

Proposed Resolutions for 12.19.2022

Budget matters:

Resolution ____ of 2022: Budget Transfer line A1410.12

The Town of Denmark Town Board hereby authorizes the following budget transfer to balance a line that has been overspent:

From	To Budget Code	Amount to transfer
Unexpended fund balance	A1410.12 -Salary line for Deputy Clerk	5,400.00

Resolution ____ of 2022: Budget transfer for ARPA

The Town of Denmark Town Board does hereby authorize the following budget adjustments:

Increase Budget Code	Increase Budget Code	Amount
Revenue Code A4089 - General Fund Federal Aid, other	Expenditure Code A5132.41 Garage Contractual - ARPA	\$32,426.05

Resolution ____ of 2022: Rutland Fire District purchase of radios

The Town of Denmark Town Board does hereby direct that a check be issued to the Rutland Fire District, PO box 626, Black River, NY 13612 in the amount of \$3,645.00 utilizing ARPA funds and budget code SF3410.4 for the purchase of 10 Unication G1 Pagers and chargers for use by the members of that department and further directs the following budget transfer of funds:

Increase Budget Code	Increase Budget Code	Amount
Expenditure Code A9901 – General Fund Interfund transfer	Revenue Code A4089 - General Fund Federal Aid, other	\$3,645.00
Revenue Code SF5031 - Fire Protection Fund Interfund transfer	Expenditure Code SF3410.44- Fire Protection Contractual – Fire (ARPA)	\$3,645.00

Resolution ____ of 2022: Budget line correction

The Town of Denmark Town Board hereby authorizes the transfer of \$1,100.00 from budget line A1010.42 to A1010.12 to correctly identify those funds as a payroll expense to pay the website administrator for the Town of Denmark website in the adopted 2022 Town of Denmark Budget.

Resolution ____ of 2022: Budget line correction

The Town of Denmark Town Board hereby authorizes the transfer of \$1,100.00 from budget line A1010.42 to A1010.12 to correctly identify those funds as a payroll expense to pay the website administrator for the Town of Denmark website in the adopted 2023 Town of Denmark Budget.

Monthly Abstracts

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Resolution ____ of 2022: General Fund Abstract December 19, 2022

The Town of Denmark Town Board approves payments of General Fund Abstract #662 dated December 19, 2022, paid-prior claims # 245 and 246 totaling \$12,532.06, new claims # 247 - 270 totaling \$9,957.25, all claims totaling \$22,489.31

Resolution ____ of 2022: Water District 1 Abstract December 19, 2022

The Town of Denmark Town Board approves payments of Water District Abstract #87, dated December 19, 2022, claim # 17 totaling \$ 25.75

Resolution ____ of 2022: Highway Abstract December 19, 2022

The Town of Denmark Town Board approves payments Highway Department, Abstract #704, dated December 19, 2022, paid-prior claims # 193 totaling \$28,095.00, new claims # 194 - 209 totaling \$15,443.14, all claims totaling \$43,538.14

Justice Court matters:

Resolution ____ of 2022: Retention of cell phone by Justice Kiernan

The Town of Denmark Town Board hereby resolves that Justice Thomas Kiernan be allowed to retain his Verizon flip phone so long as the service for that phone is removed from the Town of Denmark account and transferred to a private account by December 31, 2022, when Justice Kiernan vacates office.

Resolution ____ of 2022: Bank Accounts for Justice Hancock and Justice Lumley

The Town of Denmark Town Board does hereby authorize newly elected Justice Jason Hancock and newly elected Justice Jeffrey Lumley to each establish their own checking accounts at Community Bank, N.A.

