

Town of
Denmark

Minutes**March 13, 2017: March 13, 2017 Regular Meeting****Body:**

The regular monthly meeting of the Town of Denmark Town Board was held March 13, 2017 at the Town of Denmark Municipal Building. The meeting was called to order at 6:00pm by Supervisor Fleming with the Pledge of Allegiance.

Present were the following:

Supervisor Fleming
Councilman Der
Councilman Fazio
Councilman Thoma
Councilman Jones
Supt. Mahar
Budget Officer Sharon Fleming
Clerk Prudence Greene
Deputy Clerk Katrina Souva
Assessor William Vargulick
Town Attorney Mark Gebo (leaves the meeting at 6:30pm)

Also present: Deb Der, Sandra Jones, Lewis County Leg. Craig Brennan, Eric Pond of Barton & Loguidice (exits meeting at 6:30pm)Mark Birchenough, and Scott Doyle.

Councilman Fazio made a motion to accept the amended agenda as prepared by Clerk Greene. The motion was seconded by Councilman Der.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

Councilman Fazio made a motion to enter into an Executive Session for the purpose of discussing a contractual item for Town of Denmark Water District #1. His motion was seconded by Councilman Thoma.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

At 6:01pm all present left the meeting except the Town of Denmark Town Board and Town Attorney Mark Gebo and Eric Pond of Barton & Loguidice both of whom were requested to stay by the Town Board.

At 6:30pm Councilman Fazio made a motion to exit the Executive Session. His motion was seconded by Councilman Thoma.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

Attorney Mark Gebo and Mr. Eric Pond left the meeting at 6:30pm. All others returned to the meeting.

Discussion was held on the Public Hearing scheduled for 6:30pm. The Clerk was not notified until Thursday, March 9th that the Town Board wished to hold a Public Hearing for the purposes of hearing public comment on the possible extension of the moratorium on Solar projects in the Town of Denmark and as a result the legal was not published until Saturday, March 11, 2017. The Town Clerk pointed out that this is less than the prescribed 5 day notice.

Discussion was held. Councilman Fazio suggested the Public Hearing be rescheduled for the April 10th regular meeting. More discussion held.

Councilman Thoma made a motion that the Town of Denmark Town Board holds a Special Meeting on Thursday, March 23, 2017 at 6:00pm. His motion was seconded by Councilman Jones.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

Clerk Greene will run a legal in the Watertown Daily Times as soon as possible.

Councilman Jones made a motion that at that meeting on March 23, 2017 a Public Hearing be held at 6:00pm for the purposes of hearing public comment on the possible extension of the moratorium on Solar projects in the Town of Denmark and that the Town Board shall also hear any other business as shall come before the Board at the conclusion of the Public Hearing. His motion was seconded by Councilman Der.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

Discussion was held on the pending IMA with the Village of Copenhagen concerning the expansion of Town of Denmark Water District #1. Councilman Fazio made a motion that Supervisor Fleming be authorized to sign the document in its current form as presented previously. His motion was seconded by Councilman Der.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

Discussion was held on the fuel bids opened at last month's meeting. After consideration the Town Board is concerned about the use of different racks and the use of different rack dates. This may have led to an inconsistency in the prices considered by the Town Board.

Councilman Jones presented a revised form he suggested be used to solicit new bids that would address the rates, dates and products in a more in depth way. Further discussion was held on the forms.

Councilman Jones suggested that contract language be revised to require that diesel tanks be filled before the weekend in the winter months.

After further discussion Councilman Der made a motion that the Town of Denmark rebid its fuel needs utilizing the forms prepared by Councilman Jones. His motion was seconded by Councilman Fazio.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

Clerk Greene was asked to mail the new bid packets to each of the companies that submitted bids in February.

Supervisor Fleming will then follow up with those companies.

Councilman Thoma made a motion to accept the minutes of the 2/13/2017 Town Board meeting as prepared by Town Clerk Prudence Greene. The motion was seconded by Councilman Der.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

HIGHWAY ABSTRACT: Highway Abstract 635, Claims 34-48, Bills totaling \$7,772.36 was discussed. Supervisor Fleming asked questions about fuel usage by the State DOT vs the Town of Denmark. Supt. Mahar explained that the usage is logged for each department. Supervisor Fleming noted that NYS had sent a fuel payment to the Town of Denmark and it was received today.

