

Minutes of 01.16.2023
Prudence L. Greene

The Town of Denmark regular monthly meeting and 2023 organizational was held concurrently on 01.16.2023 at the Town of Denmark municipal building. The meeting was called to order at 6:00pm by Supervisor Scott Doyle. The pledge of allegiance was recited by those in attendance.

Town Clerk Prudence Greene completed a roll call of the Town Board as follows:

Council member Fred Wadsworth	present
Council member Frank Fazio	present
Council member Peter Jones	present
Council member Darlene Rowsam	present
Supervisor Scott Doyle	present

Also present were the following:

Town Clerk Prudence Greene
Dep Supt. Of Highways James Der
Cindy Doyle
Sandra Jones
Gerald Carter

Councilman Wadsworth made a motion to accept the minutes of the 12.19.2022 meeting. His motion was seconded by Councilman Fazio. Vote recorded as all ayes.

Councilman Fazio made a motion to accept the prepared agenda. His motion was seconded by Councilman Jones. Vote recorded as all ayes.

Public comment:

Resident Gerald Carter expressed his gratitude for the work done by the town's highway department during the storm over the Christmas holiday. Mr. Carter also asked about the changes to fire protection districts. Supervisor Doyle explained the current fire contracts / protection areas.

A brief discussion was held on potential tax breaks for first responders.

Department reports:

Supervisor's Report:

Board members were provided with the monthly financial documents prepared by North Country CPA's.

Board members were provided with the annual audit report completed by Supervisor Doyle and Councilman Jones on 01.11.2023 of Justice Kiernan's 2022 records.

Discussion was held on the wage for Highway Department Non CDL Operators. The wage had been set at \$18.00 per hour in the 2023 salary schedule but the employee in the position was paid \$19.00 per hour in 2022. Town Board decided to change the amount to \$19.00 per hour for 2023. A resolution will be voted upon later in the meeting.

Discussion was held on the point of contact for the Workplace Violence Prevention & Incident Reporting policy. Town Clerk Greene was asked and accepted the roll for 2023. A resolution will be voted upon later in the meeting.

A discussion on 2022 budget line overages was held. Resolutions addressing these overages will be made later in the meeting.

A discussion was held on having Assessor Vargulick conduct a revaluation of properties in the town. The state will not offer the \$5.00 per parcel reimbursement unless the revaluation is conducted in 2024, 5 years after the last. Not revaluating will cause an equalization rate to be applied to property taxes collected from the 2023 tax rolls.

Discussion was held on the deputy clerk position. Under the current budget the position is funded for an average of 21.5 hours per week and the position is being paid \$18.00 per hour with no vacation or sick time and no holiday pay. Discussion was held.

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

Resolution __1__ of 2023: Permanent part time Deputy Town Clerk

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The Town of Denmark Town Board hereby resolves that the Deputy Town Clerk position be designated as a permanent part time position and that the person in that position be paid for up to 5 days (30 hours) of vacation and be paid for 6 hours on legal holidays beginning 1/17/2023.

Roll call vote recorded as follows:

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

Resolution 1 of 2023 adopted 01.16.2023

Zoning and Planning:

The December 2022 Zoning report was provided to the Town Board. The Planning Board did not meet in January 2023 due to a lack of applications.

Clerks Report:

The December 2022 Town Clerk's report was provided to the Town Board. Clerk Greene provided copies of the following correspondence:

1. A letter dated 01.05.2023 from the Lewis County Treasurer reporting that Denmark received \$75,777.47 in 2022 from mortgage tax.
2. Monthly RACOG Report for January 2023
3. Information for the Association of Towns Conference February 19th – 23rd.

Superintendent of Highways & Special Districts:

An update of department activity was provided to the Town Board as well as a Budget Report and Voucher Report

Discussion was held on the green waste pile. Due to the cost of hiring someone to come in and chip the wood Supt. Mahar has reached out to the Village of West Carthage fire department to discuss burning it. They do not have a problem with this so long as they are notified when it is burned.

