

## Regular Meeting

A regular meeting of the Waddington Town Board was held on Monday, July 12, 2010 @ 7:00PM in the Library Community Room.

**Present were:** Supervisor Mark Scott and Town Councilors: Stephen McKnight, David Putney, and James Thew. Councilwoman Robinson was excused from the meeting.

**Also Present:** Carol A. Burns, Town Clerk, Tom Roidl, Martha Sinkeldam, Jane Layo, John Tenbusch, Bruce MacDonald, Patty VanPatten, Ed & Lori Sharlow, Jeff Pier, Russell Strait, Winnie Veitch, Robert Best, AMP, Jimmy Lawton, Ogdensburg Journal, and Charlie Nash, Town Attorney.

**Call to Order:** Supv. Scott called the public hearing to order @ 6:35PM. The purpose of the public hearing was to discuss the Technical Assistance Grant being applied for. Supv. Scott turned the hearing over to John Tenbusch from the St. Lawrence County Planning Office. John noted that this is the second public meeting for the Community planning Grant. The first was held on June 28<sup>th</sup> where the Planning Office conducted a visioning exercise with all in attendance. He distributed a copy of the priorities listed. He further reported that on May 25, 2010 the Office of Community Renewal issued a Notice of Funding Availability for the Community Planning Program; deadline for submitting application was announced as July 19, 2010. The Town Board decided to take advantage of the proposal, which now brings us to this point.

The application will request \$28,000 in grant funds from the NYS Office of Community Renewal. These grant funds will be matched by local contributions amounting to \$10,000. If this application is funded, the Town of Waddington will administer the grant. The Town needs to conduct a study of its economic development potential in order to secure the future of the Waddington community. Long-time residents remember when Waddington had a thriving commercial and industrial sectors; little of these remain today. Upon successful application for Economic Development planning funds, the Town of Waddington will issue a Request for Proposals in order to solicit proposals from qualified consultants to conduct the economic development planning process. The Town anticipates being able to select a consultant within three weeks from the date that proposals are opened. At the same time that a consultant is being selected, the Town will select community members who have expressed interest to serve on a Local Coordinating Committee; this committee will be the lead agency to provide leadership and support in developing the Economic Development Plan.

John gave a quick timeline for the grant:

- Deadline for application: July 19, 2010
- Awards are typically announced within 60 days.
- Program start-up will typically commence immediately.
- The program must be completed within 12 months of the grant award.

John noted that this would conclude his portion of the public hearing. Supv. Scott asked the Board if they had any further questions of John. There were none. He then opened it up to the public for any comments.

Jane Layo reported that she was concerned about the facilities being located in the incorporated Village. The Town Law Book states that the Town may adopt a resolution article 7 appropriating a specific amount to develop a general plan, map, or report in any portion of the Town not including the incorporated portion of the Town. The only way this can be done is if the Village passes a local law to do so. John Tenbusch stated that she disagreed with her because he spoke with the NYS Dept of State, Comptroller, and NYS Association of Towns and was told that the Town was within its rights to do this because all they are doing is a study. The Town's Planning and Zoning Board of Appeals is for Town outside only but an economic study can be done for the Town inside and outside. Jane noted that she was going to state this in her letter of support. John noted that this is fine with him. She has cited her sources and he has cited his.

Supv. Scott noted that this would be the end of the public hearing and would begin the regular portion of the Town Board meeting

**Pledge of Allegiance:** The pledge was recited.

**Approval of Minutes:** Supv. Scott noted that there were minutes from the regular June meeting as well as two special meetings. Are there any errors or omissions?  
A motion was made by Putney, seconded by McKnight to approve the minutes as submitted. Ayes: All

**RVRDA Update:** Waddington's representative Russ Strait reported about the RVRDA's progress. He told the Board that Robert McNeil is the Chairman and he is the Vice Chairman. They held their organizational meeting on June 15<sup>th</sup>. They have been meeting every two weeks. He noted that the \$8,000,000 is already here. They have the IDA staff as backup. The board is looking to be proactive and market what we have. We have water, power, and money. Money alone is not going to solve the problem. We have to find people to use this money. Be creative how do we use it to benefit the North Country. This will be a chance to provide development, growth, and a way of life for the River District and the people of St. Lawrence County. There will be another meeting on July 13<sup>th</sup> at the Parish Hall. Tony Collins from Clarkson and Michael Duvane from NYPA will be in attendance to explain what their organizations do for economic development and community programs etc. Another meeting on July 27<sup>th</sup> will be held to hear the Environment Management Council and the Environmental Coalition. There is still much work to be done and they are just beginning.

