

Regular Meeting

A regular meeting of the Waddington Town Board was held on Monday, March 8, 2010 at 6:00PM in the Municipal Building. An executive session was held at 5:15PM – 5:50 PM to discuss the employment history of a particular person being considered for the Town Attorney position. No action was taken during this executive session.

Present were: Sup. Mark Scott and Councilors: Shirley Robinson, David Putney, and James Thew. Councilor McKnight was excused from the meeting.

Also present: Carol A. Burns, Town Clerk, Terry Mayette, Highway Superintendent, Brian Norton, Brian Hammond, Patty VanPatten, Shaun Prentice, John Turner, Alicia Murphy, Mike Martin, Tracey Putney, Theresa Hill, Jim Locy, Bob Best, AMP representative, John & Dan Dinneen, Ted Ritzko, Jonathan Putney, Charles Nash, Patricia Bendert, Vicki MacDonald, and Martha Sinkeldam,

Call to order: Sup. Scott called the meeting to order at 6:00PM.

Approval of minutes: Sup. Scott noted that the minutes denoted that the Town was to receive \$25,000 for the Library from Senator Aubertine. The correct amount is \$20,000. The correction being noted a motion was made by Putney, seconded by Thew to approve the minutes as corrected. Ayes: All

Citizen's Comments: Sup. Scott asked if there were any citizen comments. There were none at this time.

AMP Update: Bob Best reported that he had good news for AMP members. The Senate Finance Committee has passed the bill for the creation of the North Country Power Authority; it has passed through the senate floor and is on its way to the Codes Committee and Ways & Means Committee on the Assembly Floor. The proposition is looking good. He noted that at the end of last year National Grid withdrew their opposition to AMP because an agreement was made not to use eminent domain over their large power transmission lines and generation facilities. He also noted that independent power producer Brookfield has also come to an agreement with AMP and will not oppose the formation of the North Country Power Authority. Bob stated that once the bill becomes law AMP will have to appoint 9 directors to oversee NCPA. These directors will be appointed by the 24 towns and villages involved. AMP is split into groups of individual towns/villages that will make their recommendations. All recommendations have to be sent to the Governor for approval. Hopefully in a year from now the Board of Directors will be set up and running. AMP currently has their attorneys working on the value of the property involved. At the end of 2011 the exit fees that would be charged by National Grid will be gone.

John Turner asked if Bob or the AMP organization had any expertise in the field of buying or creating a generating facility. Bob noted that he personally did not but there are two municipalities in AMP that currently produce power. They are Gouverneur and the Village of Potsdam. He also noted that the NCPA might look into wind power in the future. The possibilities will come in time. Bob stated that there will be another AMP meeting coming up and will let the Supervisor know when it will be. The Board thanked him for his update.

Public Hearing Exceptional Development Permit: Sup. Scott opened the public hearing at 6:15 PM noting that the Board would consider a request for an exceptional development permit from John & Dan Dinneen to open a golf driving range on their property located on County Route 28. The clerk read the legal notice that was published in the newspaper. Sup. Scott also reported that the surrounding neighbors had received letters about the project. The Waddington Planning Board held a meeting to discuss the site plan and SEQR review. They held a public hearing on Thursday, March 4th where they approved the site plan and SEQR review. The Planning Board is recommending to the Town Board that there will be no adverse environmental impacts with the project and the Town should move forward with the Exceptional Development Permit. Sup. Scott asked if the Dinneen's would like to explain their project for the public. Dan showed the people in attendance their site plan that would involve a driving range, a tee box, and

parking lot. They were asked what the future plans for the rest of the property might entail. Dan noted that eventually they would like to have a 9-hole golf course. There are some wetland issues in the lower property that need to be worked out. Future plans would depend on their response for the Driving range. Sup. Scott asked if there were any comments from the audience. Brian Norton and Brian Hammond are both neighbors of the project and were in favor of it.

Sup. Scott asked if the Board had any questions for the Dinneens.