Councilman Wadsworth offered a motion, seconded for adoption by Councilman Fazio, that Supt. Mahar and his department burn the green waste pile to dispose of it. Vote recorded as all ayes.

Discussion was held on the Section 284 Agreement for the Expenditure of Highway Moneys. Town Board members will be asked to consider a resolution to sign the document later in the meeting.

Discussion was held on the 2014 pickup truck.

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

Resolution ___ of 2023: Declare as surplus (2014 pickup truck)

The Town of Denmark Town Board does hereby declare the 2014 pickup truck as surplus and further asks Supt. Mahar to list the truck on the Auctions International website.

Further discussion was held on minimum bids and condition of the truck.

Councilman Fazio withdrew his offered resolution.

Supervisor Doyle made a motion, seconded by Councilman Jones, to table discussion about the 2014 pickup truck to the regular February meeting. Vote recorded as all ayes.

Old Business

B&R Johnson will be here for the door project on February 9th. Tom's General Contracting has submitted an estimate for the work needed for the opening in the wall between the Town Clerk and Court Clerk's offices. His estimate is for 30 hours of work and materials \$1,750.00.

Fourth Coast is working on an estimate on heated mats for the upper-level sidewalk and of the electrical needs to use them.

Records Management – Discussion was held on records management. Grant opportunities exist to help fund records management needs and a series of webinars are being offered to help with grant writing.

The Town Clerk is the Records Management Officer for the Town, and the Town Board has adopted the Retention and Disposition Schedule for New York Local Government Records (LGS-01).

Supervisor Doyle made a motion, seconded by Councilwoman Rowsam that the Town Board hold a work session on 02/07/2023 at 5:30pm to further discuss records management. Vote recorded as all ayes.

New Business

Candy Akins from Lewis County Real Property & Megan Krokowski from Community Development will be at our February Meeting

Tom Aubin Estimate for Emergency Exit Door Rough Opening for door project as reviewed and discussed.

The buildings boiler system and back up boiler went down the weekend of 1/14 – 1/15. Repairs have been made and a monitoring system is available. Discussion was held.

The Tug Hill Commission Local Government Conference will be held April 5 and 6, 2023 at Turning Stone casino.

Slate of Resolutions

Councilman Wadsworth, seconded by Supervisor Doyle offered a slate of resolutions as follows:

Resolution __2__ of 2023: Investments

The Town of Denmark Town Board hereby authorizes-Supervisor Scott M. Doyle to invest Town of Denmark monies in interest bearing accounts.

Resolution __3__ of 2023: Meeting date and time

The Town of Denmark Town Board hereby establishes that regular monthly meetings of the Town of Denmark Town Board will be held on the 3rd Monday of each month, starting at 6:00PM except for the month of February when the meeting will be held on Tuesday, February 21, 2023 and June when the meeting will be held Tuesday, June 20, 2023 and November, when the meeting will be held on Thursday, November 9 2023. Meetings will be held at the Town Municipal Building at 3707 Roberts Road.

Resolution __4__ of 2023: Appointments

The Town of Denmark Town Board does hereby appoint the following officials:

- James Reed as a member of the Zoning Board of Appeals for a term of 5 years, term expires 12/31/2027.
- Kevin Gaines as the Zoning Enforcement Officer for a term of 1 year, term expires on 12/31/2023.

Resolution __5__ of 2023: Highway Department Temporary Employee salary for 2023

The Town of Denmark Town Board hereby resolves that the hourly wage for Highway Department part-time winter help at a pay rate of \$19.00 per hour for non-CDL licensed employees effective 01/01/2023.

Resolution __6__ of 2023: Authorization for Supervisor's checking accounts

Town of Denmark Board designates/approves the following: Supervisor Scott M Doyle to utilize Community Bank as authorized signer and depositor, with Deputy Supervisor Frederick Wadsworth as additional authorized signer and depositor for the following accounts:

- Funds for Highway Account Ending 0006
- Town General Account Ending in 0048
- Trust & Agency Account Ending in 0113
- Town of Denmark Water District 1 Account Ending in 7079
- Town of Denmark Money Market Account Ending in 1933

Resolution __7__ of 2023: Town Justices checking accounts.

