

# Town of LeRay

## Town Board Minutes

October 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 October 13, 2022. The meeting was called to order at 4:00 p.m. by Supervisor Taylor 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, Joseph Russell – Town Attorney- Absent, Jessica Jenack – Community Development Coordinator, Lee Shimel – Zoning Enforcement Officer, William Vargulick – Town Assessor, Dan Young – Highway Superintendent, Timothy Barber – Town Engineer, Steve Marshall – DANC. Additionally present – Deb Biondolillo, Randy Lake, & Patrick O'Donnell

### Approval of Minutes

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The minutes from the meeting held on September 8, 2022, were reviewed by the Board Members. A motion to approve the minutes as drafted was made by Councilman Eisenhauer and seconded by Councilman Biondolillo.

The vote went as follows:			
Ayes:	5	Nays:	0
The motion passed.			

### Comments from the Floor

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Mr. Lake asked to speak before the Town Board on the upcoming relevy for water and sewer charges. Clerk Verne had informed him on recently. Mr. Lake made it known to the Board where he stood on his tenant's bills being relevied onto his property taxes. The Board made it known that those on the relevy list who did not pay their water and sewer bills as of October 24<sup>th</sup>, 2022 would be relevied onto the property taxes. Mr. Lake agreed with a Board member that it would be more accurate for him to keep track of past due accounts if he would receive all bills, his tenants paid him, and he then paid the Town.

A motion was made by Councilman Biondolillo and seconded by Councilman Eisenhauer to shut off water to all parcels currently on the relevy list, and for those water and sewer charges left unpaid as of October 24<sup>th</sup>, would then be relevied on the Town & County Taxes for 2023 as follows:

Jonathan Brophy	Water District #1	114.33
	Sewer District #3	116.13
	Total	230.46
Marion Lancor	Water District #1	53.00
	Sewer District #3	244.62
	Total	297.62
Tyrone Hairston	Water District #1	218.27
	Sewer District #3	259.79
	Total	478.06
Robert Decker	Water District #1	315.28
	Sewer District #3	344.6
	Total	659.88
David Tweedy	Water District #1	261.69
	Sewer District #3	298.88
	Total	560.57
GCR NY LLC Lot #218	Water District #4	74.41
	Sewer District #4	71.79
	Total	146.2
Meredith Graveline	Water District #1	141.01
	Sewer District #3	161.19
	Total	302.2
Kenneth Fassett	Sewer District #3	95.78
Ross & April Pixler	Water District #1	164.69
	Sewer District #3	246.12
	Total	410.81
Joseph Gaffney	Water District #1	1965.14
	Sewer District #3	1774.43
	Total	3739.57
Tammy Gallaher	Water District #1	263.81
	Sewer District #3	317.29
	Total	581.1
Tim Garnsey	Water District #1	1093.76

	Sewer District #3	921.97
	Total	2015.73
Joseph Parker	Water District #1	143.19
	Sewer District #3	179.8
	Total	322.99
Brad Sholette	Water District #1	8.1
	Sewer District #3	142.52
	Total	150.62
Phillip Kane	Sewer District #3	365.12
Carl Culbertson	Water District #1	171.49
	Sewer District #3	185.91
	Total	357.4
George Giannetti	Water District #1	170.12
	Sewer District #3	162.05
	Total	332.17
Black River Drive-in Inc	Water District #1	171.5
	Sewer District #3	162.48
	Total	333.98
James & Judy Goodman	Water District #1	156.56
	Sewer District #3	244.62
	Total	401.18
Douglas Day	Water District #1	225.93
	Sewer District #3	277.26
	Total	503.19
Heather Gordinier	Water District #1	49.36
	Sewer District #3	184.37
	Total	233.73
Caleb Padgett	Water District #1	93.84
	Sewer District #3	123.71
	Total	217.55
Marjun Malvas	Water District #2	110.4
	Sewer District #1	240.29
	Total	350.69