C. Thew noted that by looking at their survey map of the land that has been split, parcel C appears to be landlocked and that they should make some provisions for right of way to get back to that parcel. Dan told him that the front parcel is owned by him and parcel C is owned by his brother. There will be a private drive to get back to it. C. Thew noted that this is fine for now but things could change in the future. C. Robinson noted that the Planning Board had asked if they would have porta-potties on site. The Dinneen's noted that if the business warrants them they will have them there.

The Dinneen's have also requested a variance on the size of the sign. Currently the largest sign that can be installed is 20 Sq ft. They would like to be able to put a 32 Sq ft. sign. According to the Development Code a 20sq ft sign must be a maximum of 20' from the highway right of way. Discussion was held on the sign. C. Putney felt that a 32 sq ft sign was reasonable for the area as long as it was 20' from the highway right of way. A motion was made by Putney to grant the exceptional development permit with a 32sq ft sign 20' from the highway right of way. C. Thew seconded the motion with a further stipulation that the Dinneen's provide a formal right of way to Parcel C. C. Putney noted that the land had already been approved for split as it was submitted and that the Town Board had no business making them provide a formal right of way. It has nothing to do with the Permit request. Further discussion was held and the following resolution passed.

Resolution #30

Motioned by: Putney

Seconded by: Robinson

RESOLVED, that the Waddington Town Board does hereby approve the exceptional development permit request as submitted by John and Dan Dinneen to operate a golf driving range on their property located on County Route 28;

FURTHER RESOLVED, that the Waddington Town Board does hereby approve a sign with a maximum coverage of 32 sq ft to be positioned 20' from the center of the highway right of way. Ayes: All

The Dinneen's thanked the board for their time.

Committee reports:

Recreation: C. Robinson reported that the recreation meeting was held on February 24th. Ashley Dumas will be returning as head lifeguard. The committee believes that last years lifeguards will be returning. They have also received two new applications. The swimming program to Potsdam State did not have enough interest. The zamboni has been repaired. The skate sharpener is working. They had 35 figure skaters. The committee feels that the ballet instructor should be encouraged to run the ballet program privately. The summer program at the arena will continue. They have fosse ball, air hockey, miniature golf, and ping-pong. There is a possibility of adding skateboarding inside the arena if protective equipment is worn. It was suggested that they approach the Waddington Rescue Squad Auxiliary to ask if they could lease their concession stand for two months during the ball season. Information was presented regarding an opportunity to obtain steel from the World Trade Center for a memorial. The committee recommends that the Village or Town make the request. Waddington Joint Recreation Committee meetings are held on the 4th Wednesday of the month @7:30PM.

C. Robinson noted that she was concerned about receiving the steel from the World Trade Center. Does the Town really want something else to take care of? The Board noted that they could talk to Russ Strait, Recreation Chairman to see if he has any pictures of what other communities are doing. C. Putney noted that the piece of steel would not be very big. Probably something that can be put on a stone like in the memorial parks. The Board will request that Russ get some further information on how big the piece will be, the cost of getting it here etc.

Highway: C. Putney reported that the Highway Department has been busy replacing the ceiling tiles in the Municipal Building. They had some plowing in the beginning of the month and are beginning to thaw sluice pipes, maintenance on trucks and beginning tree trimming at the beach.

Supt. Mayette reported that he is meeting with his pipe supplier on Wednesday or Thursday to order what pipe is needed. He only has approval to spend \$1500 without prior board authorization. He would like to spend approximately \$2,900. He orders his pipe from Ferguson Waterworks out of Watertown. They get the pipe directly from the factory and there is no charge for shipping. The pipe is all plastic pipes. Supt. Mayette keeps an inventory of 12", 15", & 18" on hand. The pipes he orders now could be an inventory for three years. It all depends on the demand for it. C. Thew asked if the pipe is State Price. Supt. Mayette noted that it was. A motion was made by Robinson, seconded by Putney to purchase the pipe as discussed. Ayes: All

Supt. Mayette reported that over time for February 2009 was 67 hours and overtime for February 2010 was 68 hours. They are doing well.

