

Minutes of 02.21.2023

Prepared by Clerk Prudence L. Greene

The Town of Denmark regular monthly meeting was held 02.21.2023 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 led by Councilman Jones and recited by those in attendance.

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

Councilmember Fred Wadsworth	present
Councilmember Frank Fazio	present (exits meeting at 7:25pm, returns at 7:28pm)
Councilmember Peter Jones	present
Councilmember Darlene Rowsam	present
Supervisor Scott Doyle	present

Also present were the following:

Town Clerk Prudence Greene
Cassandra Buell (exits at 6:31pm)
Shari Simmons (exits at 7:55pm)
Dep Supt. Of Highways James Der (enters at 6:06pm, exits at 7:00pm)
Deb Der (enters at 6:06pm, exits at 7:00pm)
Mickey Dietrich (exits at 7:59pm)
Julie Abbass (exits at 7:55pm)

Councilman Wadsworth made a motion to accept the minutes of the 01.17.2023 meeting. His motion was seconded by Councilman Jones. Vote recorded as all ayes.

Councilwoman Rowsam made a motion to accept the minutes of the 02.07.2023 special meeting. Her motion was seconded by Councilman Wadsworth. 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.

Presentation:

Cassandra Buell of the Lewis County Planning Department was in attendance to provide information to the Town Board about the Community Choice Aggregation (CCA) program. The program would allow residents of Denmark to contract with a local supplier of solar energy. In order to allow Town of Denmark residents to participate the Town Board would need to adopt a CCA local law and then name Joule as the CCA Program Coordinator. After that Joule would hold community meetings and events as well as provide media materials during a 60 day education campaign. All eligible households would receive mail alerting them to the program and informing them of an opt out period. Discussion was held but no action was taken.

Discussion was also held on upcoming projects to increase the availability of broadband internet access in Lewis County.

Public Comment:

Shari Simmons spoke to the Town Board about her concerns that the Copenhagen Wind Project is not in compliance with its permits. She questioned the decibel levels caused by the operation of the towers during icing events. Supervisor Doyle has discussed her concerns as outlined in a letter she sent to the board on 1.25.2023 with Atty. Burrows and a response will be sent to her.

Reports of Departments:

Supervisor's Report:

The Town Board was provided with monthly financial statements created by North Country CPA's prior to the meeting. Supervisor Doyle also advised that the annual audit report for 2022 has been completed and submitted to the State Comptroller.

Discussion was held on a quote from Liberty Electrical Supply for heated mats to be installed in the buildings sidewalk to keep those sidewalks free of ice and snow. A representative will attend the March 20, 2023 meeting of the Town Board to answer questions.

Discussion was held on RPTL – 575b, Part N. If this is adopted by the State it could potentially lead to issues with current PILOT agreements and would impact taxation of future projects. A lawsuit has been filed to fight the adoption / implementation of this change in another part of the state. The litigants are being represented by Lewis & Greer, P.C. – Attorneys At Law. Supervisor Doyle would like the Town Board to authorize him to speak

with Lewis & Greer about this matter on behalf of Denmark even if we are billed by Lewis & Greer for the conversation.

Councilman Jones offered a motion, seconded for adoption by Councilman Wadsworth, to allow Supervisor Doyle to contact the law firm of Lewis & Greer P.C. to discuss RPTL – 575b, Part N.

Vote recorded as follows:

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

Supervisor Doyle explained his desire to transfer of \$6,000 from Supervisor Salary A1220.1 to Garage Contractual DA5130.41 for replacement of a 2nd overhead door and the need to transfer \$2172.59 from fund balance to A1910.4 for Town Insurance to cover an overage caused by an unexpected increase in the premium for 2023.

Dog Control Office Report:

Mr. Steiner submitted a report of his activities in January 2023. Supervisor Doyle reported that he has received a report that inspections have been completed by the department of AG & Markets and Mr. Steiner is in compliance.

Town Clerk / Tax Collector Reports:

Clerk Greene provided her Town Clerk’s report for January 2023 and her Tax Collection report for January 2023 to the Town Board.

Clerk Greene spoke to the Town Board about the need enter into an agreement with Doyle security for an annual test of the security system. Clerk Greene will forward a copy of that agreement to the Town Board for their consideration when it is received.

Deputy Highway Supt. James Der and Deb Der exited the meeting at 7:00pm.

