Minutes of 09.19.2022

Prepared by Deputy Town Clerk Susan Kirch-Corey

A regular meeting of the Town of Denmark Town Board was held on September 19, 2022, at the Town of Denmark Municipal Building.

In attendance were the following officials:
Councilman Fred Wadsworth
Councilman Frank Fazio
Supervisor Scott Doyle
Councilman Peter Jones
Councilwoman Darlene Rowsam
Superintendent Patrick Mahar
Deputy Town Clerk Susan Kirch-Corey

Also in attendance:
Gerald Carter
Gary Ashline – Castorland Fire Department
Deputy Supt. James Der

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
Councilman Fazio
Supervisor Doyle
Councilman Jones
Councilwoman Rowsam
Present
Present
Present

Councilman Wadsworth made a motion to approve the meeting minutes of August 15, 2022, as prepared by Deputy Clerk Kirch-Corey, seconded by Councilman Fazio.

Vote recorded as 5 Ayes and 0 Noes.

Councilman Jones made a motion to approve the special meeting minutes of August 30, 2022, as prepared by Deputy Clerk Kirch-Corey, seconded by Councilwoman Rowsam.

Vote recorded as 5 Ayes and 0 Noes.

Councilwoman Rowsam made a motion to approve the special meeting minutes of September 13, 2022, as prepared by Deputy Clerk Kirch-Corey, seconded by Councilman Fazio. Vote recorded as 5 Ayes and 0 Noes.

Councilman Wadsworth made a motion to approve the agenda for September 19, 2022, seconded by Councilman Jones. Vote recorded as 5 Ayes and 0 Noes.

## **Public Comment:**

Mr. Ashline commented he was in attendance to represent Castorland Fire Department and make sure that the board had received a copy of their budget.

Supervisor Doyle answered that they did receive it.

Mr. Carter voiced concerns over the Town of Denmark not re-signing contract with Copenhagen Fire Department. Asking if the other towns; Castorland, Pinkney, Denmark, Champion, West Carthage are also intending not to renew.

Supervisor Doyle offered that he can only speak for the Town of Denmark, emphasizing that he and Town Board did not want to have to make the decision they made. The issue has been ongoing for better than a year with the Village of Copenhagen and the Copenhagen Fire Department; it has been an issue with the Town of Denmark for more than six months.

Mr. Carter inquired if the other fire departments also must report to the town.

Supervisor Doyle answered that Castorland Fire Department send their monthly meeting minutes and their financials every month.

Councilwoman Rowsam explained that Copenhagen Fire Department is the smallest department covering the largest area for fire protection.

Discussion held.

Supervisor Doyle added that the biggest concern is for public safety.

Councilman Fazio expressed a concern not only for the fire department, but for the public and residents who depend on them when called.

Councilman Jones asked Mr. Ashline how many fire fighters are in the Castorland Fire Department.

Mr. Ashline answered they have 42 active fire fighters, and 18 are certified interior fire fighters.

Further discussion held.

Councilman Wadsworth offered a resolution, seconded for adoption by Councilman Fazio as follows:

Prepared by Deputy Town Clerk Susan Kirch-Corey

Resolution 120 of 2022: The Town of Denmark Town Board hereby authorized an additional charge of \$450.00 to be paid to Tom's General Contracting for additional work needed to deal with damaged caused by wasp infestation, at main entrance exterior doors. Total to be paid for invoice dated 9/18/2022, in the amount of \$1,800.00.

Councilman Wadsworth Aye
Councilman Fazio Aye
Councilman Jones Recused
Councilwoman Rowsam Aye
Supervisor Doyle Aye

Councilman Wadsworth offered a resolution, seconded for adoption by Councilman Jones as follows:

Resolution 121 of 2022: The Town of Denmark Town Board hereby approves payments of General Fund Abstract #659 dated September 19, 2022, paid prior claim #s 188 - 191 totaling \$ 1,816.90 , new claim #s 192 - 206 totaling \$ 7,814.27. Total of all claims \$ 9,631.17.