The Town of Waddington was approached by the Town of Madrid to participate in a joint service venture. The Town of Madrid would like to share the Town of Waddington's roadside tractor and mower. They would like to lease our machine for roadside mowing. Supt. Mayette noted that he would be in favor of trying it for a year and see how it worked. This would be able to help the Town of Madrid until they can get their own new mower. C. Putney noted that if we mow their ditches and don't know what is there it can really tear our machine apart. Supt. Mayette noted that his men know our ditches but do not know Madrid's so it would be best to have Madrid mow their own since they do know theirs. C. Thew asked how many ditch miles we mow per year. Supt. Mayette noted that we have 46 miles of Town Roads and they are mowed 3 times per year.

Madrid has 51 miles of town roads and they will mow three times per year. Madrid has spoken with Leberge & Curtis about renting a tractor and mower. They will only rent by the month so if they want it for one week they will pay the monthly price of \$2,600. If Waddington was to work with Madrid on this the Board should come up with a weekly rental rate. C. Putney suggested \$50 per hour. This would work out to approximately \$2,000 per week. C. Thew asked what the cost of the tractor was. Supt. Mayette noted that we bought the tractor last year on State contract for \$28,000 and the mower is a 2003 that cost \$7,000. Further discussion was held and the board decided that they would think about it and get some more concrete figures for the next board meeting. They will contact Madrid and tell them that we are interested in continuing the conversation and need to gather more information.

It was noted that the Town does own a paver together with the Town of Madrid and we do borrow their lowboy when we need to move something. We also pave at the same time.

Rescue Squad: C. McKnight sent notes on the Rescue Squad meeting that he attended on March 1st. They discussed ongoing training for their members. They had discussion on having paid EMT's as all current EMT's have decided not to renew (2-3 years before expiration). Boat maintenance will happen this month. One rescue vehicle will be out of service one day for repair work. They had 210 calls in 2009. They have had 16 calls in February. They held discussion on financial statements provided to the town. These will be available upon request. They requested their payment for the 2010 contract. This usually happens in March.

Library: C. Thew reported that the Library Board met on March 2nd. Mabel Baker has resigned from the Board and Christy Snider has taken her place. The Library received \$20,000 from Senator Aubertine's Office towards the renovations. They received their annual payment of \$3100 from St. Lawrence County. They discussed meeting procedural issues, resolutions and keeping of the minutes. There is a \$100 million USDA Rural Development Community Facilities Program that is strictly for public libraries. There will be a meeting for this on March 11th. There will be some representatives from the Library Board and NCLS there. Hopefully we will be able to get some additional funding there. The Clerk noted that the Board would need to officially appoint Christy Snider to the Library Board.

Resolution #31

Motioned by: Robinson

Seconded by: Putney

RESOLVED, that the Waddington Town Board does hereby appoint Christy Snider to fill the unexpired term of Mabel Baker through 12/21/2013. Ayes: All

Sup. Scott reported that he has received communication from the library manager. There have a couple letters in which she requests a written response. Sup. Scott noted that he would have a response to these letters after an attorney is approved. Sup. Scott noted that last fall the Town Board found that the Library Board has the authority to allocate and spend monies that the Town Board gives to the library board. The Library Board has the authority to decide where the money goes. The question is what authority does the Town Board have in the Library. Until he receives a legal opinion from our attorney he will not comment any further on the issue.

WRA: Sup. Scott reported that there would be a concert series again this summer. It will begin June 27th through September 10th in Island View Park. In case of inclement weather it can be moved to the old town hall.

Chamber of Commerce: Alicia Murphy reported that the membership is good this year. They have some new members and membership is still trickling in. She has presented the Town Board with a copy of the Chambers budget. She reported that the web site is a work in progress. She encourages all groups or businesses to let her know about upcoming events so that she may post them on the website. She noted that Carol and Cheryl are currently updating the Town and Village portions of the site. The website's address is www.waddingtonny.com. She attended a marketing meeting last week and the Chamber is working with the Village's community development plan. They have adopted the name "Waddington on Lake St. Lawrence". They have banners to hang and are working on paper brochures etc.

Sup. Scott reported that Patricia & Ed Bendert are working with the Waddington Recorder. The spring issue is in the works. The email address is waddingtonrecorder@gmail.com March 15th is the deadline for the spring edition.