Resolution ____ of 2022: Cell phones for Town Justices

The Town of Denmark Town Board does hereby authorize Justice Jason Hancock and Justice Jeffrey Lumley to be added to the Town of Denmark Verizon cell phone plan, that both Justices be provided with Verizon smart phones and further directs that the expense for those phones and the subsequent phone bills be paid from budget code A1110.41

Resolutions for 2023:

Resolution ____ of 2022: DCO Contract for 2023

The Town of Denmark Town Board does hereby enter into a contract for Dog Control with _____, effective 01/01/2023 – 12/31/2023 as follows:

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TOWN OF DENMARK
AGREEMENT FOR DOG CONTROL OFFICER SERVICES BY INDEPENDENT CONTRACTOR

This Agreement is made the ___ day of _____, 2023 between the Town of Denmark (hereinafter referred to as "Town"), a municipal corporation under the laws of the State of New York with Offices at 3707 Roberts Road, Carthage, New York 13619 and _____ (hereinafter referred to as "Independent Contractor") who resides at _____

1. APPOINTMENT AS DOG CONTROL OFFICER:
Town wishes to appoint Independent Contractor to the position of Dog Control Officer in and for the Town of Denmark pursuant to all of the terms and conditions of this Agreement as well as all pertinent State and Town laws, rules, and regulations.
2. TERM
The term of this Agreement shall commence on January 1, 2023 and shall continue for a period of one (1) year, unless amended or terminated earlier as provided for herein. This contract can be amended or terminated by either party upon giving a thirty (30) day written notice to the other party. The Town Board retains the right, at any time, to terminate this Agreement if, in its sole judgment and discretion, it determines that the duties set forth herein are not being adequately met.
3. DUTIES
Independent Contractor shall carry out all of those duties for a dog control officer within the Town of Denmark as provided for in Article 7 of the Agriculture and Markets Law of the State of New York and the Dog Control Law of the Town of Denmark.
4. COMPENSATION
Town shall pay Independent Contractor the sum of four hundred dollars and 00/100 (\$400.00) per month. Town shall also reimburse Independent Contractor for reasonable and necessary mileage at the Federal rate per mile established for 2023 and approved for travel in his personal vehicle which is reasonable and necessary in connection with his performance of the duties of Dog Control Officer. Independent Contractor shall submit a voucher to Town for compensation and travel reimbursement on a form approved by Town.
5. RECORDS
Independent Contractor shall provide a complete copy of all records, reports, and other supporting documents, summarizing all activities taken by Independent Contractor to the Town Board within thirty (30) days of the end of each calendar month. These records, reports, and other supporting documents shall be filed and maintained with the Town Clerk. This filing and maintenance of the aforementioned documents is for the sole purpose of complying with the requirements of New York law, and shall not be for the purpose of monitoring, or exercising control over, Independent Contractor.

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6. INDEPENDENT CONTRACTOR

The relationship between Independent Contractor and the Town shall be that of an independent contractor. Independent Contractor will set his own hours and determine in his sound discretion the best manner, place and time to meet his duties as dog control officer. Town will issue a 1099 form to Independent Contractor annually and Independent Contractor will be responsible for the reporting and payment of any taxes.

7. HOLD HARMLESS

Independent Contractor shall defend, indemnify and hold the Town of Denmark, its officers, and employees harmless including reimbursement for reasonable attorneys' fees from any and all loss, claims, costs or expenses arising out of any claim of liability for injuries to person, or damages to property, sustained by any person or entity by reason of Independent Contractor's operation, use, occupation, or performing services at the subject property, or by or resulting from any act or omission of Independent Contractor or any of its officers, agents, employees, guests, patrons or invitees. Coverage under the liability insurance of the types and amounts specified in this Agreement and naming the Town of Denmark as an additional named insured shall be sufficient for purposes of meeting Independent Contractor's obligations under this paragraph.

8. INSURANCE

- a. Independent Contractor agrees to furnish and maintain during the term of this agreement general liability insurance. Independent Contractor's policy of liability insurance shall name the Town of Denmark as a certificate holder and as an Additional named Insured without restriction to vicarious liability issues only. Independent Contractor shall provide the Town of Denmark with copies of its declaration pages for the policy or policies, for the duration of this Agreement, and those declarations must be delivered to the Town Clerk of Denmark prior to Independent Contractor's commencement of any activities under this Agreement.
- b. Independent Contractor shall procure and maintain Workers' Compensation insurance and Disability insurance in accordance with the laws of the State of New York. This insurance shall cover all persons who are employees of Independent Contractor under the laws of the State of New York and remain in full force and effect.