Rickie Seymour	Water District #4	122.84
Jose' Marrero	Water District #4	231.04
	Sewer District #4	274.78
	Total	505.82
Roger Melendez-Rodriques	Water District #4	144.11
Joshuah Wells	Water District #4	468.73
Timothy Gonseth	Water District #4	119.48
Zachery Makres	Water District #4	151.21
Michael Cowan	Water District #4	381.25
Jeff Kimple	Water District #4	201.34
Marisol Vazquez	Water District #4	128.94
Edith Zapata	Water District #4	138.95
GCR NY LLC Lot #222	Water District #4	730.09
	Sewer District #4	675.28
	Total	1405.37
GCR NY LLC Lot #230	Water District #4	101.98
	Sewer District #4	118.42
	Total	220.4
GCR NY LLC Lot #53	Water District #4	522.43
	Sewer District #4	502.25
	Total	1024.68
GCR NY LLC Lot #8	Water District #4	167.68
	Sewer District #4	193.13
	Total	360.81
GCR NY LLC Lot #31	Water District #4	490.4
	Sewer District #4	499.78
	Total	990.18
	<b>Total</b>	<b>\$ 19,450.71</b>

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 gave her monthly report. The Planning Board had a Public Hearing October 3<sup>rd</sup> for a preliminary/final review of a subdivision. Also discussed LeRoy Burnham site plan extension letter. The Comprehensive Planning Committee meeting was held on October 17<sup>th</sup>, 2022 at 1:00 p.m. The Planning Board has proposed a zoning update on Retail Convenience, a Local Law would have to be drafted for the update.

### **Report from Dan Young, Highway Superintendent**

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Mr. Young reported on Highway worked completed. Mr. Young updated the Board on pickup trucks, where the town is on the list and prices. Tandem axle Volvo will be available sooner than expected, they may want a letter of intent by December 2022. Mr. Young gave a rough estimate he was quoted to put steel siding on the old highway barn for about \$35,000, to give it a facelift.

A motion was made by Councilman Eisenhauer and seconded by Councilman Biondolillo to have Supervisor Ronald C. Taylor sign the Memorandum of Agreement with Teamsters Local 687 as presented.

The vote went as follows:			
Ayes:	5	Nays:	0
The motion passed.			

### **Report from Timothy Barber, Town Engineer**

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Mr. Barber gave the Board an update on all projects currently in progress. The driveway paving has been done at the LeRay II water tower and the chain link fence will be installed within the month. The Pipeline improvement project is waiting on the easement, construction should begin by the end of October and be complete by the spring of 2023. The Consolidated water project design has been completed and will go out to bid in 2023. The Briant house purchased in the Village of Evans Mills is waiting on an abatement plan for the asbestos.

### **Report from Steve Marshall, DANC**

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Mr. Marshall gave his monthly report. Two (2) new fire hydrants were installed by North Country, one on Virginia Smith Drive and one near Candlewood, as they could not be repaired. DOF well needed a motor starter, and it took three (3) days to find one, it is back online but during the LeRay II tank fill it had to be shut off 3 times. Mr. Marshall worked overtime to make sure and get the tank filled and to monitor it. A curb stop had to be fixed in Water District 3 for Terry Zimmer as he requested to have his water turned off. Water District 4 was read but many had to be reread by hand due to defects in the radios. Every well that is in LeRay except for Irving and DOF are on a system that can read the depth of the well. Mr. Marshall would like to update these two (2) wells with VFD's (variable frequency devices). A VFD would allow the Town to operate the well pump at a lower speed when experiencing low water levels.

**Report from Lee Shimel, Zoning Enforcement Office**

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Mr. Shimel reported that the ZBA met October 5<sup>th</sup> and Jenkins Solar was approved for there area variance. In November the ZBA will have 2 more area variances presented to them.

**Report from William Vargulick, Town Assessor**

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Mr. Vargulick reported on litigations that are ongoing. He also brought to the boards attention a home that was classified wrong and wanted some guidance on what to do.

