

Minutes of 03.20.2023

Prepared by Prudence L Greene

The Town of Denmark regular monthly meeting was held 03.20.2023 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 Councilwoman Rowsam and recited by those in attendance.

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

Councilmember Fred Wadsworth	absent
Councilmember Frank Fazio	present
Councilmember Peter Jones	present
Councilmember Darlene Rowsam	present
Supervisor Scott Doyle	present

Also present were the following:

Town Clerk Prudence Greene exits at 7:23pm, reenters at 7:51pm

Deputy Clerk Sue Kirch-Corey exits at 7:23pm

Supt. Of Highways Patrick Mahar

Dep Supt. Of Highways James Der exits at 7:23pm

Cindy Doyle exits at 7:23pm

Robin Grunert, Village of Castorland Clerk exits at 7:23pm

Chris Barboza, RACOG exits at 7:23pm

Richard Andres enters at 6:01 exits at 7:23pm

Councilwoman Rowsam made a motion to accept the minutes of the 02.21.2023 meeting. Her motion was seconded by Councilman Fazio. Vote recorded as 4 voting aye and 1 absent.

Councilman Fazio made a motion to accept the prepared agenda. His motion was seconded by Councilman Jones. Vote recorded as 4 voting aye and 1 absent.

Privilege of the floor was offered but no public comment was made at this time.

#### **Reports of Departments:**

##### **Supervisor's Report:**

North Country CPA/NYCLASS – Financials were provided to the Board prior to the meeting. Supervisor Doyle noted that interest in the amount of \$8,804.00 has been earned on the money in the NYCLASS accounts. Supervisor Doyle advised that he has an upcoming meeting with the Rutland Fire District, Village of West Carthage Fire Department and Village of Castorland Fire Department and Lewis County Emergency Management to discuss fire district lines in the Town of Denmark. When Denmark replaced the Village of Copenhagen Fire Department with the Rutland Fire District department maps were drawn up dividing the area previously designated as the Village of Copenhagen Fire Department. Those maps were temporary and now the maps are being reevaluated.

Discussion was held on NYS proposed RPTL - 575B. Supervisor Doyle has met with representatives of Lewis County and will continue to do so in an effort to encourage them to help pay for litigation trying to block the proposed RPTL-575B. If adopted the legislation would have a huge impact on the PILOT agreements in place for the Copenhagen Wind Project and solar projects in Denmark.

Brief discussion was held on Tom Aubin's General Contracting proposal for sidewalk work for new parking lot as well as a verbal quote from VS Virkler for the concrete for the project in the amount of \$3,837.50. Supervisor Doyle and Councilman Jones met with St. Lawrence Engineering to discuss the potential solar project and the Town Board is now considering changing the electric service to three-phase from the current single-phase. This change, if agreed to, would mean that the heated mats for the sidewalk would need to be three-phase. The three-phase mats will utilize less power to operate and are less expensive than single phase mats would be. While meeting with Fourth Coast a walk through was done to ensure the current motors would function and only one would need to be adapted. National Grid will also have to review any potential project. A payback analysis is being developed.

Discussion was held on a possible roof mount solar array vs. ground mount. Supt. Mahar expressed his concern about fire risk and the roof on the highway garage which is 20 years old.

##### **Clerks Report:**

Town Clerk Prudence Greene provided her Clerk and Tax Collector reports for February 2023 to the Town Board for their review.

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The following correspondence was also provided: A letter from American Legion Floyd Lyng Post 723, dated 2.22.2023, requesting \$250.00. Discussion was held. The 2023 adopted budget designates \$300.00 in budget code A6510.4 for Veterans.

Discussion was held on the Advanced Business System Contract renewal and possible replacement of the Clerk's laptop, and desk top computer replacement for the Town Clerk's office and Supt. Of Highways office.

Clerk Greene asked the Town Board to consider a Declaration of Surplus Equipment so that 4 old, rusted, and damaged filing cabinets in the records room can be disposed of. All documents were removed from them several years ago to protect the documents from oxidation.

Chris Barboza of RACOG reviewed the RACOG Report prepared by Mickey Dietrich with the Town Board. Discussion was also held on the LED lights that the Town is waiting for. Mr. Barboza will follow up with Mr. Dietrich about the undelivered LED lights.

Clerk Greene shared the RACOG – River Area Economic Visioning Summit registration information with the Board. The deadline for registration is 04.19.2023. Clerk Greene will also forward that information to the Planning Board and Zoning Board of Appeals members.

