

Town of LeRay

Town Board Minutes

October 12, 2023

Call to Order

Proceedings of a Town Board Meeting held at the LeRay Town Municipal Office on October 12, 2023. 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

Attendance: Ronald C. Taylor – Supervisor, Samuel Biondolillo – Councilman, John Eisenhauer – Councilman, Michael Gracey – Councilman, Lee Carpenter – Councilman, Melissa L. Verne – Town Clerk, Nathan Toutant – Clerk to Supervisor, James Burrows – Town Attorney, Jessica Jenack – Community Development Coordinator, Lee Shimel – Zoning Enforcement Officer, Dan Young – Highway Superintendent, Mike Altieri – Town Engineer, Kenny Kizzer – DANC, William Vargulick – Town Assessor Also in attendance: Merle Otis and Patrick O'Donnell.

Approval of Minutes

The minutes from the meeting held on September 14, 2023, were reviewed by the Board Members. A motion to approve the minutes as drafted was made by Councilman Carpenter and seconded by Councilman Gracey.

The vote went as follows:

Ayes: 5	Nays: 0
---------	---------

The motion passed.

Comments from the Floor

No Comments

Public Hearing scheduled at 4:05 p.m. for Local Law #7: to override the tax cap for the upcoming fiscal year.
--

Supervisor Taylor opened the Public Hearing at 4:13 p.m. Supervisor Taylor asked Clerk Verne to read the Public Hearing Notice as published in the Watertown Daily Times on September 25, 2023. Supervisor Taylor then asked if there were any comments from the floor. No comments were made.

A motion was made by Councilman Biondolillo and seconded by Councilman Gracey to close the Public Hearing.

The vote went as follows:

Ayes: 5	Nays: 0
---------	---------

The motion passed.

RESOLUTION #17 OF 2023
ADOPTING LOCAL LAW #7 of 2023
Enact a Local Law to Override Tax Cap

WHEREAS, the Town Board for the Town of LeRay, New York has devoted considerable time and attention to budgetary issues for the upcoming fiscal year; and

WHEREAS, the Town Board intends to adopt legislation to provide greater financial flexibility during budget deliberation, if needed.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board for the Town of LeRay, New York as follows:

1. The forgoing recitation is incorporated herein and made a part hereof as if set forth hereafter.
2. The Town Board hereby enacts the Local Law to Override the Tax Levy Limit as being in the best interests of the Town of LeRay.
3. The Supervisor for the Town of LeRay and the Town Clerk for the Town of LeRay, their respective agents and employees are authorized to sign all documents and take all steps necessary to enact this legislation.
4. This Legislation shall be filed with the New York State Department of State.
5. This Resolution shall take effect immediately.

The foregoing Resolution was offered by **Board Member Eisenhauer**, and seconded by **Board Member Gracey**, and upon roll call vote of the Board was duly adopted as follows:

Supervisor Ronald C. Taylor	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Michael J. Gracey	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Samuel J. Biondolillo	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John W. Eisenhauer	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Leland J. Carpenter	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Dated: October 12, 2023

Melissa L. Verne, Town Clerk

Report from the Town Engineer

Mr. Barber reported on projects currently going on in the Town. The LeRay II Pipeline project has finished up and final payment was recommended. Updates on well development were provided, on the LeRay II tank site and Northstar. The Consolidated Water District Extension is still waiting on the Department of Transportation for the Right of Way for this project. The CDBG funding will need an extension due to the delay in the project. A meeting is scheduled for October 16, 2023 for Sewer District 1, I & I study with the Town, including Kenny Kizzer and Steve Marshall.

Report from Highway Superintendent – Dan Young

Mr. Young gave his monthly report. Mr. Young stated that a new hire for the Highway Department started on September 19, 2023 and another new hire will start on October 23, 2023.

A motion was made by Councilman Biondolillo and seconded by Councilman Gracey to accept the resignation letter from Louis Shaw, a Highway Department employee, effective November 4, 2023.

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

Report from Community Development Coordinator – Jessica Jenack

Mrs. Jenack reported on the projects before the Planning Board. The next Comprehensive Plan meeting is October 16, 2023 at 1:00 p.m.

A motion was made by Councilman Eisenhauer and seconded by Councilman Gracey to reject the Pivot Solar proposal regarding changes to the Municipal Road Agreement.

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

A motion was made by Councilman Eisenhauer and seconded by Councilman Biondolillo to ask The Development Authority of the North Country (DANC) to remove the restriction on the digital access to our utility system per the contract.

