

A regular meeting of the Town of Denmark Town Board held on October 17, 2022, at the Town of Denmark Municipal Building.

<p>In attendance were the following officials:</p> <p>Councilman Fred Wadsworth Supervisor Scott Doyle Councilman Peter Jones Councilwoman Darlene Rowsam Superintendent Patrick Mahar</p> <p>Clerk Prudence Greene Deputy Clerk Susan Kirch-Corey</p>	<p>Also in attendance:</p> <p>Kerry Colton – Trustee, Village of Copenhagen Ronnie Vogt Kim Vogt – Trustee, Village of Copenhagen Deputy Supt. James Der Mickey Dietrich - RACOG Gerald Carter William Vargulick – Town of Denmark Assessor Sherry Harmych – Supervisor, Town of Pinkney James Burrows – Attorney, Town of Denmark (enters at 6:50 PM) Stephen Burnat – Supervisor, Town of Harrisburg (enters at 6:56 PM) Candace Randall – Attorney, Village of Copenhagen (joined at 6:58 PM, remotely)</p>
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Supervisor Doyle opened the Town Board meeting at 6:00pm. Those in attendance recited the Pledge of Allegiance.

Deputy Clerk Kirch-Corey conducted a roll call of the Town Board as follows:

Councilman Wadsworth	Present
Councilman Fazio	Absent
Supervisor Doyle	Present
Councilman Jones	Present
Councilwoman Rowsam	Present

Councilwoman Rowsam made a motion to approve the meeting minutes of September 19, 2022, as prepared with corrections by Deputy Clerk Kirch-Corey, seconded by Councilman Jones. Vote recorded as 4 Ayes and 0 Noes.

Councilman Wadsworth made a motion to approve the meeting minutes of September 22, 2022, as prepared by Deputy Clerk Kirch-Corey, seconded by Councilman Jones. Vote recorded as 4 Ayes and 0 Noes.

Supervisor Doyle made a motion to approve the meeting minutes of October 11, 2022, as prepared by Deputy Clerk Kirch-Corey, seconded by Councilman Jones. Vote recorded as 4 Ayes and 0 Noes.

Councilwoman Rowsam made a motion to approve the agenda for October 17, 2022, seconded by Councilman Wadsworth. Vote recorded as 4 Ayes and 0 Noes.

At 6:09 PM, Councilman Jones made a motion to open the Public Hearing for Local Law 1 of 2022 to Override Tax Cap, seconded by Councilwoman Rowsam.

Councilman Wadsworth made a motion to forego the reading of proposed Local Law 1 of 2022, Override Tax Cap, seconded by Councilman Jones.

Mr. Carter inquired how ending contract with Village of Copenhagen Fire Department affects the 2023 budget. Supervisor Doyle explained how there is no change.

Discussion held.

Mr. Carter asks if there is any one thing that drove the 2023 budget higher.

The board members explained there not being any one thing that drove it higher, inflation has gone up 9%, Gas, everything has increased in cost.

Supervisor Doyle offered a resolution, to enact Local Law #1 of 2022, Override Tax Cap, seconded by Councilman Wadsworth as follows:

Resolution 138 of 2022: Enact Local Law 1 of 2022 to Override Tax Cap

WHEREAS, the Town Board of the Town of Denmark, 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 Denmark, 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 interest of the Town of Denmark.
3. The Supervisor for the Town of Denmark and the Town Clerk for the Town of Denmark 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, the President of the New York State Energy Research and Development Authority; and with the New York State Commission of Taxation and Finance.
5. This Resolution shall take effect immediately. Roll call vote 4 Ayes, 0 Noes.

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12242-0001
www.dos.ny.gov

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
 of Denmark: _____

Local Law No. _____ of the year 2022.

A local law TO OVERRIDE TAX CAP

Be it enacted by the _____ of the _____ of Denmark, its follows:

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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TOWN OF DENMARK

LOCAL LAW NO. 1 FOR 2022

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

BE IT ENACTED by the Town Board of the Town of Denmark as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Denmark pursuant to General Municipal Law §3-C, and to allow the Town of Denmark to adopt a budget for the fiscal year beginning January 1, 2023 and ending December 31, 2023 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-C.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of the General Municipal Law §3-C, which expressly authorizes the Town Board to override the tax limit by adoption of a local law approved by a vote of at least sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Denmark, County of Lewis is hereby authorized to adopt a budget for the fiscal year 2023 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-C.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, individual, firm or corporation, or circumstance, shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date: This local law shall take effect immediately upon filing with the Secretary of State.