**AMP Update:** Robert Best, Chairman from AMP was present to update. He began by thanking the Board for the help to get the legislation passed to form the North Country Power Authority. The Assembly and the Senate have passed it. It now is waiting approval from the Governor. Once the bill goes to the Governor he has 10 days to pass it. It looks promising since AMP is not looking for any money just approval for the North Country Power Authority to be formed. AMP will be meeting with the Howery Law Firm on July 22<sup>nd</sup> to talk about the next steps assuming the Governor signs the bill. The NCPA will have to be formed in short order. The territory will be divided into 7 districts. The Mayors/Supervisors will select a nominee to represent their territory. The nominee will then need to be approved by the Governor. This could take up to six months to get a complete Board of Directors. The target date is January 1, 2012 for municipalization. Supv. Scott thanked Mr. Best for all of his hard work on this project. Bob has been involved with the process since 1996.

**Citizen's Comments:** Jane asked if the Power Authority is responsible for the road leading to Leishman Point. It is in very rough condition. Supv. Scott noted that he is currently working with the Maintenance Agreement and this is something that should be included. It will be requested.

### **Committee Reports:**

**Recreation:** C. Robinson was on vacation but submitted her report to Supv. Scott. The Recreation Committee compiled a list of items that they would like included in the 2011 Power Authority Maintenance Budget. They include: improvements @ beach, picnic tables, benches, shrubbery, better maintenance of vegetation, wi-fi, and the trail from the beach to the top of the hill. Longer- term items include a trail from Coles Creek to the Village. The Committee has requested that we ask the Power Authority for money to construct it.

**Highway:** C. Putney reported that .6 mile of the Irish Settlement Road has been ground and is going well. They may have to go back to regrind some portions. They have .4 to go. They are on schedule. Lisbon was off last week. They are busy putting mulch at the beach, hauling stone for the rest of the road, mowing, and vacations. There is a 1993 truck that was in the shop. There is nothing wrong with the truck just the box. Terry was going to get steel to replace the rotted sides. C. Putney feels that if we do the patching it will be back to the same shape within a couple of years. We should look into replacing the entire box not just patching. If we replace the box now in the next three years we can move it to a new truck. It would have to be put out to bid. It will be somewhere in the ballpark of \$30-33,000. Supv. Scott noted that there is some extra money in the highway account due to the price of salt and fuel being lower than budgeted. A motion was made by Scott, seconded by McKnight to put the truck box out to bid. Ayes: All

CHIPS funding has been approved and our rollover from last year will be used for the road project.

**Rescue Squad:** C. McKnight reported that the bulk of the meeting was about homecoming and how it involved the rescue squad. They have some new members doing some EMT training in August. They will be doing some training with the Fire Department and the Rescue Boat in September. They continue to have a problem with vehicle #304. They are having some maintenance issues since February. Mechanical issues have had the vehicle sent out and still have not been resolved.

**Library:** C. Thew reported that the Library Board is working real hard for the library. They are currently working on a job description for the Library Aide and Library Manager. The Board has requested copies of the financials from the Construction project. The clerk will scan the bills paid to date and pass them on. They have requested to darken the pdf scans because they are hard to read. There is a reading program at the beach on Wednesday afternoons and a teen program on Wednesday evenings. 55 kids have signed up for the school reading program. The book sale will be homecoming weekend Friday and Saturday 9-3. A trustee meeting will be held tomorrow evening to review the trustee handbook with NCLS.

**WRA:** Supv. Scott reported that the concert series is going well. There have been 80-90 people in attendance. Blue Horizon will play on Saturday, July 17<sup>th</sup>.

**Chamber of Commerce:** Jane reported that Chamber materials have been brought to Coles Creek Park. The lobby to the Chamber Office is open seven days a week. The new business directory is ready for distribution. The walking tour has been drafted and is being reviewed.

**Early Retirement Incentive:** Supv. Scott reported that the State is offering Municipalities a couple of different early retirement options for its employees. Part A is for employees 50 years old with 10 years of service. They would receive 1-month credit for every year of service. Part B is for employees 55 years old with 25 years of service. This would be offered with no penalty. It has been discussed in the past that there may be some interest from the highway department for early retirement. The Town will have to pass a local law by the end of August. Once the law is in place employees will have 90 days to decide if they are interested in taking advantage of the program. If the Town passes the law and there is no interest we will not be out anything except the time put in to the law. There are worksheets to be filled out to see the benefits to the Town. The Town Attorney told the Board that if they wish to pass a local law they will have to make that decision this evening because the draft of the local law has to be on the desks of the Council members and in the office for people to see. You must advertise your public hearing at least 10 days before but not more than 20 days. This law is a relatively simple local law and the hearing could be held at our regular August meeting.