Councilman Wadsworth Aye
Councilman Fazio Aye
Councilman Jones Aye
Councilwoman Rowsam Aye

Supervisor Doyle Aye Resolution 121 of 2022 adopted 9.19.2022

Councilman Jones offered a resolution, seconded for adoption by Councilwoman Rowsam as follows:

Resolution 122 of 2022: The Town of Denmark Town Board hereby approves payments of Water District Abstract #84, dated September 19, 2022, claim #15. Total of all claims \$ 229.69.

Councilman Wadsworth Aye
Councilman Fazio Aye
Councilman Jones Aye
Councilwoman Rowsam Aye

Supervisor Doyle Aye Resolution 122 of 2022 adopted 9.19.2022

# **Reports of Departments**

Dog Control Office: DCO Nick Astafan provided a written report of August 2022. No concerns or comments.

### **Zoning & Planning**

Planning Board: Secretary Amanda Clark submitted Minutes of September 6, 2022. No concerns or comments.

**Zoning Board:** Deputy ZEO, Kevin Gaines provided a written report of August 2022 Zoning Report. No concerns or comments.

Supervisor Doyle said he had a conversation with Kevin Gaines, current Deputy ZO recently. Supervisor Doyle asked Mr. Gaines if he was interested in filling the position of Zoning Enforcement Officer, replacing Lloyd Woodruff current ZEO. Mr. Gaines agreed he would be happy to continue, he is asking for \$22.50 an hour. Discussion was held.

Councilman Wadsworth made a motion to increase pay for ZEO to \$22.50 an hour, motion seconded by Councilman Fazio. Vote 5 Ayes, 0 Noes.

Councilman Jones made a motion to appoint Kevin Gaines as Zoning Enforcement Officer by, motion seconded by Councilman Wadsworth. Vote 5 Ayes, 0 Noes.

**Assessor**: No report submitted.

Town Clerk: Deputy Clerk Kirch-Corey read the Clerk's Report of August 2022.

Councilwoman Rowsam inquired if Katie Zehr was stepping down from the library project or as planning board member.

8/24/2022 – Email received from Katie's messages indicated her stepping down as spearhead of the library project. Deputy Clerk Kirch-Corey responded that there had been no indication of her leaving the planning board.

Prudence Greene

From:
Kate Zehr < kzehr2@graal comSent:
Wednesday, Napas 24, 2022 924 AM
Tex:
Pudence Greene Scott Onje
Solgent:
Good moring! I'm sorry for any noemiences this may cause. I feel very had about this but life happens. I have decided to step down from my position. I have too much going on right now and think it's best for in he part of this at a better time.
Tan truly, sincerely so sorry. I wish you all the best.
Katie Zehr

8/31/2022 – Received an email providing an insurance binder from B.R. Johnson LLC covering the work performed at the Municipal Building and Highway Garage.

9/06/2022 – Received notice of policy change and insurance binder for the addition of a 2022 Ford F250.

RACOG Report for August 2022, submitted by Mickey Dietrich. No comments or questions.

**Superintendent of Highways & Special Districts**: Supt. Patrick Mahar submitted a written report to the Town Board updating on his department's activity, a voucher report, and a budget report.

Supt. Mahar reported that the Highway Department had been working with Lewis County Highway Department near Turin area.

Supt. Mahar reminded the board he will be in Ellicottville, NY from September 20 – 23.

Supt. Mahar reported that the bollards being placed at the wellhead would be covered with a yellow sleeve.

Supervisor Doyle asked about the status of fire hydrants. Supt. Mahar reported all hydrants have been flushed and all are in working order.

Councilman Jones inquired if the town has heard anything on the LED lighting. Supt. Mahar responded that he has asked Kim Vogt, Village of Copenhagen Trustee.

There were no questions of Supt. Mahar resulting from Budget report or Voucher report.

Councilwoman Rowsam offered a resolution, seconded for adoption by Councilman Wadsworth as follows:

Resolution 123 of 2022: The Town of Denmark Town Board hereby approves payments Highway Department, Abstract #701, dated September 19, 2022, claim #149 - 167, total of all claims \$ 128,115.57

Councilman Wadsworth Aye
Councilman Fazio Aye
Councilman Jones Aye
Councilwoman Rowsam Aye
Supervisor Doyle Aye

# **Supervisor's Report:**

Supervisor Doyle asked if there were any questions resulting from North Country CPAs Financials, there were none.