At 6:18 PM, Councilman Wadsworth made a motion to close the Public Hearing and proceed with the Regular Meeting, seconded by Councilman Jones.

Public Comment

No comments

Councilman Wadsworth offered a resolution, offered a resolution, to approve payment of General Abstract #660, seconded by Councilman Jones as follows:

Resolution 139 of 2022: The Town of Denmark Town Board approves payments of General Fund Abstract #660, dated October 17, 2022, new claims 207 - 223 totaling \$30,227.28. Vote 4 Ayes, 0 Noes.

Councilman Jones offered a resolution to approve payment of Water Abstract #85, seconded by Supervisor Doyle as follows:

Resolution 140 of 2022: The Town of Denmark Town Board approves payments of Water District Abstract #85, dated October 17, 2022, claim #15 in the amount of \$25.75. Vote 4 Ayes, 0 Noes.

Reports of Departments:

Dog Control Office: DCO Astafan submitted a written report of his office’s activities for September 2022. No questions. Board members noticing repeat names.

Planning Board: Secretary Amanda Gaines submitted Minutes of October 4, 2022. No concerns or comments.

Zoning: Deputy ZEO Kevin Gaines provided a written report of September 2022 Zoning Report.

Minutes of 10.17.2022

Prepared by Deputy Town Clerk Susan Kirch-Corey

Supervisor Doyle was concerned that a rescission would need to be necessary to correct the appointment of Mr. Gaines as ZEO. Clerk Greene advised that the submission of ZEO Woodruff's resignation was simply a formality. ZEO Woodruff's resignation came only a day after DZO Gaines' appointment to ZEO. No further concerns or comments.

Assessor: Supervisor Doyle inquired what the difference is in codes 200 and 112. Discussion held about inhabited parcels.

Supervisor Doyle offered for the Board to consider for purchase, 911 address signs for use outside of villages. Approximate total of 616 reflective signs could be paid from the ARPA funds.

Mr. Carter inquired what the ARPA funds are for. Supervisor Doyle explained, noting villages receive their own ARPA funds. Trustee Vogt adding that the Village of Copenhagen will be replacing hydrants with their ARPA funding.

Mr. Vargulick advised his receipt of the 2023 Exemption Questionnaire. Supervisor Doyle inquired if the Board needs to take any action. Discussion held.

Supervisor Doyle offered a resolution, to accept the 2023 Exemptions Schedule, seconded by Councilman Jones as follows:

Resolution 141 of 2022: The Town of Denmark Town Board hereby determines that no changes shall be made to the 2023 Exemptions Schedule.

Vote 4 Ayes, 0 Noes.

Supervisor Doyle inquired about the 3rd BAR meeting. Clerk Greene advised it being for informational purposes only for the Board. No action necessary.

Town Clerk: Clerk Greene inquired if there were any questions about the September 2022 Clerk Report. No questions.

Clerk Greene informed board members of the two letters of resignation her office received. That of Lloyd Woodruff resigning as ZEO, effective 9/27/2022; and Katie Zehr, resigning from Planning Board effective 10/03/2022.

Mickey Dietrich announced Tug Hill Commission holding their annual dinner on October 20th at Zero Dock. Also, updating the Board members on RACOGs current projects and happenings. RACOG has introduced Town of Croghan as a new member of RACOG, requiring existing members needing to sign an updated IMA. The promotional video is almost complete; LED lighting – no lights yet; details of webinars are on the RACOG website.

Councilman Wadsworth offered a resolution, to approve Supervisor Doyle to sign new IMA accepting Town of Croghan into RACOG, seconded by Councilwoman Rowsam as follows:

Resolution 142 of 2022: The Town of Denmark Town Board approves Supervisor Doyle signing a new IMA accepting Town of Croghan into RACOG.

Vote 4 Ayes, 0 Noes.

Superintendent of Highways and Special Districts:

Supt. Mahar informed the Board the Highway Department is wrapping up the summer work, working on sanders.