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

Report from the Zoning Enforcement Officer – Lee Shimel

Mr. Shimel gave his report. Mr. Shimel discussed a property on Route 342 that the Contractor damaged water and sewer infrastructure during a demolition of a previous home. Mr. Shimel has told the Contractor he could not receive the Zoning permit for the new home until he paid the Town for what was damaged.

An application came in for a Solar project before the Sixth (6)month Moratorium was filed with NYS and a permit was issued.

Report from the Assessor – William Vargulick

Mr. Vargulick discussed pending litigation during executive session.

Report from DANC – Kenny Kizzer

Mr. Kizzer gave his monthly report.

Report from the Town Clerk – Melissa L. Verne

	Cash Balances as of September 31, 2023		Current Month Abstract 10	
General Fund	\$	4,089,609.33	\$	250,754.36
Highway Fund-Town wide	\$	1,003,021.15	\$	57,982.37
Highway Fund-Town Outside	\$	191,549.54	\$	21,268.10
Expendable Trust	\$	789.67	\$	0.00
Consolidated Water District	\$	1,795,240.48	\$	85,849.46
Water District # 3	\$	2,807.81	\$	637.36
Sewer District # 1	\$	539,729.54	\$	3,131.54
Sewer District # 2	\$	69,211.20	\$	956.70
Sewer District # 3	\$	14,741.46	\$	1,112.35
Sewer District # 4	\$	346,617.11	\$	0.00
Capital Project # 1 (Taylor Rd)	\$	0.00	\$	0.00
Capital Project # 2 (Water Dist. 4)	\$	0.00	\$	0.00
Capital Project # 3 (Sewer Dist. 1)	\$	134,669.05	\$	0.00
Capital Project # 3A (Sewer Dist. 4)	\$	0.00	\$	0.00
Capital Project # 4W (Water 2 Imp)	\$	-2,027.42	\$	0.00
Capital Project # 5 (Highway Fac.)	\$	0.00	\$	0.00
Trust & Agency	\$	2,870.00	\$	24,156.59

A motion was made by Councilman Biondolillo and seconded by Councilman Gracey that Abstract #10 vouchers 1240-1371 in the amount of \$446,221.24 be paid from the above accounts.

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 pass a resolution to relevel water and sewer charges on the Town and County property taxes for the year 2024 as follows:

Owner	Water	Sewer	Total
Arby's	\$4.60	\$8.21	\$12.81
Hospitality Syracuse Inc	\$18.09	\$37.16	\$55.25
Maciag, John	\$18.60	\$0.00	\$18.60
Nguyen, Danny	\$49.55	\$0.00	\$49.55
KO Storage	\$1,147.32	\$1,933.41	\$3,080.73
KO Storage	\$3.81	\$30.90	\$34.71
KO Storage	\$0.00	\$30.90	\$30.90
Lake's Trailer Park	\$41.92	\$64.89	\$106.81
Lake's Trailer Park	\$41.92	\$64.89	\$106.81
Lake's Trailer Park	\$44.24	\$139.45	\$183.69
Lake's Trailer Park	\$81.55	\$94.25	\$175.80
Makuch, William	\$34.81	\$67.04	\$101.85
Makuch, William	\$38.11	\$64.89	\$103.00
Makuch, William	\$60.97	\$131.33	\$192.30
Farrell, Nicole	\$148.63	\$305.19	\$453.82
Delaney, Jordan	\$21.98	\$53.46	\$75.44
Seymour, Rickie	\$34.29	\$0.00	\$34.29

