

# *Town of LeRay*

## Town Board Minutes

January 13, 2022

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### Call to Order

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Proceedings of a Town Board Meeting held at the LeRay Town Municipal Office on January 13, 2022. The meeting was called to order by Supervisor Taylor at 4:00 p.m. who led the room in the Pledge of Allegiance.

### Open Regular Meeting

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Ronald C. Taylor – Supervisor, Melissa L. Verne – Town Clerk, Nathan Toutant – Clerk to Supervisor Board Members in attendance: Samuel Biondolillo, John Eisenhauer, Michael Gracey, Lee Carpenter, Lee Shimmel – Zoning Enforcement Officer, Joseph Russell – Town Attorney, Jessica Jenack – Community Development Coordinator, William Vargulick – Town Assessor, Dan Young – Highway Superintendent, and Mike Altieri – Town Engineer.

### Approval of Minutes

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The minutes from the meeting held on December 9, 2021, were reviewed by the Board Members. A motion to approve the minutes as drafted was made by Councilman Eisenhauer and seconded by Councilman Carpenter.

The vote went as follows:

Ayes: 5    Nays: 0

The motion passed.

The Town Supervisor asked if there were any comments from the floor, to which there were none.

### Report from Dan Young, Highway Superintendent

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Mr. Young said the new truck they had ordered in November of 2020, should arrive sometime in February, and would have taken sixteen (16) months to come in. Mr. Young said the next truck would most likely take two (2) years to arrive and asked for permission to get prices on ordering a new truck for 2024 in order to get ahead of the waiting. The Board authorized Mr. Young to check on pricing and get quotes to put before the board for the next meeting.

**Public Hearing was held at 4:10 p.m. on proposed Local Law #1-2022** to hear comments on water and sewer rates for the year 2022 as follows:

#### **Water District #1 – Effective February 1, 2022**

\$0.00370 per gallon charge for metered water usage and a 3% per quarter penalty after 30 days from billing date.

#### **Water District #2 – Effective January 1, 2022**

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\$0.00370 per gallon charge for metered water usage and a 3% per quarter penalty after 30 days from billing date.

**Water District #3** – Effective March 1, 2022

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\$0.01084 per gallon charge for metered water usage and a 3% per quarter penalty after 30 days from billing date.

**Water District #4** – Effective March 1, 2022

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\$0.00370 per gallon charge for metered water usage and a 3% per quarter penalty after 30 days from billing date.

**Sewer District #1** – Effective January 1, 2022

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A minimum charge of \$15.00 for usage up to and including the first 1,980 gallons based on metered water usage bill quarterly. Usage exceeding 1,980 gallons is charged at \$0.00760 per gallon sewer rate and a 3% per quarter penalty after 30 days from billing date.

**Sewer District #2** – Effective March 1, 2022

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A minimum charge of \$15.00 for usage up to and including the first 1,990 gallons based on metered water usage bill quarterly. Usage exceeding 1,990 gallons is charged at \$0.00768 per gallon sewer rate and a 3% per quarter penalty after 30 days from billing date.

**Sewer District #3** – Effective February 1, 2022

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A minimum charge of \$60.25 for usage up to and including the first 12,500 gallons based on metered water usage bill quarterly. Usage exceeding 12,500 gallons is charged at \$0.00300 per gallon sewer rate and a 3% per quarter penalty after 30 days from billing date.

**Sewer District #4** – Effective March 1, 2022

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A minimum charge of \$48.00 for usage up to and including the first 12,500 gallons based on metered water usage bill quarterly. Usage exceeding 12,500 gallons is charged at \$0.00300 per gallon sewer rate billed quarterly and a 3% per quarter penalty after 30 days from billing date.

Mr. Taylor asked if there were any comments, hearing none, the Public Hearing was closed.