9. VENUE AND APPLICABLE LAW

- a. The Town and Independent Contractor agree that the venue of any legal action arising from a claimed breach of this Agreement is in the Supreme Court, in and for the County of Lewis.
- b. This Agreement shall be construed in accordance with the Laws of the State of New York.

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10. SAVINGS CLAUSE

The Parties agree that to the extent any term, condition, or provision of this Agreement is found to be invalid, for any reason, the remainder of this Agreement shall, to the maximum extent possible, remain in full force and effect for the contract term or for any extension thereof.

11. ENTIRE AGREEMENT

This Agreement represents the entire Agreement between the Parties in connection with the referenced subject matter, and each Party acknowledges that there are no promises, agreements, or understandings, either oral or written, expressed or implied, which are not set forth in this Agreement. Each Party further agrees that no change to the terms of this Agreement shall be binding unless such change is in writing and signed by both Parties.

In Witness Whereof, we have signed our names on the dates set forth hereafter.

THE TOWN OF DENMARK

By: _____
Scott Doyle, Supervisor
Date:

Date:

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The Town of Denmark Town Board does hereby adopt the following as the salary schedule for 2023:

Town of Denmark
2023 Salary Schedule

Bi-Weekly Payroll				
Position and Name	Budget Code	Annual Salary	Frequency	Gross Amount per pay period (26)
Town Clerk / Tax Collector Prudence Greene	A1410.11	\$33,440.00	Bi-Weekly	\$1,286.15
Highway Supt. Patrick Mahar	A5010.1	\$55,385.00	Bi-Weekly	\$2,130.19
Assessor William Vargulick	A1355.1	\$20,400.00	Bi-Weekly	\$769.23
Appointed Position and Name				
Budget Code	Annual Salary	Frequency	Gross Amount per pay period (26)	
Court Clerk Prudence L. Greene	A1110.13	\$8,500.00	Bi-Weekly	\$326.92
Deputy Clerk Sue Kirch-Corey	A1410.12	\$18.00 Per Hour	Bi-Weekly	<i>Will be reported</i>
Custodian Sandy Wadsworth	A5132.1	\$21.00 Per Hour	Bi-Weekly	<i>Will be reported</i>
Monthly Payroll				
Position and Name	Budget Code	Annual Salary	Frequency	Gross Amount per pay period (12)
Town Supervisor Scott Doyle	A1220.1	\$18,000.00	Monthly	\$1500.00 <i>Salary Declined</i>
Councilman Fred Wadsworth	A1010.1	\$2,240.00	Monthly	\$186.67
Councilman Frank Fazio Jr	A1010.1	\$2,240.00	Monthly	\$186.67
Councilman Peter Jones	A1010.1	\$2,240.00	Monthly	\$186.67
Councilman Darlene Rowsam	A1010.1	\$2,240.00	Monthly	\$186.67
Town Justice Jason Hancock	A1110.11	\$10,395.00	Monthly	\$866.25
Town Justice Jeffrey Lumley	A1110.11	\$10,395.00	Monthly	\$866.25
Deputy Court Clerk Rachael B. Vary	A1110.14	\$8,500.00	Monthly	\$708.33
Dog Control	A3510.1	\$4,800.00	Monthly	\$400.00
ZEO Kevin Gaines	B8010.1	\$22.50/ per hour	Monthly	<i>*Will be reported</i>
Planning Board Chair Kevin Gaines	B8020.1	\$900.00	Monthly	\$75.00
Planning Member Patrick Mahar	B8020.1	\$640.00	Monthly	\$53.33
Planning Member John Williams	B8020.1	\$640.00	Monthly	\$53.33
Planning Member Debra Der	B8020.1	\$640.00	Monthly	\$53.33
Planning Member Mary M. Jones	B8020.1	\$640.00	Monthly	\$53.33
Planning Member Kevin Sullivan	B8020.1	\$640.00	Monthly	\$53.33
Planning Member Vacancy	B8020.1	\$640.00	Monthly	\$53.33
Planning Secretary Amanda Clarke	B8020.1	\$640.00 + \$14.20 per hour	Monthly	\$53.33 + <i>*reported hours at \$14.20 per</i>
Quarterly Payroll				
Appointed Position and Name	Budget Code	Annual Salary	Frequency	Gross Amount per pay period
Court Bailiff Joseph E. Greene	A1110.12	\$ 3,419.00	Quarterly	\$854.75
Deputy Court Bailiff	A1110.12	Will be reported		