Kiser, Jason & Linda	\$15.24	\$64.89	\$80.13
Marrero, Jose'	\$41.92	\$64.89	\$106.81
Kalford, Amber/ Harris, Richard	\$92.19	\$101.81	\$194.00
Layo, Stanley	\$34.30	\$140.08	\$174.38
Kenney, Jonathon	\$45.73	\$64.89	\$110.62
Gonseth, Timothy	\$72.41	\$0.00	\$72.41
McConnell, Chris	\$166.89	\$0.00	\$166.89
Makres, Zachery	\$68.61	\$0.00	\$68.61
Lake's Trailer Park	\$0.00	\$64.89	\$64.89
Lake's Trailer Park	\$15.24	\$64.89	\$80.13
Lake's Trailer Park	\$22.69	\$65.07	\$87.76
Lake's Trailer Park	\$30.41	\$179.30	\$209.71
Lake's Trailer Park	\$30.49	\$64.89	\$95.38
Lake's Trailer Park	\$34.30	\$64.89	\$99.19
Lake's Trailer Park	\$39.42	\$61.03	\$100.45
Lake's Trailer Park	\$51.32	\$62.42	\$113.74
Lake's Trailer Park	\$53.35	\$69.53	\$122.88
Schmidt, Bobby	\$30.49	\$64.89	\$95.38
Partridge, Douglas	\$57.16	\$129.78	\$186.94
Shelmidine, Sarah	\$26.68	\$0.00	\$26.68
Battles, Justin	\$423.02	\$0.00	\$423.02
LaFave, Lee	\$50.43	\$0.00	\$50.43
Ross, Colin & Paige, Meaghan	\$22.87	\$0.00	\$22.87
DeLong, Alex	\$167.68	\$0.00	\$167.68
Cassagnol, Alix	\$49.54	\$0.00	\$49.54
Deren, Arthur	\$99.09	\$0.00	\$99.09
Osborne, Joseph	\$64.79	\$0.00	\$64.79
Wilson Valentin	\$91.47	\$0.00	\$91.47
Litz, Samuel & Stephanie	\$34.30	\$0.00	\$34.30
Cohen, Tracey	\$34.30	\$0.00	\$34.30
LaFave, Rodney & Wendy	\$110.52	\$0.00	\$110.52
Countryman, Raymond	\$64.79	\$0.00	\$64.79
Kane, Phillip	\$0.00	\$251.84	\$251.84
Soules, Thomas	\$22.87	\$0.00	\$22.87
Hildreth, Roger	\$80.04	\$0.00	\$80.04
Foster, Kennedy	\$136.33	\$0.00	\$136.33
Newman, Kathleen	\$15.24	\$0.00	\$15.24
Mahoney, Robert	\$34.29	\$0.00	\$34.29
Frank, Gerald & Lucille	\$19.06	\$0.00	\$19.06
Melendez-Rodriques, Roger C	\$57.17	\$0.00	\$57.17
More, Jeff	\$22.87	\$0.00	\$22.87
Montessor, Jerick	\$22.87	\$64.89	\$87.76
Wells, Joshuah	\$217.24	\$0.00	\$217.24
Schell, Michael	\$26.68	\$64.89	\$91.57
Perkins, Donavan	\$53.80	\$71.47	\$125.27
York, Luther	\$15.24	\$129.78	\$145.02
Mooney, Hiu S.	\$7.62	\$0.00	\$7.62
GCR NY LLC	\$0.00	\$72.11	\$72.11
GCR NY LLC	\$0.00	\$64.43	\$64.43
GCR NY LLC	\$0.00	\$64.43	\$64.43
GCR NY LLC	\$0.00	\$64.43	\$64.43

GCR NY LLC	\$0.00	\$64.43	\$64.43
GCR NY LLC	\$0.00	\$64.43	\$64.43
GCR NY LLC	\$3.35	\$64.89	\$68.24
GCR NY LLC	\$3.35	\$64.89	\$68.24
GCR NY LLC	\$7.62	\$179.22	\$186.84
GCR NY LLC	\$11.34	\$135.28	\$146.62
GCR NY LLC	\$11.43	\$64.89	\$76.32
GCR NY LLC	\$15.24	\$64.89	\$80.13
GCR NY LLC	\$15.68	\$131.22	\$146.90
GCR NY LLC	\$19.06	\$64.89	\$83.95
GCR NY LLC	\$22.87	\$64.89	\$87.76
GCR NY LLC	\$26.68	\$64.89	\$91.57
GCR NY LLC	\$26.88	\$66.57	\$93.45
GCR NY LLC	\$30.49	\$64.89	\$95.38
GCR NY LLC	\$30.49	\$64.89	\$95.38
GCR NY LLC	\$48.49	\$177.27	\$225.76
GCR NY LLC	\$60.98	\$75.71	\$136.69
GCR NY LLC	\$99.08	\$159.14	\$258.22
GCR NY LLC	\$163.87	\$159.14	\$323.01
GCR NY LLC	\$15.24	\$64.89	\$80.13
DeCillis, William	\$91.43	\$100.38	\$191.81
Fraser, Janet	\$35.36	\$79.23	\$114.59
Soboleski, Laura	\$0.00	\$41.78	\$41.78
Giannetti, George	\$87.63	\$127.21	\$214.84
Souza Alison & Ammbrose	\$41.92	\$63.86	\$105.78
Culbertson, Carl	\$91.46	\$99.40	\$190.86
Culbertson, Carl	\$0.00	\$63.86	\$63.86
Mathison, Walter	\$68.59	\$313.90	\$382.49
Covey, Matt & Sarah	\$85.98	\$219.56	\$305.54
Hohs, Michael	\$26.68	\$63.86	\$90.54
Garnsey, Tim	\$937.72	\$163.55	\$1,101.27
Messina, Peter	\$41.92	\$63.86	\$105.78
Warren, Shone & Dawn	\$133.36	\$133.37	\$266.73
Day, Douglas	\$48.10	\$63.50	\$111.60
Fletcher, Stephen & Renee	\$45.73	\$42.39	\$88.12
Giroux, Michael	\$15.24	\$63.86	\$79.10
Britt, Michael & Mary	\$95.28	\$141.63	\$236.91
Hudson, Gregory	\$41.92	\$0.00	\$41.92
Kim, Jongsoo	\$68.60	\$80.86	\$149.46
Fraser, Kathleen	\$19.06	\$63.86	\$82.92
Piche, Jon	\$19.06	\$63.86	\$82.92
Morine,Evan & O'Conner, Sydney	\$3.81	\$65.72	\$69.53
Gordinier, Heather	\$15.24	\$63.86	\$79.10
Sauveur, David	\$26.68	\$63.86	\$90.54
Rohrbough, Carlton & Robin	\$53.35	\$313.90	\$367.25
Robinson, Lorene	\$30.49	\$127.72	\$158.21
McDermott, Stephen	\$19.07	\$63.90	\$82.97
Houde, Adam	\$7.62	\$63.86	\$71.48
Decker, Robert	\$72.41	\$83.95	\$156.36
Davis, Kathy	\$0.00	\$63.86	\$63.86
Graveline, Meredith	\$213.42	\$279.64	\$493.06