The following correspondence was also provided:

- i. RACOG report
- ii. Advanced Business Systems contract renewal for Brother copier
- iii. Letter from Shari Simmons dated 1.25.2023
- iv. Letter from Atty Burrows dated 1.23.23 – Volunteer Firefighters / Ambulance Workers Real Property Tax Exemption
- v. Letter from Sandra Dunn dated 2.13.2023 – Interest in Justice appointment.

Mickey Dietrich of the Tughill Commission / RACOG spoke to the Town Board about upcoming events. He also explained that a new Associate Circuit Rider, Chris Barboza, will be joining RACOG and may attend the monthly Denmark meetings.

Supervisor Doyle advised the Town Board that he has begun gathering the information about the number of residents who may qualify for the Volunteer Firefighters / Ambulance Workers Real Property Tax Exemption.

Superintendent of Highways & Special Districts Report:

Supt. Mahar provided his monthly activity report, a voucher report, and an updated budget vs. actual for his department.

It was noted by the Town Board that the green waste pile is being burned by the highway department per the Town Board motion at the 1.17.2023 meeting.

Discussion was held on a request by NYS DOT to add a third plow at our location. In return for the third NYS DOT plow being run from the Denmark garage the State is willing to provide an additional 250 tons of salt to the Town of Denmark.

Supt. Mahar has also asked the Board to consider building a new cold storage building. The building would have electricity and be enclosed on three sides. There should be enough room for seven vehicles and cold storage. He also recommended the Town Board consider declaring the 2008 F-350 pickup, the 1995 L9000, and the

three-point mower hitch as surplus to be sold on AAR Auctions. He also noted that he would like to hold onto the 2014 F-250 until May or June and then declare it as surplus to be sold.

Councilman Fazio exited the meeting at 7:25pm.

Old Business:

B.R. Johnson installed two doors on Monday. One for the Justice’s office and one for the new emergency entrance between the Court Clerk and Town Clerk’s office. The other door for the Court Clerk’s office was delivered but needs to be modified.

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

Resolution 27 of 2023: Modification of Court Clerk office door

The Town of Denmark Town Board hereby approves an expenditure of ARPA funds for the modification of the Court Clerk’s office door to include a piece of bullet proof glass to be installed by Northern Glass after Metal Man fabricates a frame for its installation.

Roll call vote recorded as follows:

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

Resolution 27 of 2023 is adopted 2.21.2023

Councilman Fazio reentered the meeting at 7:28pm.

Supervisor Doyle updated the Town Board on his discussions with Fourth Coast about a potential solar array to provide electricity to the towns municipal building, highway garage, possible new cold storage building, and the sidewalk mats. He also provided a copy of a proposal from St. Lawrence Engineering DPC to develop a plan for the potential solar array.

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

Resolution 28 of 2023: St. Lawrence Engineering design of 80kw solar array

The Town of Denmark Town Board hereby accepts the proposal for engineering services from St. Lawrence Engineering to prepare preliminary design drawings for a 80kw solar system including system electrical one-line drawings, major equipment specifications, preliminary interconnection application to National Grid and preparation of RFP documents for materials and installation with a cost not to exceed \$7,500.00.

Roll call vote recorded as follows:

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

Resolution 28 of 2023 is adopted 2.21.2023.

Supt. Doyle reminded the Town Board of the Tug Hill Commission Local Government Conference being held at Turning Stone Casino on April 6, 2023. The registration fees are included on this month’s general fund abstract.

Boiler Critical Spare Parts & Monitoring: Discussion was held about the boiler system. A recent boiler failure occurred in January and if temperatures had not been unseasonably warm damage could have been done to the entire system including the in-floor radiant heat in the Highway Department garage. Parts had to be sent overnight to correct the issue and the situation made it clear that parts may not be readily available locally if the situation were to occur again. Supervisor Doyle had Danforth to create a critical parts list so these items could be purchased and kept onsite. The price of the parts is approximately \$5126.00.

Discussion was held on developing a complaint procedure to be added to the Town of Denmark website. The form would be completed and submitted electronically allowing for a log of the complaint. The complaint would automatically be provided electronically to the Town Supervisor and Town Clerk. Supervisor Doyle made a motion to table further discussion of this matter to the March 20, 2023 meeting of the Town Board. His motion was seconded by Councilman Jones. Vote recorded as all ayes.

Julie Abbass and Shari Simmons both exited the meeting at 7:55pm.

Discussion was held on a proposed IMA Agreement with Lewis County for Road Damage Reimbursement Caused by Motorized Recreational Vehicles. After discussion it was decided that no action would be taken on this item.