Councilman Thoma made a motion to pay the bills as presented. The motion was seconded by Councilman Fazio.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

GENERAL ABSTRACT: General Abstract 593, Claims 47-64 totaling \$6,078.81, paid prior totaling \$589.56 total \$6,621.88 was discussed. Supervisor Fleming questioned Voucher #57, Simpsons Fuels and #65, P&T Supply; he asked why they are both on the General Abstract. Supt. Mahar explained that the fuel to heat both buildings and work done to the furnace is building maintenance and therefore a general expense not a highway expense. Supervisor Fleming then questioned claim #50, Prudence L. Greene reimbursement for mileage and postage. He asked how many months of mileage were claimed. Mrs. Greene explained that it was her official mileage for December 2016 – February of 2017. She has attached the mileage forms completed for those months.

Councilman Der made a motion to pay the bills as presented. The motion was seconded by Councilman Fazio.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

WATER DISTRICT #1 ABSTRACT: Water Abstract 36, Claim 3-5, totaling \$1,116.20 was reviewed by the Town Board after Deputy Clerk Souva made copies for them (she exited at 6:50 and returned at 6:52).

Councilman Thoma made a motion to pay the bills as presented. The motion was seconded by Councilman Jones.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

PUBLIC COMMENT: Mr. Scott Doyle asked if the Town Board had ever considered doing a cost analysis on installing larger tanks for diesel so they could receive larger loads of the fuel and possibly receive a better volume price. Brief discussion was held on capacity needs.

Councilman Thoma introduced Mark Birchenough of the Village of Castorland. Mr. Birchenough has retired from the Villages DPW DEPT after 30 years of service. He is considering seeking appointment to the Town of Denmark Town Board when Mr. Thoma retires.

SUPERVISOR'S REPORT: Supervisor Fleming reported that Town Clerk Greene notified G&K of the Town Board decision to end the contract with them on March 30, 2017. The letter was sent overnight to them on February 28, 2017.

Councilman Jones has completed an audit of the Town of Denmark Town Court for 2016. Councilman Jones came in over a period of 3 days to review the court processes from receiving tickets, processing tickets, processing payments, securing court checks and monies as well as receipt books and case files. He noted no issues in his audit and discussed his review with the Town Board.

Councilman Fazio offered the following:

Resolution 13-2017: Acknowledging that the required examination of the Town of Denmark Justice Kiernan and Justice Taylor has been completed for the year 2016. Seconded by Supervisor Fleming.

Vote recorded as:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

Resolution 13-2017 is adopted 3/13/2017.

Discussion was held on Board of Ethics members. There is currently a vacancy that was created when the Town Clerk did not receive an Oath of Office for Holly Evans. After consideration Councilman Der made a motion to appoint Ms. Holly Evans to the Town of Denmark Board of Ethics to a term of office expiring December 31, 2017. His motion was seconded by Councilman Der.

Vote recorded as:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

BUDGET OFFICER'S REPORT: Sharon Fleming presented the Town Board with her monthly Budget Officers Report, the Financial Report for February 2017 and a copy of the 2016 Annual Report as completed and filed by Croniser, Lawrence & Philippe CPA, LLP. Mrs. Fleming noted that she has sent the bills for winter plowing to the Villages of Copenhagen and Castorland and included information for

the amount to be billed in 2018. Councilman Thoma asked about the \$6,689.51 received from Lewis County. Leg. Brennan explained this is a onetime payment sent to the Towns if Lewis County has not utilized all of its revenue in a budget year.

Councilman Fazio noted that the Town had received \$1.48 in interest for January. Mrs. Fleming explained that this is why the Town tax monies are invested as soon as possible after they are turned over by the Town Clerk. CD's are utilized and planned so they become available as needed for projected expenses.

Councilman Jones noted that on page 2 of the Financial Report A1410.1 is listed twice as salary for the Town Clerk, once in the name Kunert and again in the name Greene. This error was present last month as well. Mrs. Fleming and Clerk Greene assured the Town Board that she has only been paid once. Mrs. Fleming is unsure why it is appearing this way and will research a solution.

Councilman Fazio made a motion to accept the reports of Budget Officer Sharon Fleming. The motion was seconded by Councilman Thoma .

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Abstains
Councilman Thoma	Aye
Councilman Jones	Aye

LEWIS COUNTY LEGISLATOR'S REPORT: Leg. Brennan spoke to the Town Board about a new vendor paying system being considered by Lewis County. It will allow Dept. heads to make purchases and pay for them with a County issued card.