A motion was made by Councilman Carpenter and seconded by Councilman Eisenhower to approve the Local Law #1-2022 Water and Sewer Rates as presented.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

**Report from Jessica Jenack, Community Development Coordinator**

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Mrs. Jenack said the Planning Board had approved the final site plans for their two (2) proposed car wash's; Tommy's Express Car Wash and Classy Chassy Car Wash. Mrs. Jenack said staff would be meeting with Mr. Lundy on January 17, 2022, to discuss his proposed 10-lot Subdivision to be located along U.S. Route 11 and Herrick Drive. Mrs. Jenack said the Stormwater Coalition met virtually; dues had been reduced to

\$500.00. Councilman Carpenter asked how much money was in that account to which Mrs. Jenack said there was \$165,000. A discussion ensued as to what the money could and should be used for.

### **Report from Lee Shimel, Zoning Enforcement Officer**

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Mr. Abbey submitted a request asking for a law change to permit freestanding signs in an R-1. A discussion ensued on zoning and laws on the signs. Mr. Russell said maybe the R-1 District needed to be readdressed and suggested the issue needed to go to the Planning Board for their review.

A motion was made by Councilman Biondolillo and seconded by Councilman Gracey to send the request from Mr. Abbey to the Planning Board to recommend to the Town Board their decision or recommendation.

The vote went as follows:

Ayes: 5    Nays: 0

The motion passed.

Mr. Shimel also asked for a \$25.00 refund for Robert Briscue for overpayment on a Sign Permit.

A motion was made by Councilman Eisenhower and seconded by Councilman Gracey to refund Mr. Briscue the \$25.00

The vote went as follows:

Ayes: 5    Nays: 0

The motion passed.

Jared Sonett and Joe Fiori, two (2) representatives from NexAmp attended virtually to discuss community solar and potential cost savings opportunities. They gave a presentation on solar credits and how they worked to offset annual electricity costs. Board Members were given the opportunity to ask questions and after the virtual teleconference ended, the Board Members discussed the pros and cons.

Mr. Altieri introduced the Town Board to Chris Carey, who was retired from the Army and currently an intern working with BCA. Mr. Carey gave the Board a little background on himself and what he is doing with BCA. Mr. Altieri updated the Board on the progress of the Highway Garage Project. Overhead Door and the gas line installation is complete.

The Town of LeRay had received \$1.25 million in Community Development Block Grant (CDBG) funding to extend the Consolidated Water District. BC&A and G&G both recommend that LeRay Contract with G&G to administer the CDBG funding due to the complexity and rigorous administrating task.

A motion was made by Councilman Eisenhower and seconded by Councilman Gracey that the Town of LeRay contract with G&G Municipal Consulting & Grant Writing to administer the Community Development Block Grant. All fees are not to exceed Community Development Block Grant and NYS Homes and Community Renewal limits.

The vote went as follows:

Ayes: 5    Nays: 0

The motion passed.

Mr. Altieri also spoke about the Carey Well Project and said that Steve Marshall was going to be asked to do additional testing at Carey Well. Mr. Altieri anticipates the pipeline replacement will be ready to bid in February and Carey Well in March.

A motion was made by Councilman Eisenhower and seconded by Councilman Carpenter to start the bidding process for the pipeline in February and Carey Well in March.

The vote went as follows:

Ayes: 5    Nays: 0

The motion passed.

Mr. Altieri said the construction on the Water Tower Project, LeRay II, would be shut down until spring.

**Report from Steve Marshall, DANC**

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Mr. Marshall discussed the Ryor Well and said there was not as sufficient of water as there once was. Mr. Marshall also said he repaired several hydrants and found two (2) more broken hydrants, Route 3 and Woodcliff.

Mr. Marshall said for the Lundy property, there was a 2-inch water main near Freedom Plaza that nothing had been done with. The waterline is uncapped and sticking out of the ground. Mr. Marshall inquired if this issue should be brought before the Planning Board and addressed as part of Mr. Lundy’s subdivision project.

**Report from William Vargulick, Town Assessor**

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Mr. Eisenhower asked Mr. Vargulick about Veterans exemptions to which he replied that some have exemptions that did not have a veteran living in their home. Mr. Eisenhower suggested checking on exemptions every 3 years or so to which Mr. Vargulick did not agree to having a set timeframe but was willing to follow up on his own as necessary.