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Town of Denmark
2023 Salary Schedule

Water Clerk Prudence Greene	SW1 8310.12	\$ 1,280.00	Quarterly	\$320.00
Supt of Water Patrick Mahar	SW1 8310.11	\$ 1,550.00	Quarterly	\$387.50
Web Admin Prudence Greene	A1010.12	\$ 1,100.00	Quarterly	\$275.00
Registrar Prudence Greene	B4020.11	\$ 420.00	Quarterly	\$104.00
Deputy Registrar Sue Kirch - Corey	B4020.12	\$ 110.00	Quarterly	\$ 27.50
Teamster Contract Article 24: WAGES AND HOURS – effective 01/01/2023				
Working Supervisor \$23.31 per hour	M.E.O. \$22.51 per hour	Probationary \$21.45 per hour		
Temporary Highway Employee holding a CDL \$20.00/Hour to be paid bi weekly from DA 5130.1				
Temporary Highway Employee Non - CDL \$18.00/Hour to be paid bi weekly from DA 5130.1				
Annual Payroll to be paid 1 time in December				
Appointed Position and Name	Budget Code	Annual Salary	Frequency	Gross Amount per pay period
Board of Assessment Review Chair Debra Der	A3610.1	\$422.00	Annually	\$422.00
Member Board of Assessment Review John Astafan	A3610.1	\$134.00	Annually	\$134.00
Member Board of Assessment Review Jamie Haggett	A3610.1	\$134.00	Annually	\$134.00
Zoning Board of Appeals Chair Charles Haggett	B8010.1	\$250.00	Annually	\$250.00
Zoning Board of Appeals Member	B8010.1	\$100.00	Annually	\$105.00
Zoning Board of Appeals Member Fred Smith	B8010.1	\$100.00	Annually	\$105.00
Zoning Board of Appeals Member Glen Sarnowski	B8010.1	\$100.00	Annually	\$105.00
Zoning Board of Appeals Member – Andrew Moser	B8010.1	\$100.00	Annually	\$105.00

Resolution ____ of 2022: Appointments for 2023

The Town of Denmark Town Board does hereby make the following appoints for 2023:

Name	Position	Term
Fred Wadsworth	Deputy Supervisor	01/01/2023 – 12/31/2023
Prudence L. Greene	Court Clerk	01/01/2023 – 12/31/2023
Rachel Vary	Court Clerk	01/01/2023 – 12/31/2023
Joseph Greene	Court Bailiff	01/01/2023 – 12/31/2023
Debra Der	Planning Board member	01/01/2023 – 12/31/2029
	Dog Control Officer	01/01/2023 – 12/31/2023
North Country CPA's	Town Accountants	01/01/2023 – 12/31/2023
Atty. James Burrows of Kendall, Walton & Burrows	Town Attorney	01/01/2023 – 12/31/2023

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Resolution ____ of 2022: Designation of official newspapers

The Town of Denmark Town Board hereby name the Lewis County Journal & Republican and/or the Watertown Daily Times as the official newspapers for the Town of Denmark effective 01/01/2023.