Clerk Greene updated the Town Board on the Unifirst Quote for a garage AED. Quoted Zoll AED Plus comes with a carrying bag \$1,695.00, metal wall cabinet \$199.00, AED wall sign \$16.80 for a total of \$1,910.80. Discussion was held.

Clerk Greene also provided an update on the Justice Court. Justice Sandra Dunn will complete her required "Taking the Bench" training in Albany 4.17.2023 – 4.21.2023. She has been fingerprinted. She will need to establish a checking account for fines, surcharges, and bail. Clerk Greene also noted that the account opened for Justice Lumley should be closed.

Clerk Greene reported that she was notified by NYSLRS of an error on last year's retirement system resolution. She had erroneously entered incorrect dates of office for an annual appointee. Dates should have been 1/1/2022 – 12/31/2022 and were listed as 1/1/2022 – 1/1/2022 on the form. She explained that the resolution must be redone and posted on the town's website for 30 days before it can be sent to NYSLRS. Discussion was held.

Town Board members were provided with the General Fund, Water District, and Highway Fund abstracts prior to the meeting.

**Superintendent of Highways & Special Districts Report:**

Supt. Mahar provided a budget report and voucher report to the Town Board.

Supt. Mahar reported that the wood pile has been burned down significantly and will be completed after the burn ban is over. The tires will be cleaned up and this spring.

Discussion was held on a possible declaration of surplus equipment for the following items: 2008 Ford F-350 pickup, the 1995 Ford L9000, and the three-point mower hitch, 2014 Ford F-250 so they can be sold. Councilman Jones offered a motion, seconded by Councilwoman Rowsam that the equipment be listed on Auctions International. Vote recorded as 4 voting aye and 1 absent.

Discussion was held on the Nelson trucks parked in the back of the lower level parking lot. Supt. Mahar explained he is allowing them to park at the Town in return for them going over the town's bucket truck prior to its NYS inspection.

Supt. Mahar provided an update of his departments activities and asked for an Executive Session at the end of the meeting to discuss a contract negotiation.

**Zoning and Planning:**

The Town Board was provided with a Zoning Report for February 2023 and Planning Board minutes of 03.07.2023.

Nicholas Dunn is interested in being appointed to Planning Board. Currently there is a vacancy on the Planning Board as a result of Katie Zehr's resignation last fall.

**Dog Control Officer:**

DCO Jay Steiner provided a report for February 2023.

**Old Business:**

Discussion was on the Danforth critical spare parts JWD Quote #:DD 23-014r1. If purchased the parts would cost a combined \$4,248.00 but they would be here, available if needed.

Discussion was held on the Complaint Procedure developed by Supervisor Doyle to be added to the website.

**New Business:**

Discussion was held on scheduling a Public Hearing for proposed Local Law 1 of 2023: Community Choice Aggregation Program and the steps involved in potentially moving forward. If the law is adopted it will trigger outreach and education to interested residents of Denmark and allow for them to purchase "green energy" that is locally produced.

Supt. Doyle presented a Green Waste Policy for the Board's consideration. If adopted this would be placed on the towns website.

Clerk Greene reported that a resident of the Zecher Road has requested that the signage for the flood plain be redone to eliminate a spelling error. Supt. Mahar made note and will follow up on replacing the sign.

Discussion was held on the 2023 / 2024 Village Snow Plowing rates. Discussion was held on the number of miles of road in each village (Copenhagen and Castorland). Village of Castorland Clerk, Robin Grunert, expressed her frustration at the potential increase in cost.

Councilman Fazio made a motion to charge the Village of Copenhagen \$6900.00 and the Village of Castorland \$3450.00. Further discussion was held. There was no second for Councilman Fazio's motion.

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

**Resolution 39 of 2023: 2023 / 2024 Snow and Ice Removal rates for Villages**

The Town of Denmark Town Board sets the following as plowing rates for the winter of 2023 / 2024:

Village of Copenhagen	\$6,500.00
Village of Castorland	\$3,450.00

Roll call vote recorded as;

Councilman Wadsworth	Absent
Councilman Fazio	No
Supervisor Doyle	Aye
Councilman Jones	Aye
Councilwoman Rowsam	Aye

Resolution 39 adopted 03.20.2023

Tier 3 Training for Local Public Officials will be held April 5, 2023 at the 3-G Fire Station in Glenfield. Supervisor Doyle and Clerk Greene have both registered to attend.