A motion was made by Councilman Carpenter and seconded by Councilman Gracey that Abstract #1 vouchers 1869-1872 / 1-153 in the amount of \$471,875.23 be paid from the following accounts:

	<b>Cash Balances as of December 31, 2021</b>		<b>Current Month Abstract 1</b>	
<b>General Fund</b>	\$	2,900,242.18	\$	55,075.37
<b>Highway Fund-Town wide</b>	\$	738,621.70	\$	23,538.69
<b>Highway Fund-Town Outside</b>	\$	388,999.48	\$	1,288.97
<b>Expendable Trust</b>	\$	787.37	\$	0.00
<b>Consolidated Water District</b>	\$	1,469,313.47	\$	20,179.95
<b>Water District # 3</b>	\$	12,741.80	\$	160.58
<b>Sewer District # 1</b>	\$	294,031.18	\$	2,985.54
<b>Sewer District # 2</b>	\$	21,905.88	\$	1,520.86
<b>Sewer District # 3</b>	\$	27,594.50	\$	13,731.94
<b>Sewer District # 4</b>	\$	219,412.61	\$	509.24
<b>Capital Project # 1 (Taylor Rd)</b>	\$	113,012.60	\$	0.00

<b>Capital Project # 2 (Water Dist. 4)</b>	\$	0.00	\$	0.00
<b>Capital Project # 3 (Sewer Dist. 1)</b>	\$	119,138.12	\$	0.00
<b>Capital Project # 3A (Sewer Dist. 4)</b>	\$	0.00	\$	0.00
<b>Capital Project # 4W (Water 2 Imp)</b>	\$	-3,682.26	\$	108,876.97
<b>Capital Project # 5 (Highway Fac.)</b>	\$	852,052.81	\$	239,838.56
<b>Trust &amp; Agency</b>	\$	21,897.00	\$	4,168.56

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Carpenter and seconded by Councilman Biondolillo that the Evans Mills KeyBank Branch and Black River Community Bank Branch be designated as the depositories for the Town of LeRay for the year 2022.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Carpenter and seconded by Councilman Gracey that the schedule of salary payments be paid bi-weekly during the year 2022 with the exception of the Town Board and Planning Board which would be paid on a quarterly basis.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Carpenter and seconded by Councilman Gracey that the Watertown Daily Times be designated as the official newspaper for the Town of LeRay for the year 2022.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Carpenter and seconded by Councilman Gracey that the Evans Mills KeyBank branch be designated as the depository for the Town Tax Collector for the year 2022.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Carpenter and seconded by Councilman Biondolillo. Resolved, to approve the blanket undertaking bond covering all Town Employees as required by Section 25 of the Town Law, and it is further Resolved, that Town Justices are specifically covered under said Blanket Undertaking, as required by Public Officers Law Section 112.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Gracey and seconded by Councilman Carpenter that Lee Shimel be appointed Constable for the year 2022.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Gracey and seconded by Councilman Carpenter that the 2021 report of the Town Clerk was presented and examined, her monies turned over to the proper officials and that the detailed statement has been examined and filed.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Gracey and seconded by Councilman Carpenter to appoint Mary E. Hebert as 1st Deputy Town Clerk for the year 2022.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Carpenter and seconded by Councilman Biondolillo that Melissa L. Verne be appointed Registrar of Vital Statistics and Mary E. Hebert be appointed as Deputy Registrar of Vital Statistics for the year 2022.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Eisenhauer and seconded by Councilman Gracey that Nathan Toutant be appointed as official delegate and Melissa L. Verne be alternate to attend the Association of Towns Meeting.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Eisenhauer and seconded by Councilman Gracey to appoint Samuel Biondolillo as Deputy Supervisor for the year 2022.

The vote went as follows:

Ayes: 4 Nays: 0

Councilman Biondolillo Abstained.

The motion passed.

A motion was made by Councilman Carpenter and seconded by Councilman Gracey that the mileage for Town business will be the allowable IRS rate (58.5 cents).

