SUNY CAMPUS HOUSING AS MIGRANT LIVING QUARTERS**

Resolution #7-2023

**WHEREAS,** New York City has been declared a sanctuary city, and

**WHEREAS,** the New York State budget has appropriated $1,000,000.00 to manage the migrant crisis within the confines of NYC, and

**WHEREAS,** the transport of illegal immigrants from NYC to our communities has transpired without our consent, and

**WHEREAS,** the cost and repercussions of the failure of NYC and Governor Hochul to resolve these issues should not be the burden of the taxpayers in St. Lawrence County, and

**WHEREAS,** SUNY campus housing should only be used for student housing, and

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*Cont’ 7-2023 Resolution*

**NOW THEREFORE,** the Town of Colton requests the NYS Legislature and Gov. Hochul prohibit and disallow any placement of illegal immigrants in any NYS buildings that are maintained and subsidized by NYS taxpayers, and

**BE IT FURTHER RESOLVED** that the Town of Colton will disseminate this resolution to all local and state representatives.

Motion #16

Mr. Beary made a motion to accept the above resolution, seconded by Ms. Fisher.

Ayes 4

Noes 1 - Knight

Motion carried

* Replace - Two 4” sections of sidewalk on Rt. 56 by Jenks and two 4” sections of sidewalk by L. Richards. Covered previously.
* July 3rd – Monday – request permission for day off? No, not in the union contract.
* Fireworks for July 15th at the Colton Fireman’s Field.

Motion #17

Ms. Fisher made a motion to approve fireworks for Saturday, July 15th at the fireman’s field, seconded by Mr. Poste.

Ayes 5

Noes 0

Motion carried

Aaron Johnson and Jackie Johnson asked on the progress of possibly having the town help finance a new ambulance for the Colton Vol. Fire Dept. Mrs. Johnson stated that the rescue squad is at the point where they may possibly have to start charging for their services. They are looking into possibly getting funding from Medicaid/Medicare. Mrs. Johnson also stated that the department does not have to provide the town with the department’s financial records if the town requests them. Ms. Fisher then asked to set up a meeting with the Colton Vol. Fire Dept., the town attorney, and the board. No date was set.

**Executive session:**

Motion #18

Ms. Fisher made a motion to close the regular meeting and move into executive session, seconded by Mr. Knight.

Ayes 5

Noes 0

Motion carried

Meeting moved to executive session at 7:59pm.

Ms. Fisher left the meeting due to not feeling well at 8:15pm.

Motion #19

Mr. Knight made a motion to leave executive session at 9:24pm, seconded by Mr. Beary.

Ayes 4

Noes 0

Absent 1 - Fisher

Motion carried

Motion #20

Mr. Poste made a motion to move back to the regular meeting at 9:25pm, seconded by Mr. Knight.

Ayes 4

Noes 0

Absent 1 - Fisher

Motion carried

**New Business:**

The Town of Tupper Lake sent a letter to Supervisor Robert requesting permission to use a portion of the Town of Colton roads for a triathlon they are hosting.

Motion #21

Mr. Beary made a motion to allow the Town of Tupper Lake to use Town of Colton roads for a triathlon they are hosting, seconded by Mr. Poste.

Ayes 4

Noes 0

Absent 1 - Fisher

Motion carried

**Adjournment:**

Motion #22

With no further business to discuss Mr. Beary made a motion to close the regular monthly meeting at 9:37pm, seconded by Mr. Knight.

Ayes 4

Noes 0

Absent 1 - Fisher

Motion carried

Meeting minutes by Colton Town Clerk Jennifer Cole