

Town of LeRay

Town Board Minutes

July 11, 2024

Call to Order

Proceedings of a Town Board Meeting held at the LeRay Town Municipal Office on July 11, 2024. The meeting was called to order at 4:00 p.m. by Supervisor Carpenter who led the room in the Pledge of Allegiance.

Open Regular Meeting

Leland J. Carpenter – Supervisor, Melissa L. Verne – Town Clerk, Nathan Toutant – Clerk to Supervisor, Board Members in attendance: Samuel Biondolillo – Absent, Michael Gracey – Absent, Merle Otis, Patrick O’Donnell – Absent, James Burrows – Town Attorney – Absent, Jessica Jenack – Community Development Coordinator – Absent, Lee Shimel – Zoning Enforcement Officer, William Vargulick – Town Assessor – Absent, Dan Young – Highway Superintendent, Michael Altieri – Town Engineer, Kenny Kizzer – DANC – Absent

Approval of Minutes

The minutes from the meeting held on June 13 & June 27, 2024, were reviewed by the Board Members. A motion to approve the minutes as drafted was made by Councilman Biondolillo and seconded by Councilman Gracey.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

Comments from the Floor

Nick Czerow from the Evans Mills Speedway gave the Board a printed version of a slideshow to explain all the events that the speedway holds throughout the year.
Tim Titus from Aubertine and Currier spoke on behalf of the Calcium Fire Department regarding abandoning Stalder road for their new Fire Dept project off of Route 11.

Report from Highway Superintendent – Dan Young

Mr. Young gave his monthly report on the work done. There is a hole in Joacim Road culvert and the Highway has temporarily fixed it. A sweeper has been booked for next year from April 28 through May 30, 2025 to comply with MS4.

Report from Community Development Coordinator – Jessica Jenack – Absent

A draft Local Law for Battery Energy Storage was reviewed by the Town Board and was decided to be referred to the Planning Board for their review.

A motion was made by Councilman Biondolillo and seconded by Supervisor Carpenter to refer the introduced Local Law for Battery Energy Storage to the Planning Board for their review.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

An Emergency Response Plan is required by NYSDEC for MS4 areas. Jessica Jenack has provided the Town Board with a copy for review, as well as the Town’s Attorney Jim Burrows. The Board is awaiting a response from Mr. Burrows’ review of the Plan before adoption.

Report from the Town Engineer – Mike Altieri

Mr. Altieri reported that the Town has received a letter of approval for the CDBG (Community Development Block Grant) extension for the Route 11 Water extension project. Mr. Altieri discussed with the Board a bid schedule for the Highway Garage improvements. Mr. Altieri would like to get bids by August 1, 2024 so that a contract can be awarded at the next board meeting on August 8, 2024. The Wewer project has been on hold for DEC violations.

Report from the Zoning Enforcement Officer – Lee Shimel

Mr. Shimel reported on projects in process for Planning and Zoning. The Planning Department is currently waiting for payment by check for the Developer Agreement with National Grid. Mr. Shimel reported on several subdivisions before the Planning Board. The property at 24281 US Route 11 has cleaned up the property but still not all the way in compliance, a letter was sent. The property on Route 342 near the railroad tracks has all cleaned up their property.

Report from the Town Clerk – Melissa L. Verne

TextMyGov Flyer’s were mailed with July’s water/sewer billing. The Clerk found three (3) water bills that have been incorrectly underbilled since 2017. All water reads are multiplied by 1000 and these three (3) bills have been multiplied by 100, resulting in these accounts only paying 10 percent of their actual usage. A letter has been mailed to each of the owners in regard to this finding. The current billing for July was corrected and going forward will be correct, the Town will not require repayment for the underbilled amounts.

	Cash Balances as of June 30, 2024		Current Month Abstract 7	
General Fund	\$	3,760,592.11	\$	61,396.75
Highway Fund-Town wide	\$	890,856.93	\$	17,120.30
Highway Fund-Town Outside	\$	356,993.63	\$	126,301.82
Expendable Trust	\$	791.71	\$	0.00
Consolidated Water District	\$	2,091,505.18	\$	68,857.28
Water District # 3	\$	6,977.84	\$	30.00
Sewer District # 1	\$	670,324.62	\$	3,014.54
Sewer District # 2	\$	50,314.55	\$	994.50
Sewer District # 3	\$	15,278.22	\$	1,853.18
Sewer District # 4	\$	375,846.17	\$	379.83
Capital Project # 3 (Sewer Dist. 1)	\$	135,075.35	\$	0.00
Capital Project # 4W (Water 2 Imp)	\$	0.00	\$	0.00
Capital Project # 5 (Highway Fac.)	\$	0.00	\$	0.00
Trust & Agency	\$	59,570.00	\$	10,671.27

A motion was made by Supervisor Carpenter and seconded by Councilman Otis that Abstract #7 vouchers 903-1006 in the amount of \$29,592.47 be paid from the above accounts.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

The following was presented to the Board for authorization:

To: Town Clerk
From: Larry G. Covell/ Cheryl A. Clark, Town Justice
Re: Application for funding from the Justice Court Assistance Program
Date: 07/08/2024

The Town Court is requesting authorization from the Town Board to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle. One required component of that application is a Resolution from the Town Board authorizing the Town Court to apply for this funding.

The Office of Court Administration will not accept the court's application unless the Resolution incorporates one of the following two options EXACTLY as written below:

Option # 1 (chosen)

"The Board of the Town of LeRay authorizes the LeRay Town Court to apply for a JCAP grant in the 2024-2025 grant cycle up to \$30,000.00."

A motion was made by Supervisor Carpenter and seconded by Councilman Otis that the Board of the Town of LeRay authorizes the LeRay Town Court to apply for a JCAP grant in the 2024-2025 grant cycle up to \$30,000.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

A motion was made by Councilman Biondolillo and seconded by Supervisor Carpenter to set a Public Hearing for August 8th 2024 at 4:00 p.m. to consider a Local Law to establish a Townwide Six (6) month Moratorium for all Renewable Energy Facilities and Battery Energy Storage Systems.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

A motion was made by Councilman Biondolillo and seconded by Councilman Gracey to set a Public Hearing for August 8th 2024 at 4:05 p.m. to consider a Local Law to address Deputy Highway Superintendent residency.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

A motion was made by Councilman Gracey and seconded by Councilman Biondolillo to have Supervisor Carpenter sign the Shared Services Agreement for Snow and Ice Removal.

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

A motion was made by Supervisor Carpenter and Councilman Biondolillo to go into Executive session at 5:39 p.m. for ongoing litigation.

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

A motion was made by Supervisor Carpenter and seconded by Councilman Otis to come out of Executive session back into Regular session at 5:58 p.m.

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

A motion was made by Councilman Biondolillo and seconded by Councilman Gracey to purchase the Black River Police Department a tablet in the amount of \$2,350.00.

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

A motion was made by Councilman Gracey and seconded by Councilman Otis to have Supervisor Lee Carpenter to sign the Business Terms Agreement with Tillman Infrastructure.

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

A motion was made by Councilman Biondolillo and seconded by Councilman Gracey to adjourn this meeting, at 6:13 p.m.

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

Respectfully given:

Melissa L. Verne

Melissa L. Verne, LeRay Town Clerk