He discussed the fact that the County Manager, Elizabeth Swearingin, has resigned. She plans to stay for a period of time to help in the transition process. Chris Boulio has been hired as the new head of Human Resources. The higher education facility has been put on hold temporarily pending the State Budget.

CLERK REPORT: Clerk Greene had prepared and distributed her Clerk Reports of February 2017 and Tax Collection February 2017 prior to the meeting. No questions were asked by the Town Board.

Deputy Clerk Katrina Souva gave the Town Board a quick demonstration of the AED. She answered questions and explained the pads will need to be replaced after use or every two years. The battery will need replaced in five years.

Clerk Greene spoke to the Town Board about a recent audit performed by NYMIR. The auditor recommended several updates of Town Policies and procedures. One of these was the addition of I-9 forms in the hiring process. A form needs to be on file for every employee of the Town including elected and appointed persons. Discussion was held. Supt. Mahar will do the certification and storage of I-9's for the highway department and Clerk Greene was asked to follow up and certify all other Town employees, elected officials and appointees.

Councilman Fazio made a motion that Supt. Mahar and Clerk Greene be the certifiers of all Town of Denmark I-9 forms. His motion was seconded by Councilman Der.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

Discussion was held on Town of Denmark Local Law 1-1981, Prior Notice Law. Clerk Greene was asked to email it to the Town Attorney for his review.

ASSESSOR'S REPORT: Mr. Vargulick reported that he has been told that additional auditing of Town Assessor's may be occurring. The State is monitoring exemptions more closely. Additional changes to the NYS STAR program are being discussed as part of the NYS Budget process. No final decisions will be known until the budget has been completed and passed. Clerk Greene noted that the recent news coverage has generated some concern by senior citizens about the possibility they will have to apply and recertify online. Some of them have no internet access or computer skills. Legislator Brennan noted that the expansion of Mohawk internet is coming to the County. They will be providing high-speed internet at costs thought to be lower than Spectrum and will be in the more rural sections of the County where Spectrums "cable" internet is unavailable.

ZONING AND PLANNING: the Town Board was provided with copies of the February 2017 Zoning Report and the minutes of the Town of Denmark Planning Board meeting held March 7, 2017.

NEW BUSINESS: The Town Board was provided copies of all documents.

-Letter from NYS DOT dated 2/15/17, Emergency Shared Service Agreement, Supt. Mahar has reviewed and recommends 2 year option. The contract was reviewed by the Town Board and Councilman Der made a motion that Supervisor Fleming sign the agreement on behalf of the Town of Denmark for the 2 year option. His motion was seconded by Councilman Jones.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye

Councilman Jones Aye

-Letter and flier from Seaway Valley Prevention Council, received 2/17/17, Smoke-Free parks and playgrounds. No action.

-Letter from Lewis County BOE, received 2/16/17, dates of Primary and General Election. No action.

-Discussion of upcoming Tug Hill Conference being held Thursday, March 30, 2017 at JCC. Councilman Fazio made a motion that the Town of Denmark pay the expenses for any Town Official or Appointee who wishes to attend the conference. Supervisor Fleming seconded the motion.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

HIGHWAY SUPT REPORT: Supt. Mahar discussed with the Town Board the plow blades that the Highway Department has been demonstrating for a manufacturer. The blades are made of a polycarbonate material and seem to be more forgiving on the chip sealed roads than traditional blades. He is still waiting on estimates for the fuel island key system and repairs in the garage. Discussion was held on department staffing for the summer. Supt. Mahar plans to release the seasonal employee hired for winter plowing as we move into the spring.

Being as there was no further business before the Town of Denmark Town Board; Councilman Thoma made a motion to adjourn the meeting. His motion was seconded by Councilman Fazio.

Vote recorded as follows:

Councilman Der	Aye
Councilman Fazio	Aye
Supervisor Fleming	Aye
Councilman Thoma	Aye
Councilman Jones	Aye

Meeting adjourned at 8:05pm.

**Next special meeting of the Town of Denmark Town Board will be held
Thursday, March 23, 2017 at 6:00pm.**

**Next regular meeting of the Town of Denmark Town Board will be held
Monday, April 10, 2017 at 6:00pm.**

Prudence Lyn Greene
Town of Denmark Town Clerk