Old Business:

Magnets: Sup. Scott reported that he had received some information from Potsdam stating that they have seen savings over a short period of time since installing magnets to the heating ducts in their building. They have reported a savings of \$200-300 a month from last year's bills. Sup. Scott noted that he has done some research on the subject but can find no scientific proof that the magnets help with the efficiency of gas. The magnets have been installed on the heating pipes in the Waddington Fire Department. It will cost \$2100 to put in the highway department if we supply the help. We will wait to see if there are any significant savings to the Village.

Community Planning: At the last meeting John Tenbusch told the Board that they should send a letter to his boss requesting help with the Community Planning Grant. Sup. Scott sent a letter to Keith Zimmerman on February 10th requesting their help. He has not had any response yet.

Gazebo: Sup. Scott reported that there would be an implementation meeting on Tuesday in the basement of the library. The gazebo project will be discussed. This will be part of the gateway to Main Street as discussed in the Village's Community Planning document. This meeting will allow people to have some input on the process. Bob Smith has some pictures for suggestions. Sup. Scott reported that to make it clear the money for the gazebo came from a grant written by the Town Clerk to Iroquois Gas. The Board thanked her.

River Road Lot: Sup. Scott reported that the contract with the Realtor for the River Road lot expires on April 3rd. The Board has discussed coming up with a price and rebidding the property. The Board discussed a minimum bid and as to whether we bid the whole property or break it off. C. Putney noted that we passed a resolution to bid the whole parcel with an easement for the culvert and that we should bid it as such. The Board decided that a minimum bid of \$90,000 was a good place to start.

Resolution #32

Motioned by: Robinson

Seconded by: Putney

RESOLVED, that the Waddington Town Board does hereby agree to advertise for sealed bids on the River Road lot;

FURTHER RESOLVED, that the Board will place a minimum purchase price of \$90,000 on the lot and will retain a permanent easement on the parcel for maintenance of the culvert that runs through it. Ayes: All

The property will be advertised for bid opening at the May 10th meeting. The clerk will advertise this in the Journal, Watertown, Syracuse, and Ottawa papers.

RVRDA Update: Sup. Scott reported that the negotiating team met with the Power Authority last Thursday. The Power Authority has agreed to release and monetize the power. They want the assets to be held by the Power Authority until the RVRDA requests it for any projects. There are still things to work out but it is a positive step. Brian Hammond asked if the IDA were still involved with the process. Sup. Scott told him that they would still be the administrator for the 16 million funds. Jon Putney asked if all 20 mega watts can be monetized. Sup. Scott noted that they would. Shaun Prentice asked if there were any time frames for the next public meeting. Sup. Scott noted that there has not been a meeting set at this time. It has also been brought up that the Power Authority would like a member on the RVRDA. This member would be non-voting. Once the contract is out every board will get a copy to review.

Audit: Sup. Scott reported that at last months meeting the Board talked about doing an audit review. Since then he has spoken with the accountant and he indicated that the Town should actually do an agreed upon procedure. Sup. Scott asked him to send a letter with a price. He has not received it yet but will have it for the next meeting. The Board further discussed the proposition. C. Thew noted that he would like to have a menu of items that the Board can choose from such as procurement policy, investment policy, etc. A list of this type would help the board decide which areas should be looked at now and how they should proceed for further reviews. Sup. Scott told the Board that he would ask for something like this.

Health Insurance: Sup. Scott reported that an informational meeting has been set up with Steve Foy and the current employees and retirees to discuss the proposed health insurance plan that was discussed at the last meeting. The meeting will be held on Tuesday, March 30th @ 10:00AM in the Municipal Building. The Board noted that they would like to be in attendance for the information. Because all the Board Members would like to attend the clerk will advertise the meeting.

Martin Land Request: Sup. Scott reported that Mike Martin had come to the Board a while ago regarding an adjoining parcel of Power Authority land that was not included in the return to landowners. The Town has written a couple of letters of support for this parcel to be returned without much movement. Sup. Scott recently spoke with Mark O'Connor the Director of Real Estate for the Power Authority and was told that the request is not a dead issue. Because this parcel and one other parcel were not included in the first round of surplus property they have to go through the entire process again. They have to receive permission from FERC to remove the parcels from the project boundary. They have already received comments from various State Agencies and will be sending it to FERC shortly.