The Town of Denmark Board Authorizes Town Justice Jason Hancock and Town Justice Jeffrey Lumley to utilize Community Bank for their Town Justice checking accounts.

Resolution __8__ of 2023: Town Clerk checking accounts.

The Town of Denmark Town Board does hereby authorize Town Clerk Prudence Greene to utilize Community Bank for Town Clerk Account Ending in 9708, Town Tax Collection Account Ending in 1552 and Town DECALS Account Ending in 0030 with Deputy Clerk Susan Kirch-Corey as an additional signer and depositor.

Resolution __9__ of 2023: Highway Department I-9's

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The Town of Denmark Town Board hereby authorizes Patrick Mahar to review I-9 forms and sign as authorized representative for all Highway Department employees.

Resolution __10__ of 2023: General Fund I-9's

The Town of Denmark Town Board hereby authorizes Prudence Greene to review I-9 forms and sign as authorized representative for all General Fund employees.

Resolution __11__ of 2023: Policy adoption

The Town of Denmark Town Board hereby readopts the existing Town of Denmark Policies that follow:

- Policies & Procedures for Purchases
- Workplace Violence Prevention Policy & Incident Reporting
- Town of Denmark Code of Ethics (Local Law 4 of 2010)
- Town of Denmark Equal Opportunity Policy
- Town of Denmark Americans with Disability Act Policy
- Town of Denmark Firearms Policy
- Town of Denmark Training of Planning Board and Zoning Board of Appeals
- Town of Denmark Electronic Use Policy
- Town of Denmark Policy Against Discrimination and Harassment

Monthly Abstract Resolutions:

Resolution __12__ of 2023: General Fund Abstract January 16, 2023

The Town of Denmark Town Board approves payments of General Fund Abstract #663 dated January 16, 2023, paid-prior claims #1 totaling \$3,645.00 paid 12.20.2022 , new claims # 2 - 27 totaling \$39,652.50, all claims totaling \$43,297.50.

Resolution __13__ of 2023: Water District 1 Abstract January 16, 2023

The Town of Denmark Town Board approves payments of Water District Abstract #88, dated January 16, 2023, claim #1- totaling \$ 25.75.

Resolution __14__ of 2023: Highway Abstract January 16, 2023

The Town of Denmark Town Board approves payments Highway Department, Abstract #705, dated January 16, 2023, new claims # 1-16 totaling \$ 52,649.90.

2022 Budget Resolutions:

Resolution __15__ of 2023: Correction of 2022 Budget Revenue lines

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

Budget Code	Budget Code	Amount
Revenue Code DB3501 Chips	Expenditure Code DB5112.4 Contractual – Road Improvements	\$114,424.26

Resolution __16__ of 2023: Correction of 2022 DB Budget

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	DB5110.1 Payroll – Maint. Roads	22,737.76
Unexpended fund balance	DB5110.41 Contractual – Maint. of Roads – Other	6,001.52
Unexpended fund balance	DB5112.4 Contractual – Road Improvements	29,248.30
Unexpended fund balance	DB9030.8 Social Security & Medicare	1,500.51

Resolution __17__ of 2023: Correction of 2022 DA Budget

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	DA5130.2 Equipment – Machinery	13,660.00
Unexpended fund balance	DA5142.4 Contractual - Snow Removal	17,804.79

Resolution __18__ of 2023: Correction of 2022 A Budget

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	A5132.4 Contractual – Town Garage	2,358.96

Other Resolutions:

Resolution __19__ of 2023: 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 buildings 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 "Building Improvements and Repair Reserve Fund" to finance certain public projects including the construction, reconstruction, and/or improvements, and along with repairs to Town Buildings, 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 Building Improvements and Repair Reserve Fund shall acCouncilwoman Rowsamue to and become a part of the Building 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 Building 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 Building Improvements and Repair Reserve Fund.
6. Except as otherwise provided by law, expenditures from the Building 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.