Morgia, Coty	\$72.41	\$83.95	\$156.36
Hoppel, Kevin	\$114.33	\$313.90	\$428.23
Santigo, Maria	\$22.87	\$63.86	\$86.73
Lehr, Carlton	\$0.00	\$127.72	\$127.72
Tontarski, Adam	\$0.00	\$63.86	\$63.86
Tontarski, Terry L	\$34.30	\$63.86	\$98.16
Briggs Madison	\$22.87	\$63.86	\$86.73
Mikulak, Michael	\$72.41	\$83.95	\$156.36
Gaffney, Joseph	\$0.00	\$251.84	\$251.84
Mooney, Hui S	\$15.24	\$63.86	\$79.10
		Total	\$19,555.45

Report from Nathan Toutant, Clerk to the Supervisor

A motion was made by Councilman Eisenhauer and seconded by Councilman Carpenter to set a Public Hearing for October 26, 2023 at 4:00 p.m. to hear public comments on amending Chapter 145- Water Service of the Town of LeRay.

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

A motion was made by Councilman Eisenhauer and seconded by Councilman Biondolillo to set a Public Hearing for October 26, 2023 at 4:05 p.m. to hear public comments on proposed Ambulance contracts of the year 2024 as follows, Black River Ambulance Squad \$47,174 and Evans Mills Ambulance Squad \$59,225.

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

A motion was made by Councilman Eisenhauer and seconded by Councilman Biondolillo to set a Public Hearing for October 26, 2023 at 4:10 p.m. to hear public comments on proposed Fire contracts of the year 2024 as follows, Black River Fire Department \$124,872 and Pamela Fire Department \$20,328.

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 approve the Tentative Budget, as amended, as the Preliminary Budget.

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 set a Public Hearing for October 26, 2023 at 4:15 p.m. to hear public comment on the Preliminary Budget.

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

The Town Board discussed a conversation Mr. Toutant had with NYS EFC regarding funding to cover J.E. Sheehan change orders #4 and #5 in the amounts of \$78,412.31 and \$30,544.00 respectively, for project number 18236. Further discussion ensued on whether the Board should utilize Consolidated Water District reserve funds or unallocated American Resue Plan Act (ARPA) funds.

A motion was made by Councilman Carpenter and seconded by Councilman Biondolillo to use American Rescue Plan Act (ARPA) Funding to cover J.E. Sheehan Change Orders #4 and #5 for EFC Project LeRay (T) 18236.

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

A motion was made by Councilman Eisenhauer and seconded by Councilman Biondolillo to enter into Executive session at 5:55 p.m. to seek legal counsel, pending litigation and discuss the employment history of a particular person.

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

A motion was made by Councilman Eisenhauer and seconded by Councilman Biondolillo to enter back into regular session at 6:25 p.m.

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

A motion was made by Councilman Eisenhauer and seconded by Councilman Biondolillo to adjourn this meeting at 6:26 p.m., until October 26, 2023, at 4:00 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