Supervisor Doyle introduced his completed Credit Card Policy, noting that payments can be made directly at Community Bank and the new credit card policy meets state comptroller's requirements.

Supervisor Doyle explained after meeting with Supt. Mahar, the credit limit should be \$5,000.

Councilman Jones inquired if Supt. Mahar will be always in possession of the card. Supt. Mahar answered, yes.

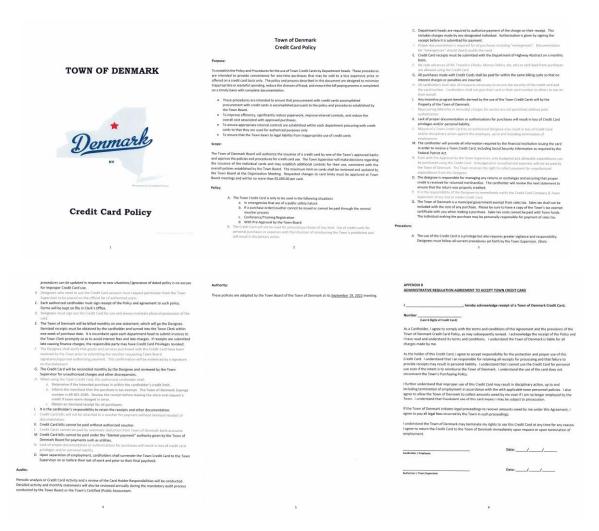
Councilwoman Rowsam inquired if the card is exclusively for the Highway Department or can the credit card policy be amended for use by the town clerk.

Supervisor Doyle answered that yes, the card will be in use for the highway department, but it could be used for qualified purchases by Board members can be made through Supt. Mahar. Also qualified purchases can always be reimbursed by turning in a payment voucher by any member. Further explaining that the credit card policy can be amended to include use by others.

Councilman Wadsworth offered a resolution, seconded for adoption by Supervisor Doyle as follows:

Resolution 124 of 2022: The Town of Denmark Town Board hereby approves the attached Credit Card Policy for use by the Highway Superintendent with the credit limit being set at \$ 5,000.00. The Policy is effective for the term of the Highway Superintendent and the Town Supervisor.

Councilman Wadsworth Aye
Councilman Fazio Aye
Councilman Jones Aye
Councilwoman Rowsam Aye
Supervisor Doyle Aye



Supervisor Doyle reported the preliminary Budget Process being mostly complete, after having spent time with Mr. Lawrence, North Country CPAs going over the assessed values.

Supervisor Doyle reminded all that the next budget workshop will be held September 27<sup>th</sup> at 6pm. Supervisor Doyle extended an invitation for Mr. Ashline to attend, if interested.

Supervisor Doyle reports that the Union Negotiations are complete, and a Union representative will be stopping by with the contract next week for signing.

Councilman Jones offered a resolution, seconded for adoption by Councilwoman Rowsam as follows:

Resolution 125 of 2022, to Rescind Resolution 116 of 2022, The Town of Denmark Town Board hereby approves transfer of \$85,609.74 from the ARPA Account ending 4778 to the General Fund ending in 0048, and further directs Supervisor Doyle to close the Account ending 4778 known as the ARPA Account, to be effective immediately.

Councilman Wadsworth Aye
Councilman Fazio Aye
Councilman Jones Aye
Councilwoman Rowsam Aye
Supervisor Doyle Aye

Mr. Carter inquired what ARPA stands for.

Supervisor Doyle answered American Rescue Plan Act, a federal program.

Councilman Wadsworth offered a resolution, seconded for adoption by Councilman Jones as follows:

Prepared by Deputy Town Clerk Susan Kirch-Corey

Resolution 126 of 2022, The Town of Denmark Town Board hereby approves the transfer of \$85,609.74 from the ARPA Account ending in 4776 to the General Fund ending in 0048, and further directs Supervisor Doyle to close the Account ending 4776 known as the ARPA Account, to be effective immediately.