Financial Report: Sup. Scott reported that in January the Board approved the annual financial report pending notification from the Accountant that everything was in order. The Accountant has reviewed the report and some minor suggestions made. The final report has been filed with New York State and the Board will now have to sign the official copy.

Resolution #33

Motioned by: Robinson

Seconded by: Thew

RESOLVED, that the Waddington Town Board does hereby approve the annual financial report as submitted by the Supervisor. Ayes: ALL

Wireless Internet: Sup. Scott reported that he had spoken with Dan Churchill from Ridgeview Tel. The equipment has been approved and should be installed by the end of March. There are maps that will show the intensity level @ different areas. The transmitter is located on the Elliott silo on State Highway 345.

Sup. Scott asked if there was any other old business.

Patty VanPatten noted that she had requested the Board ask the Power Authority for construction of bathrooms @ the Brandy Brook Boat launch. She feels that this area is greatly used and restrooms should be there. The Town of Waddington does not maintain this Power Authority land. NYS Parks takes care of this but the Board agreed that this would be useful. They will send a letter of request.

New Business:

Town Assessments: Sup. Scott reported that he attended a meeting with the Town Assessor and the County Real Property Office to discuss the value of the Town's assessments. According to the State information Waddington's property values are still increasing. The State has recommended that the assessments be increased by 10% to keep our equalization rate at 100%. This would be done to all residential properties straight across the board. He reported that if we do not keep up with the process in the end we end up paying more in school taxes. He also stated that just because our assessments go up 10% it is not an invitation to increase our tax rates. Our budgets need to be reduced by 10%. Then there is no tax increase. He stated that he would be willing to go to the school and village to speak with them about this situation. The Board's need to look for other forms of funding sources. He asked the Board what their feeling was. Should we keep it at 100% or let it go? C. Thew noted that it is important to keep it up and that the Supervisor hit the nail on the head to let the other boards affected know. John Turner asked how often a physical re-evaluation is done on the properties. Sup. Scott reported that a reval should be done every 5-6 years. The last one done here was approximately 4-5 years ago. The yearly reassessment is based on sales data for Waddington.

Jim Locy stated that it bothers him that someone in Syracuse can set values in our Town. They do not know anything about our town. The Assessor told Jim that he lives on a high value street. There was a property for sale for \$140,000 and they could not get the price asked. Recently two lots sold for \$102,000 that is only \$51,000 each. He doesn't see how they can say that we need to raise by 10%. Sup. Scott noted that if they don't have enough data they go back 3-4 years if needed.

Sup. Scott also reported that at their yearly review of assessments a property's value cannot be raised to the sale price. This practice is illegal.

C. Robinson stated that she would like to have a meeting to inform the public of the 10% increase and how it is arrived at. She does not want to see us wind up in the same position as Lisbon was with their assessment issues. Sup. Scott noted that there are some articles that will be published in the Recorder. The Board would like Sup. Scott to have Jane Powers, Head of Real Property speak at a public meeting to explain the process. Education is important in this process. The Board discussed a date and would like to have Jane come on March 22nd @7:00PM. They will vote on the 10% increase after that meeting.

Hold Harmless Agreement: Sup. Scott reported that the Town needed to pass a hold harmless agreement for the County. It is something that the Town passes annually. Charles Nash, Attorney looked at the agreement and stated that it is a standard indemnification agreement made by William Dashnaw, County Highway Superintendent. If the County does the work and causes the damage you are not indemnifying them for it.

Resolution #34

Motioned by: Robinson

Seconded by: Putney

WHEREAS, the Town of Waddington is desirous of St. Lawrence County Department of Highways providing shared services such as paving, shoulder widening, signage, road stripping, blasting and other routine maintenance activities to the Town, and

WHEREAS, both the Town of Waddington and the County of St. Lawrence are desirous of promoting partnering efforts for the safety of the traveling public in St. Lawrence County, and

WHEREAS, in this joint cooperative endeavor, the Town of Waddington and the County of St. Lawrence desires to be reimbursed for their expenditures, and