Discussion was held on Justice Hancock’s Salary. Justice Lumley resigned from his justice position on 1.18.2023 and Justice Hancock has handled all court matters and will continue to do so until such time as another justice is appointed and attends the state mandated “Taking the Bench” training in late April. A resolution for this matter is included in the slate of resolutions.

Discussion was held on a Town of Denmark Investment Policy. The policy was reviewed by the Town Board and if adopted, will comply with the State Comptroller’s requirements. A resolution for this matter is included in the slate of resolutions.

Discussion was held on purchasing an AED unit for the highway department. Clerk Greene received quote from UniFirst First Aid + Safety for a ZOLL AED Plus for 1,695.00, AED metal wall cabinet 199.00 and an AED wall sign for 16.80. Reimbursement is available from the Larry Virkler Memorial Foundation for one AED unit. Discussion was held. A mobile unit that could be kept in a truck was discussed. Clerk Greene will follow up with UniFirst to see if they carry a device that can be kept in a truck.

The Town Board reviewed the slate of proposed resolutions.

Slate of Resolutions:

Councilman Wadsworth offered the following resolutions 29 of 2023 – 38 of 2023, seconded for adoption by Supervisor Doyle:

Resolution 29 of 2023: General Fund Abstract February 21, 2023

The Town of Denmark Town Board approves payments of General Fund Abstract #664 dated February 21, 2023, new claims # 28-57, totaling \$169,763.14.

Resolution 30 of 2023: Water District 1 Abstract February 21, 2023

The Town of Denmark Town Board approves payments of Water District Abstract #89, dated February 21, 2023, claim #2-3 totaling \$5,901.71.

Resolution 31 of 2023: Highway Abstract February 21, 2023

The Town of Denmark Town Board approves payments Highway Department, Abstract #706, dated February 21, 2023, new claims # 17-33 totaling \$95,074.85.

Resolution 32 of 2023: Budget transfer A1910.4

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	A 1910.4 Contractual – Unallocated Ins.	\$2,172.59

Resolution 33 of 2023: Budget transfer DA 9785.7

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
DA9785.6 Principal – Install Purch Debt	D9785.7 Interest – Intall Purch Debt	\$142.79

Resolution 34 of 2023: Budget Transfer from Supervisor Salary 1220.1 to Garage Contractual DA5130.41

The Town of Denmark Town Board hereby authorizes the following budget transfer to pay for an unbudgeted 2nd Overhead Door for highway garage.

From	To Budget Code	Amount to Transfer
A1220.1 Supervisor Salary	DA5130.41 Garage Contractual	\$6000.00

Resolution 35 of 2023: Brother copier agreement

The Town of Denmark Town Board does hereby authorize Town Clerk Prudence Greene to enter into a 1-year service contract with Advanced Business Systems for comprehensive service on the Brother copier identified as EQ11461.

Resolution 36 of 2023: Justice Hancock Salary

The Town of Denmark Board hereby approves the Monthly Salary for Justice Hancock to be increased from \$866.25 to \$1732.50 for the months of February, March and April.

Resolution 37 of 2023: Town of Denmark Investment Policy

The Town of Denmark Board hereby approves of the Town of Denmark Investment Policy that meets NY State Municipal Law, Section 339. The financial Institutions listed will include M&T Bank, Community Bank NA and NYCLASS. Maximum Invested amount per in NYCLASS & M&T Bank will be four million dollars (\$4,000,000). The Maximum in each account kept at Community Bank is two hundred fifty thousand per account/fund (\$250,000).

Resolution 38 of 2023: Appointment of Town Justice Sandra Dunn

Town of Denmark Town Board does hereby appoint Sandra Dunn as a Town of Denmark Justice dates of office 4/01/2023 – 12/31/2023.

Roll call vote recorded as follows:

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

Resolutions 29 – 38 of 2023 are adopted 2.21.2023.

At 7:59pm Supervisor Doyle made a motion, seconded by Councilman Jones, to enter into an Executive Session for a legal matter. Vote recorded as all ayes.

Mickey Dietrich exited the meeting at 7:59pm. Clerk Greene was allowed to remain.

At 8:18pm Councilman Wadsworth made a motion to exit the Executive Session. His motion was seconded by Councilman Fazio. Vote recorded as all ayes.

Being as there was no further business before the Town Board Supervisor Doyle made a motion to adjourn the meeting. His motion was seconded by Councilman Fazio. Vote recorded as all ayes. Meeting adjourned at 8:19pm.

Prudence L. Greene
Town of Denmark Town Clerk