Resolution __20__ of 2023: Hyundai Wheel Excavator payment

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The Town of Denmark Town Board hereby authorizes a check be issued to Midland State Bank for the 2023 payment on the Hyundai Wheel Excavator in the total amount of \$38,197.00 and further directs that \$35,761.09 be drawn from budget code DA9785.6 and \$2,435.91 be drawn from budget code DA9785.7.

Resolution 21 of 2023: Annual Audit of Justice Kiernan

The Town of Denmark Town Board hereby acknowledges that the annual audit of the Town of Denmark Court Justice Thomas Kiernan for the year 2022 was completed by Councilman Jones and Supervisor Doyle on 01.11.2023.

Resolution 22 of 2023: Emergency entrance Court Clerk

The Town of Denmark Town Board hereby authorizes Thomas Aubin to Councilwoman Rowsam an opening between the Court Clerk's office and Town Clerk's office to serve as an emergency exit and further directs that the funds to pay for this project be drawn from the ARPA money received by the Town of Denmark.

Resolution 23 of 2023: Tug Hill Commission Local Government Conference (April 5 and or 6, 2023)

The Town of Denmark Town Board does hereby authorize payment of conference registrations for any elected or appointed official of the Town of Denmark who plans to attend the Local Government conference sponsored by the Tug Hill Commission on 04.06.2023 and further directs that those who attend may be reimbursed for mileage after submitting proper documentation to the Town Clerk.

Resolution 24 of 2023: Section 284 Agreement for the Expenditure of Highway Moneys

The Town Board of the Town of Denmark does hereby authorize the members of the Town Board including the Town Supervisor to sign the amended section 284 agreement as follows:

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

AGREEMENT between the Town Superintendent of the Town of Denmark
Lewis County, New York, and the undersigned members of the Town Board.
Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$ 319,217 shall be set aside to be expended for primary work and general repairs upon _____ miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. PERMANENT IMPROVEMENTS. The followings sums shall be set aside to be expended for the permanent improvement of town highways:

- (a) On the road commencing at 3.2 miles from #3rd (HALIFAX Rd)
and leading to old state Rd
, a distance of under 1 mile miles there shall be expended not
over the sum of \$ 100,000.00
Type Hwy Recen Width of traveled surface 22 FT
Thickness 3"
Subbase Reprofiled and stone added
- (b) On the road commencing at (Fulton Rd) old STATE Rd intersection
and leading to under 1 mile between of hill
, a distance of under 1 mile miles there shall be expended not
over the sum of \$ 100,000.00
Type Reprofiled Hwy Recen Width of traveled surface 22
Thickness 3"
Subbase Reprofiled and stone added
- (c) On the road commencing at (Halls Rd) Intersection of Sullivan Rd
and leading to Deot end
, a distance of .14 miles there shall be expended not
over the sum of \$ 75,000.
Type Hwy Recen Width of traveled surface 20
Thickness 3"
Subbase Reprofiled and stone added

Rest of monies will be used for fuel, culvert pipe, guide rails, misc.

Roll call vote on slate of resolution 2 of 2023 – 24 of 2023 recorded as follows:

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

Supervisor Doyle made a motion to enter into an executive session for the purpose of discussing a legal matter. His motion was seconded by Councilwoman Rowsam. Vote recorded as all ayes.

At 7:05pm all persons present left the meeting except the Town of Denmark Town Board.

At 7:40pm Councilman Fazio made a motion, seconded by Councilman Jones. Vote recorded as all ayes.

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Being as there was no further business before the Town Board, Councilman Fazio made a motion to adjourn the meeting. His motion was seconded for adoption by Councilwoman Rowsam. Vote recorded as all ayes.

Meeting adjourned at 7:41pm.

Prudence L. Greene
Town of Denmark Town Clerk