**Slate of Resolutions:**

The slate of resolutions was reviewed by the Town Board.

Councilman Fazio offered the following resolutions 40 of 2023 – 58 of 2023, seconded for adoption by Councilman Jones:

**Resolution \_\_\_40\_\_\_ of 2023: General Fund Abstract March 20, 2023**

The Town of Denmark Town Board approves payments of General Fund Abstract #665 dated March 20, 2023, new claims # 58-80 totaling \$23,644.12.

**Resolution \_\_\_41\_\_\_ of 2023: Water District 1 Abstract March 20, 2023**

The Town of Denmark Town Board approves payments of Water District Abstract #90, dated March 20, 2023, claim #4-5 totaling \$60.25.

**Resolution \_\_\_42\_\_\_ of 2023: Highway Abstract March 20, 2023**

The Town of Denmark Town Board approves payments Highway Department, Abstract #707, dated March 20, 2023, new claims # 34-46 totaling \$21,901.37.

**Resolution \_\_\_43\_\_\_ of 2023: Rescind Resolution 34 of 2023**

The Town of Denmark Town Board hereby rescind Resolution 34 of 2023 adopted 02.21.2023.

**Resolution \_\_\_44\_\_\_ of 2023: Budget Transfer from Supervisor Salary A1220.1 to Garage Contractual A5130.41**

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

From	To Budget Code	Amount to Transfer
A1220.1 Supervisor Salary	A5132.4 Garage Contractual	\$6000.00

**Resolution \_\_ 45 \_\_ of 2023: American Legion**

The Town of Denmark Town Board hereby directs that a check be issued to the American Legion Floyd Lyng Post 723 in the amount of \$250.00 and that the claim be listed as a paid prior on the April 17, 2023 General Fund abstract.

**Resolution \_\_ 46 \_\_ of 2023: Advanced Business Systems Contract**

The Town of Denmark Town Board hereby authorizes Town Clerk Prudence Greene to sign a contract renewal with Advanced Business Systems on behalf of the Town of Denmark for per-seat managed network service (5), advanced threat hunting (7), advanced care team (1), advanced endpoint management (7), advanced infrastructure management (1), advanced recovery center (pooled 1TB) (2), advanced server management (1), Microsoft 365 business standard (7), and Office 365 Business Basic (7) for a monthly fee of \$445.00 to be paid from budget code A5132.4.

**Resolution \_\_ 47 \_\_ of 2023: Declaration of surplus equipment – Office building**

The Town of Denmark Town Board does hereby declare as surplus the following equipment:  
 1 black 5 drawer filing cabinet,  
 1 tan 5 drawer filing cabinet,  
 2 tan 2 drawer filing cabinets  
 and further directs that the cabinets be discarded.

**Resolution \_\_ 48 \_\_ of 2023: Highway Garage AED**

The Town of Denmark Town Board hereby authorizes Town Clerk Prudence Greene to arrange for the purchase of a Zoll AED Plus, an AED Metal Wall Cabinet, and an AED wall sign from UniFirst First Aid + Safety in the total amount of \$1,910.80 for use in the Highway Department to be paid from budget code A5132.4.

**Resolution \_\_ 49 \_\_ of 2023: Justice Lumley Community Bank Account**

The Town of Denmark Town Board hereby grants Prudence L. Greene the authority to close community bank account \_\_\_\_\_ on behalf of the Town of Denmark due to Justice Lumley’s resignation.

**Resolution \_\_ 50 \_\_ of 2023: Justice Sandra Dunn Community Bank Account**

The Town of Denmark Town Board does hereby authorize Justice Sandra Dunn to establish a checking account at Community Bank, N.A.

**Resolution \_\_ 51 \_\_ of 2023: Justice Sandra Dunn’s salary for April 2023**

The Town of Denmark Town Board hereby authorizes the following budget transfer to pay newly appointed Town Justice Sandra Dunn for the month of April 2023.

From	To Budget Code	Amount to Transfer
Fund balance	A1110.11 Payroll for Justices	\$433.13

**Resolution \_\_ 52 \_\_ of 2023: Justice Sandra Dunn’s salary May 1 2023 – December 31, 2023**

The Town of Denmark Town Board hereby directs that appointed Justice Sandra Dunn be paid \$866.25 each month, May 31, 2023 – December 31, 2023 and that the funds for her salary be drawn from budget code A1110.11.