Councilman Wadsworth Aye
Councilman Fazio Aye
Councilman Jones Aye
Councilwoman Rowsam Aye
Supervisor Doyle Aye

#### **Old Business:**

Supervisor Doyle updated that the first part of the door project is 98% complete. The push button stations are operated by 9V battery which will need to be changed annually. A bollard and push station are not currently working at the lower-level entrance.

Supervisor Doyle reported the Court office doors have still not come in.

Supt. Mahar already updated on the progress and grounds maintenance.

Councilman Fazio exits at 6:38pm

Supervisor Doyle asked Supt. Mahar if he had a cost estimate for the bollards to be placed at the well casing. Supt. Mahar replied not yet but does suggest the bollards be covered with a yellow plastic sleeve.

Supervisor Doyle reported that SnoPals would not sign the TME agreement for crossing Denmark town roads and rights of way if they are required to pay toward roadway repairs. Discussion held.

Councilman Fazio reentered 6:42pm

Motion to approve the TME agreement made by Councilman Wadsworth, motion to approve seconded by Councilman Jones.

Roll call vote 5 Ayes, 0 Noes.

Supervisor Doyle introduced a recommendation for an amendment of the current zoning law regarding wind driven power setbacks.

Town Zoning Law Section 1025 Private Wind Power Generating Facility: Commercial Wind Power Overlay / Commercial Wind Power Generating Facility / Wind Test Towers

General Requirements for Commercial Wind Power Overlay/ Commercial Wind Power Generating Facility/ Wind Test Towers concerning the setbacks.

Supervisor Doyle recommended the following changes:

Item A. 'The height of the highest portion of the nacelle plus 8 times the length of one rotating blade (Roughly 2000') of such Wind Power Generating Facility from the road centerline.' Discussion held.

### And

In Item B; from '1500 to 2000 feet from the structure of any residence, public building, campground, church, or business; or 2000 feet from any school property line.' Discussion held.

Supervisor Doyle also suggested changing: 'the owner of a residence may consent to vary this distance;' to 'the owner of the residence may not consent to varying the distance.'

Supervisor Doyle noted that these suggested changes would bring Town of Denmark's Zoning Law in line with the distances used by nearing towns. Also advising that the Town will have to engage the Attorney on the requirements to change the law. i.e.: public input, etc. A special hearing would need to be set once everything is in order.

Councilman Wadsworth asked if changing the distance 'to residence' meant main residence or an accessory building?

Deputy Supt. Der offered that the distinction is made in the existing law; believing it mean the main residence.

Motion to lay out the change of setback made by Councilman Wadsworth, the motion seconded Supervisor Doyle.

Prepared by Deputy Town Clerk Susan Kirch-Corey

Mr. Carter inquired; if a tower falls, will the owner pay for the restoration? Supervisor Doyle answered, yes.

Councilman Jones asked, if a farmer can add additional buildings, such as to an existing farm? Discussion held; the short answer is yes. The distances in question pertain to the initial construction of the tower.

#### **New Business:**

Supervisor Doyle would like to submit information to Fourth Coast Solar in Clayton to have them design a Solar Array and conduct a payback analysis utilizing NYSERDA programs and required capital investment from the town.

Councilman Wadsworth inquired how much it would cost.

Supervisor Doyle answered, nothing. Supervisor Doyle added that Harrisville has just completed a project.

Supervisor Doyle explained the door installation damaged an area around the entrance doors. The town should expect a change order on Tom Aubin's invoice for the repair of drywall, and fixing stucco on left and front side of entrance doors at the entrance to building.

Councilwoman Rowsam inquired if B.R. Johnson would be responsible for these repairs.

Supervisor Doyle explained that one of their installers was stung by bees that had started infiltrating the doors, frame, and wall at those locations. B.R. Johnson could not be held responsible.

Supervisor Doyle explained that an additional lockset for the Highway Garage would be purchased because the wrong lock had been replaced with the removed lockset being discarded. Supervisor Doyle informed Supt. Mahar that he would need to be here when this new lock is installed, as he would not be here.