WHEREAS, the Town is aware that the County may incur liability in the providing of the services and wishes to indemnify the County in this regard,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Waddington hereby agrees to defend, indemnify and hold harmless the County of St. Lawrence from and against liability, loss, damage, claim or action resulting from the work performed by St. Lawrence County Department of Highways. The Town of Waddington does not indemnify and hold harmless the County for any liability, loss, damage, claim, or action, which arises during the actual performance of services by the St. Lawrence County Department of Highways. Said St. Lawrence County Department of Highways and the County of St. Lawrence assumes the liability for losses, damages, and claims for the actual physical performance of the work, and

BE, IT FURTHER RESOLVED, that the following request for General Liability (GL) coverage is as follows:

General Liability Insurance- On an "Occurrence" basis, with the following limits: \$1,000,000 Each Occurrence, \$2,000,000 General Aggregate, \$1,000,000 Products Aggregate, \$1,000,000 Personal Injury, \$50,000 Fire Damage Legal Liability, \$5,000 Medical Payment Expense

BE, IT FURTHER RESOLVED, that St. Lawrence County shall be an additional insured on the GL Policy, via ISA endorsement CG2026. Ayes: All

Grant Money: Sup. Scott reported that the Village had received \$5,000 from Senator Aubertine's Office as a member item to offset the cost of wastewater study. The study was a joint effort between the Town and the Village costing each Municipality \$4,000. The Village has decided to give the Town \$2,500 of this money to help offset our cost. The Board will send them a thank you.

NYPA Solar Project: Sup. Scott reported that the New York Power Authority has a 100-MW Solar Panel Initiative. They are looking for places to install solar panels. He sent them a message and they sent back a questionnaire to fill out. He is looking for support from the Board to continue research on this project. There is no cost to the Town. They would contract with a developer. The Developer would install the panels and enter into a 20 year fixed rate contract. The Power would come back to power up our facilities. There may not be a big savings in the beginning. But over time the Town could save money on our energy. We can't do anything on the roof because they need a flat roof but they will put ground facilities in. We have three acres out back. It would probably take one acre. This doesn't commit us to anything it just says that we might be interested in being a host site. A motion was made by Robinson, seconded by Thew to allow Sup. Scott to further investigate this opportunity.

Marina Study: C. Robinson stated that she spoke with Bob McNeil and Sean Doyle concerning the Marina Study. They no longer call it the Marina Study it is now the Commercial Opportunity Study. Bob McNeil asked if the Town of Waddington would be interested in taking the lead on this project. Cindy Levine and Maria Toriac w/ NYPA and the LA Group would be working with us on the project. We would need to form a committee. Waddington would work with these people to help located potential sites for the marinas.

Shaun Prentice showed C. Thew the maps and scope of study for the original Marina Study. He noted that this is only a study. There is no money for a marina. It went through phase one and is now in phase two of feasible places. This study is important if a commercial developer wants to come in and develop a marina. A lot of the work would be done already. The clerk has the scope of study and maps and will email them to C. Thew. C. Robinson believes that the Town should be the lead agency. If we want to bring business to the area we are a river town we need to step up.

A motion was made by Robinson, seconded by Thew to become the lead agency in the Commercial Opportunity Study. Ayes: All

Citizen's Comments:

John Turner stated that those who plan to fail, fail to plan. He stated that it is very clear that there is a lot of planning going on in the Town and Village. Even though there is no money for the marina the study is a great place to start. We are almost to the point where

we will be ready to bring in a professional to begin a master plan. They have been working on Main Street planning, water & sewer, siting a marina, economic development for the area. This is a great step.

Executive Session: A motion was made by Thew, seconded by Putney to enter into executive session at 8:25PM to discuss the employment history of a particular person or persons being considered for appointment to the Town Attorney position. Ayes: All
A motion was made by Putney, seconded by Robinson to return to regular session at 9:20PM. Ayes: All No action was taken during the executive session.

Bills: A motion was made by Robinson, seconded by Putney to pay bills # 139-208,819,852,853 in the amount of \$108,795.39 Ayes: All

Adjournment: A motion was made by Thew, seconded by Robinson to adjourn the meeting at 9:40PM. Ayes: ALL

Respectfully submitted,

Carol A. Burns,
Town Clerk