**Resolution \_\_ 53 \_\_ of 2023: Declaration of surplus equipment - Highway Department**

The Town of Denmark Town Board does hereby declare as surplus the following equipment:  
 2014 Ford F250 with Plow  
 2008 Ford F350 Dump Truck with Plow

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1995 Ford L9000 Dump Truck  
Three point mower hitch  
And further directs Supt. Mahar to list the items on Auctions International.

**Resolution \_\_54\_\_ of 2023: Planning Board appointee Nicholas Dunn**

The Town of Denmark Town Board does hereby appoint Nicholas Dunn as a member of the Town of Denmark Planning Board to fulfill the unexpired term of Katie Zehr term of office to be 03.20.2023 – 12.31.2024.

**Resolution \_\_55\_\_ of 2023: Critical parts for boiler system**

The Town of Denmark approves the purchase of a critical spare parts for the boiler system and agrees to purchase critical parts totaling \$4,248.00 and further directs that the bill be paid from budget code DA5130.41.

**Resolution \_\_56\_\_ of 2023: Citizen Complaint Procedures**

The Town of Denmark Board does hereby adopts the Citizen Complaint Procedure dated March 20, 2023 and further directs that it be posted on the Town’s Webpage.

**Resolution \_\_57\_\_ of 2023: Public Hearing of proposed LL 1 of 2023: Community Choice Aggregation by Joule Community Power to gather data on Townwide Power usage.**

The Town of Denmark Town Board does hereby set a public hearing of proposed local law 1 of 2023: allowing Community Choice Aggregation by Joule Community Power to gather data on Townwide Power usage for April 17, 2023 at 6:00pm.

**Resolution \_\_58\_\_ of 2023: Green Waste Policy**

The Town of Denmark Town Board does hereby adopt the following as its Green Waste Policy effective March 20, 2023:

We accept “Green Waste” from Town of Denmark, private residences, not residents wood lots or property being cleared. Hours for drop off are Monday – Thursday 8:00 AM – 4:00 PM. The waste must be placed in the area designated by the Highway Department.

Green Waste is defined as:

- Leave’s
- Christmas trees
- Tree trimmings smaller than 6” in diameter.

Not Acceptable:

- Entire tree’s or limb’s greater than 6” in diameter
- Tree roots dug or pulled from residential property
- Tree roots dug or pulled from commercial property
- Old Fences removed from property (nails, staples, or unknown metals)
- Wood Chips

**Commercial Tree Service businesses are not permitted to deposit “Green Waste” on Town property.**

Roll call vote recorded as follows:

Councilman Wadsworth	Absent	
Councilman Fazio	Aye	
Supervisor Doyle	Aye	
Councilman Jones	Aye	
Councilwoman Rowsam	Aye	Resolution 40 - 58 adopted 03.20.2023

At 7:21pm Councilman Fazio made a motion to enter into an Executive Session to discuss a legal matter and contract negotiation. His motion was seconded by Councilman Jones. Vote recorded as 4 voting aye and 1 absent.

Supt. Mahar remained in the Executive Session, all others present left the meeting.

At 7:50pm Councilman Fazio made a motion to exit the Executive Session and his motion was seconded by Councilman Jones. Vote recorded as 4 voting aye and 1 absent.

At 7:51pm the meeting resumed, and Clerk Greene reentered. Supt. Mahar was no longer present as he left during the Executive Session.

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

**Resolution 59 of 2023: Standard Work Day NYSLRS 2022**

Be it resolved, that the Town of Denmark, location code 30727, hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Title	Standard Work Day	ROA result
Prudence L Greene	Town Clerk/ Tax Collector/ Court Clerk	6	28.7
Patrick Mahar	Supt. Of Highways	6	23.45
Rachael Vary	Court Clerk	6	2.17
Joseph E. Greene	Court Bailiff	6	1.15

Roll call vote recorded as follows:

Councilman Wadsworth	Absent	
Councilman Fazio	Aye	
Supervisor Doyle	Aye	
Councilman Jones	Aye	
Councilwoman Rowsam	Aye	Resolution 59 is adopted 03.20.2023

At 7:58pm Supervisor Doyle made a motion to adjourn the meeting. His motion was seconded by Councilman Fazio. Vote recorded as 4 voting aye and 1 absent.

Meeting is adjourned at 7:58pm.

Prudence L. Greene  
Town of Denmark Town Clerk