Councilman Wadsworth offered a resolution, seconded for adoption by Councilman Jones as follows: Resolution 127 of 2022: The Town of Denmark Town Board does hereby resolve to allow Supervisor Scott Doyle to sign quote # 440254 from B.R. Johnson, LLC in the amount of \$172.19 to replace the door knob hardware for the garage door. The Town Board further directs that the funds to pay for this project be drawn from the American Rescue Plan Act (ARPA) funds received from the federal government.

Councilman Wadsworth Aye
Councilman Fazio Aye
Councilman Jones Aye
Councilwoman Rowsam Aye
Supervisor Doyle Aye

Supervisor Doyle asked if October 8<sup>th</sup> at 6:00 PM would be agreeable for the Board to meet for the Preliminary Budget meeting; the date was changed to October 11<sup>th</sup> at 6:00 PM.

Supervisor Doyle explained the quotation received from Advanced Business Systems, Inc. for a quote for a new computer, citing not being able to print or scan to his printer, and it is taking 10-11 minutes to start up. Discussion held.

Councilwoman Rowsam offered a resolution, seconded for adoption by Councilman Jones as follows:

Resolution 128 of 2022: The Town of Denmark Town Board does hereby resolve to allow Supervisor Scott Doyle to sign quote # SQ1028 from Advanced Business Systems, Inc. in the amount of \$1,500.08 to purchase a new DELL OPTIPLEX 3000 computer, setup, installation, and data transfer from Supervisor's current laptop to new computer to be installed in the Supervisor's Office.

Councilman Wadsworth Aye
Councilman Fazio Aye
Councilman Jones Aye
Councilwoman Rowsam Aye
Supervisor Doyle Aye

Councilman Fazio offered a resolution, seconded for adoption by Councilman Jones as follows:

Resolution 129 of 2022, The Town of Denmark Town Board hereby approves the transfer of \$1,500.08 from the Supervisor Salary A1220.1 to Supervisor Contractual 1220.4 for payment to Advanced Business Systems, Inc. for service and equipment as listed in quote # SQ1028.

Councilman Wadsworth Aye
Councilman Fazio Aye

Councilman Jones Aye
Councilwoman Rowsam Aye
Supervisor Doyle Aye



Councilman Fazio offered a resolution, seconded for adoption by Councilwoman Rowsam as follows: Resolution 130 of 2022: The Town of Denmark Town Board hereby approves attached Teamsters Union Contract for the years 2023 – 2025. The Board further authorizes Supervisor Doyle to sign and approve the contract.

Councilman Wadsworth Aye
Councilman Fazio Aye

Minutes of 09.19.2022 Prepared by Deputy Town Clerk Susan Kirch-Corey

Councilman Jones Aye
Councilwoman Rowsam Aye
Supervisor Doyle Aye

Supervisor Doyle introduced an email he had received about setting electronic speed signs for the town. The towns of Castorland, Carthage, Lowville, Deferiet, and Champion have signed up with NYSDOT to receive these signs, saying that the more towns that sign up for their use the less the equipment costs. Discussion held.

Supt. Mahar requested a pay be set for part-time winter help.

Councilman Fazio inquired what the pay was last year.

Supt. Mahar explained it was \$19 per hour; recommending \$20 for those holding a CDL license, \$18 per hour for non-CDL licensed part-time winter workers.

Councilman Fazio offered a resolution, seconded for adoption by Councilwoman Rowsam as follows:

Resolution 131 of 2022: The Town of Denmark Town Board hereby approves Highway Department part-time winter help pay rate at \$20.00 per hour for CDL licensed employees and a pay rate of \$18.00 per hour for non-CDL licensed employees.

Councilman Wadsworth Aye
Councilman Fazio Aye
Councilman Jones Aye
Councilwoman Rowsam Aye
Supervisor Doyle Aye

Supervisor Doyle announced there being no other business before the Town Board. At 7:09 PM, Councilman Wadsworth offered a motion to adjourn, seconded by Councilman Jones. Roll call vote Ayes 5, Noes 0

Susan Kirch-Corey Town of Denmark Deputy Town Clerk