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Biondolillo and seconded by Councilman Carpenter to appoint Lee Shimel as ZEO for the year 2022.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Carpenter and seconded by Councilman Eisenhauer to appoint Deborah Biondolillo as the Planning Board Chairman for the year 2022.

The vote went as follows:

Ayes: 4 Nays: 0

Councilman Biondolillo Abstained.

The motion passed.

A motion was made by Councilman Eisenhauer and seconded by Councilman Gracey to appoint Thomas Moran to the Planning Board, term to expire 12/31/2028.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Carpenter and seconded by Councilman Gracey to appoint David Mushtare to the ZBA board, his term to expire 12/31/2024.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Biondolillo and seconded by Councilman Eisenhauer to appoint Jan Oatman as the Zoning Board of Appeals Chairman for the year 2022.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Gracey and seconded by Councilman Carpenter that the Board approve salaries for Town Officials as set forth, effective January 1, 2022.

Supervisor	\$	\$30,000
Town Clerk/Tax Collector	\$	41,000
Deputy Town Clerk	\$	38,000
Highway Superintendent	\$	74,000
Town Board (4)	\$	6,500
Admin Clerk to Supervisor	\$	80,000
Assessor	\$	44,350
Justice (2) @	\$	20,000
Confidential Clerk to Justice	\$	38,000
Confidential Clerk to Justice #2	\$	38,000
Court Attendant	\$	20.00/ hr.
Zoning Officer	\$	20,500
Zoning Board Chair	\$	3,900
Board Members (4)	\$	1,950
Planning Board Chairman	\$	9,800
Planning Board Vice Chairman	\$	5,300
Planning Board Member (6)	\$	3,400
Part-Clerk to Planning Board	\$	20.00/ hr.
Community Devel. Coordinator	\$	35,000
BAR (3)	\$	350

The vote went as follows:

Ayes: 5    Nays: 0

The motion passed.

A discussion was started by Councilman Eisenhower on creating a full-time Planning Board and ZBA Clerk position. Mr. Russell will contact the County Attorney regarding the description of duties.

The Town Board received a Thank You Card from Mary C. Smith, Retired Town Clerk, for the award and gift cards given to her at the December Board Meeting.

Councilman Eisenhower questioned whether the dog licensing fees we charge actually covers the dog control sheltering cost and began a discussion on potentially increasing our fees. Mr. Russell will write up a local law to introduce and increase in fees for next month's meeting.

### **Report from Nathan Toutant, the Clerk to the Supervisor**

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Mr. Toutant said auditors were here finishing up the 2020 audit and had started the 2021 audit. Mr. Toutant gave an update on the Briant Property. The gas line for the highway garage was being ran through the Briant Property, which would save the Town money.

Mr. Toutant discussed SBA Towers, LLC, which was the company that held the lease located on top of the Town's water tower. The Town received rent from the towers and it averages \$27,000-\$28,000 a year, which went into the Consolidated Water District.

Mr. Toutant reported that the employee handbooks had been updated.

Mr. Toutant said evidence was being gathered by the DEC on an alleged illegal dumping on James Street in the housing there. A dump trailer was used, and someone dumped belongings of a renter which the Town



took care of, costing approximately \$700. No charges had been made to the alleged person, but evidence was being put together and being taken to court.

Mr. Toutant had updated quotes on security and presented several different quotes to the Board, with different options. The Board discussed all options presented.

A motion was made by Councilman Eisenhower and seconded by Councilman Gracey to Accept NCC systems quote #17785 for panic buttons in the amount of \$2,021.09.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Gracey and seconded by Councilman Eisenhower to go into Executive session for a personnel issue at 7:30 pm.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion made by Councilman Eisenhower and seconded by Councilman Gracey to come out of Executive session at 7:40pm.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

A motion was made by Councilman Eisenhower and seconded by Councilman Taylor to deny Ed Stevens letter request.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

Motion was made by Councilman Gracey and seconded by Councilman Carpenter to adjourn the town board meeting at 7:45pm.

The vote went as follows:

Ayes: 5 Nays: 0

The motion passed.

Respectfully given:

*Melissa L. Verne*

Melissa L. Verne

LeRay Town Clerk