**Report from Melissa L. Verne, Town Clerk**

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	Cash Balances as of September 30, 2022		Current Month Abstract 10	
<b>General Fund</b>	\$	3,492,671.41	\$	51,998.65
<b>Highway Fund-Town wide</b>	\$	921,585.79	\$	30,879.38
<b>Highway Fund-Town Outside</b>	\$	450,015.52	\$	68,949.95
<b>Expendable Trust</b>	\$	787.43	\$	0.00
<b>Consolidated Water District</b>	\$	1,790,260.57	\$	48,612.28
<b>Water District # 3</b>	\$	857.61	\$	351.20
<b>Sewer District # 1</b>	\$	293,039.20	\$	10,814.45
<b>Sewer District # 2</b>	\$	63,348.68	\$	2,153.61
<b>Sewer District # 3</b>	\$	30,482.78	\$	12,856.31
<b>Sewer District # 4</b>	\$	315,467.76	\$	812.70
<b>Capital Project # 1 (Taylor Rd)</b>	\$	9,841.81	\$	9,814.63
<b>Capital Project # 2 (Water Dist. 4)</b>	\$	0.00	\$	0.00
<b>Capital Project # 3 (Sewer Dist. 1)</b>	\$	119,147.23	\$	0.00
<b>Capital Project # 3A (Sewer Dist. 4)</b>	\$	0.00	\$	0.00
<b>Capital Project # 4W (Water 2 Imp)</b>	\$	-3,679.38	\$	784,440.46
<b>Capital Project # 5 (Highway Fac.)</b>	\$	0.34	\$	2,446.49
<b>Trust &amp; Agency</b>	\$	21,897.00	\$	5,955.54

A motion was made by Councilman Biondolillo and seconded by Councilman Gracey that Abstract # 10, vouchers 1299-1447 in the amount of \$1,030,085.65 be paid from the above accounts.

The vote went as follows:			
Ayes:	5	Nays:	0
The motion passed.			

Clerk Verne reported that she had finished up with the EDU count, gave them to Mr. Toutant, and they will be sent to the County for the 2023 property taxes. As previously stated, the relevy list for past due water and sewer charges had been compiled, those that did not pay before October 24<sup>th</sup> will be relevied. Clerk Verne went to the County on September 28<sup>th</sup> for training on the new tax software.

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

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Mr. Toutant went over with the Board the changes he made to the 2023 Town Budget based off what was discussed at the October Budget Work session. The Board discussed adding three (3) poles and two (2) lights into the budget.

A motion was made by Councilman Biondolillo and seconded by Councilman Eisenhauer to set a public hearing for November 3, 2022, at 4:05 p.m. to hear comments on proposed Fire and Ambulance contracts for the year 2022 as follows: Black River Ambulance Squad \$45,800, Evans Mills Volunteer Ambulance Squad \$57,500 Black River Fire Department \$111,647, and Pamela Fire Department \$18,034.

The vote went as follows:			
Ayes:	5	Nays:	0
The motion passed.			

A motion was made by Councilman Eisenhauer and seconded by Councilman Biondolillo that the board does hereby approve the Preliminary Budget for the Town for the year beginning January 1, 2023, as amended. The Preliminary budget is available for inspection as filed with the Town Clerk during regular business hours.

The vote went as follows:			
Ayes:	5	Nays:	0
The motion passed.			

A motion was made by Councilman Biondolillo and seconded by Councilman Eisenhauer that the board set a public hearing for November 3, 2022, to immediately follow the fire and ambulance public hearing, to hear comments on the Preliminary Budget for the year 2023.

The vote went as follows:			
Ayes:	5	Nays:	0
The motion passed.			

A motion was made by Councilman Biondolillo and seconded by Councilman Gracey to have Supervisor Ronald C. Taylor sign the CDBG Budget Modification form.

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 pass the financial resolutions to modify the 2022 Town Budget as follows:

1. Increase revenue account 2300.4 Highway Fund DB Transportation Services in the amount of \$59,500 and increase the following appropriation accounts:

51101.4 General Repairs PS                      \$ 55,000

90308.4 Social Security-Town Share    \$ 4,500

2. Appropriate \$9,240 from 83204.82 Source Pump CE to 99509.82 Transfer to Capital Projects.
3. Authorize the Supervisor to transfer \$9,240 from 99509.82 Transfer to Capital Projects into Consolidated Water Districts Improvements Capital Project Fund 5031.56 Interfund Transfer.

The vote went as follows:			
Ayes:	5	Nays:	0
The motion passed.			

Mr. Toutant updated the Board on the independent investigation, Attorney Gilbert was onsite at the Town Offices on October 6<sup>th</sup> to discuss allegations with some employees that had firsthand knowledge. Attorney Gilbert will be reaching out to others to continue his investigation.

A motion was made by Supervisor Taylor and seconded by Councilman Carpenter to adjourn the meeting at 6:53 p.m.

The vote went as follows:			
Ayes:	5	Nays:	0
The motion passed.			

Respectfully given:  
*Melissa L. Verne*  
Melissa L. Verne  
LeRay Town Clerk