Resolution ____ of 2022: Mileage reimbursement

The Town of Denmark Town Board hereby authorizes the town to adopt Federal Milage Reimbursement Rate of \$.625/mile for travel conducted doing Town of Denmark business effective 01/01/2023.

Resolution ____ of 2022: Blanket Undertaking for Town Officials

The Town of Denmark Town Board hereby directs that the Town of Denmark approves a blanket undertaking bond covering all Town Officers as required by Section 25 of the Town Law; and further resolve that, Supervisor Doyle, Deputy Supervisor Wadsworth, Town Justices Jason Hancock and Jeffrey Lumley, Town Clerk Prudence Greene and Deputy Clerk Susan Kirch-Corey are specifically covered under Blanket Undertaking, as required by Public Officers Section 11(2).

Resolution ____ of 2022: Dishonored check fee

The Town of Denmark Town Board hereby authorizes Town Clerk Prudence Greene to charge a \$25.00 fee for all dishonored checks paid to the Town of Denmark effective 01/01/2023

Resolution ____ of 2022: 2023 Contract LCSR

The Town of Denmark Town Board does hereby authorize Supervisor Scott Doyle to sign the 2023 Ambulance Service Contract in the amount of \$_____ (insert contract or remove)

Capital Reserve for cemeteries:

Resolution ____ of 2022: Establishing a Capital Reserve Fund to finance a "Type" of Capital Improvement:

WHEREAS, the Town Board of the Town of Denmark is vested with the authority and responsibility to plan for the construction, reconstruction, and/or improvements of its cemeteries and potential repairs to the same; and

WHEREAS, the Town Board of the Town of Denmark is vested with the authority and responsibility to manage and control the finances of the Town and plan for the payment of such Projects; and

WHEREAS, Town Board considers establishing a "Type" of Capital Reserve Fund to accomplish these legitimate public objectives; and

WHEREAS, the Town Board is prepared to proceed.

NOW, THEREFORE, BE IT RESOLVED, that:

1. Pursuant to NY General Municipal Law 56-c and 56-d a "Type" Capital Reserve Fund to be known as the "Cemetery Improvements and Repair Reserve Fund" to finance certain

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public projects including the construction, reconstruction, and/or improvements, and along with repairs to cemeteries, shall be established.

2. The purpose of this reserve fund is to accumulate monies to finance the cost of a "Type" of Capital Improvement, as specified above.
3. The Town Supervisor, as Chief Fiscal Officer, is hereby authorized and directed to deposit and secure the monies of this reserve fund in the manner as provided by NY General Municipal Law 510 and which may be invested in the manner provided by NY General Municipal Law 51 1 and consistent with the investment policy of the Town of Denmark.
4. Any interest earned, or capital gains realized. on all monies deposited or invested in this Cemetery Improvements and Repair Reserve Fund shall accrue to and become a part of the Cemetery Improvements and Repair Reserve Fund.
5. The Chief Fiscal Officer shall account for the Reserve Fund in a manner which maintains a separate identity of the Cemetery Improvements and Repair Reserve Fund and shows the date and the amount of each sum paid into the fund, interest earned by the Fund, Capital Gains or losses resulting from investments of the Fund, the amount and date of each withdrawal from the fund and the total assets of the Fund, showing cash balances and a schedule of investments and shall, at the end of each fiscal year, render to the Town Board, with the assistance of the Town's Accountant, a detailed report of the operation and condition of the Cemetery Improvements and Repair Reserve Fund.
6. Except as otherwise provided by law, expenditures from the Cemetery Improvements and Repair Reserve Fund shall be made only for the purpose for which this Fund is established. No expenditures shall be made from this Reserve Fund without the approval of the Town Board and such additional actions or proceedings as may be required by NY General Municipal Law 56c including a permissive referendum if required by NY General Municipal Law 56-c(4) and as the same may be amended from time to time.
7. The Town Supervisor, Town Clerk, and Town Accountant are authorized to take such steps as necessary to accomplish the objectives of this Resolution.
8. This Resolution shall take effect immediately.