Supt. Mahar advised he has hired one new person to fill the MEO position.

Supt. Mahar asked if anyone had any questions about his Budget Report. No questions.

Councilman Wadsworth offered a resolution, to approve payment of Highway Abstract #702, seconded by Councilwoman Rowsam as follows:

Resolution 143 of 2022: The Town of Denmark Town Board approves payments Highway Department, Abstract # 702, dated October 17, 2022, claim # 168 - 180, total of all claims \$14,812.25.

Supervisors Report:

Supervisor Doyle asked if anyone had any questions about North Country CPAs financials sent to Board Members prior to the meeting. No questions.

Supervisor Doyle advised Board Members that First National Bank of Omaha does need the P&L financials for 2020 – 2021, initially not needed. Board members have no concerns with the release of 2020 – 2021 financials to FNBO.

Supervisor Doyle inquired if there had been any problems with the Water Report. Supt. Mahar reported, No problems with Water Report.

Supervisor Doyle asked about the Brush Pile. Supt. Mahar is still looking for someone to pick it up. Discussion held, try Bellers' or Ron King?

Supervisor Doyle inquired if the scrap pile is still out back. Supt. Mahar responded, yes, the scrap is still out there.

Supt. Mahar advised Board Members that ARPA had produced figures for employees. Union got \$1,000 plus \$400 for longevity pay, inquiring if there would be anything from the Town through ARPA for others who continued to work through the pandemic.

Supervisor Doyle responded it would be hard to do; not seeing an equitable way determine an amount or who would get it.

Discussion held.

Councilman Wadsworth suggesting the Town look at how the County did theirs.

Councilman Jones offered a resolution, to approve public hearing for 2023 Budget and 2023 Fire Contracts, seconded by Supervisor Doyle as follows:

Resolution 144 of 2022: The Town of Denmark Town Board hereby sets a Public Hearing for the 2023 Budget and 2023 Fire Protection Contracts. The public hearing shall be held on November 9, 2022, at 6:00 PM during the regular monthly meeting of the Town of Denmark Town Board.

Supervisor Doyle described an investment program offered to local government called NYCLASS, he will forward the information to all board members. Supervisor Doyle has asked the representative for NYCLASS to attend the November 9 meeting.

Old Business

Mr. Burrows enters at 6:50 PM.

Supervisor Doyle had no added information about the Court Office doors and secondary exit for Court Clerk.

Supervisor Doyle asked Supt. Mahar about the installation of 4 Bollards at the well casing. Supt. Mahar responded they are on the list.

Supervisor Doyle informed the Board that Clerk Greene will be collaborating with Attorney Burrows on the Town Zoning Law 1025 revision.

Clerk Greene offered she has already spoken with Lewis County. Her goal is to have it in place by the first of the year (2023).

Supervisor Doyle will continue discussions with Fourth Coast.

Mr. Burnat enters at 6:56 PM.

Supt. Mahar announced having someone interested in on-call only position for the winter.

Supt. Mahar informed for the need of two doors and one door opener at the Highway Garage, offering it is slated for 2024.

Minutes of 10.17.2022

Prepared by Deputy Town Clerk Susan Kirch-Corey

At 6:58 PM, Supervisor Doyle announced the need to go into Executive Session with Legal Counsel, asking Ms. Harmych, Mr. Burnat, Trustee Vogt, Trustee Colton, Attorney Burrows to stay. At 6:58 PM, Attorney Randall joined remotely.

At 6:59PM, Councilman Jones made a motion to enter Executive Session, seconded by Councilman Wadsworth.

Mr. Vogt, Deputy Supt. Der, Supt. Mahar, Mr. Dietrich, Mr. Carter, Mr. Vargulick, Clerk Greene, and Deputy Clerk Kirch-Corey exited at 6:59

Executive Session – Minutes provided by Supervisor Doyle

Motion to exit Executive Session at 8:32 PM, by Councilwoman Rowsam, seconded by Councilman Wadsworth.

All in favor, ALL at 8:32 PM

Motion to Adjourn at 8:33 PM, by Councilman Wadsworth, seconded by Councilwoman Rowsam. All in favor,

ALL at 8:34 PM.

Susan Kirch-Corey

Town of Denmark Deputy Town Clerk