Resolution #54

Motioned by: McKnight

Seconded by: Thew

BE IT RESOLVED, that the Town Board of the Town of Waddington does hereby elect to provide the benefits of Part B of Chapter 105 of the Laws, 2010, commencing on October 3, 2010 for all eligible employees who retire with an effective date of retirement set during the 90 – day period beginning with and immediately following the commencement date and who are otherwise eligible as specified by Part B of Chapter 105, Laws of 2010. Ayes: All

**Local Government Task Force:** Supv. Scott reported that the next meeting of the Task Force would be on July 22<sup>nd</sup>. At their last meeting there was a discussion concerning the Task Force's role moving forward since the RVRDA has been formed. The Task Force was originally formed to negotiate with NYPA for the relicensing. The relicensing is finished but there are still some issues that need to be addressed. The Task Force consists of a member from the Town & Village of Waddington, Town & Village of Massena, Town of Louisville, Town of Lisbon, and the school districts. The consensus of the Task Force is to move forward as a group but what should the role be and who should be the players. Maybe the school districts and the Town of Lisbon should be excluded. Bob

McNeil has resigned as Chairman because he is now Chairman of the RVRDA. He asked the Board what their feeling on the subject was. The Board discussed the issue and felt that the Task Force should remain in tact and the members should be the same as before unless a member should decide that they want to bow out.

**Layo Request:** As a result of the last board meeting Mrs. Layo asked if the Town would consider paying for a scratch on her car that she stated incurred in the Town's parking lot. We have contacted our insurance company and attorney who have both stated that we are not responsible for this problem. Jane told the Supervisor that she has had it covered by her insurance company but still feels that the lighting in the parking lot needs to be addressed.

**Municipal Bldg Locks:** Supv. Scott reported that a key had been left in the front door of the Municipal Building. It turned out that it was the Highway Superintendent's key. The locks have not been changed since 2005 and occasionally the keys are changed. Discussion was held and the following resolution held.

Resolution #55

Motioned by: McKnight

Seconded by: Thew

RESOLVED, that the Waddington Town Board does hereby approve having the front door lock to the Municipal Building changed. The Clerk will contact Barkley's Locks who have done this in the past. Ayes: All

**Building Permit Fees:** Supv. Scott reported that he had a resident come in to speak with him about the fee for a swimming pool. The fee is \$25. The citizen felt that the fees for a blow up pool should not be the same as a regular pool. The blue blow up pools that are popular right now fall under the same regulations as a permanent pool such as fencing and alarm installation. People purchase these pools because they are inexpensive and don't realize that they fall under these regulations.

He asked if the Board would look at reducing the fee for the blow up pools. They all stated that Tony still has to go through the same process for the blow up pools so it should remain the same.

Building permit fees were adjusted in 2007. Supv. Scott gave the Board members a copy of the fees. He asked them to look at them to see if there are any adjustments that need to be made to the fees before the next meeting.

**Cleaning Services:** Supv. Scott reported that the Municipal Building cleaning lady has taken another job. He asked the Board how they thought hiring a new cleaner should be handled. Attorney Nash noted that he contracts with a cleaning agency and pays them with a 1099. This way they are not an employee. The Clerk noted that she would prefer the cleaning person to come when the office is open. There are a lot of files and would rather hire someone that you know and trust. The position is two days a week for 2 hours per day. Further discussion ensued.

Resolution #56

Motioned by: Thew

Seconded by: Putney

RESOLVED, that the Waddington Town Board does hereby authorize the Town Clerk to advertise for the Municipal Building Cleaning position. Ayes: All

**Speed limit River Road:** Tom Roidl requested that the Board consider making a request to have the speed limit from the Buck Road to the beach entrance reduced to 35MPH. He noted that this area is dangerous for anyone using the crosswalk from the beach. He also noted that the Crewing season was going to be approaching and the vans that come from St. Lawrence University approach this area with great speed. Someone is going to be hurt. He told the Board that he had done some research on the procedure and that they would have to fill out a TE-9 form and submit it to the County. The Clerk noted that she had these forms in the office. Bruce MacDonald noted that he believes that in NYS there is a limited speed zone in a designated playground area.

Resolution # 57

Motioned by: McKnight

Seconded by: Scott

**Library Project:** Supv. Scott reported that the bid opening will be Thursday, July 15<sup>th</sup> @ noon. We will be opening the bids but will not be awarding at that meeting. Because of the USDA grant we need to have an abstract done to certify the property. Attorney Nash noted that the abstract would not exceed \$2,000. He has spoken with Northern Abstract from Canton. This is the company that his firm uses.

Resolution #58

Motioned by: Putney

Seconded by: Thew

RESOLVED, that the Waddington Town Board does hereby authorize Attorney Nash to hire Northern Abstract, Canton, NY to draw up an abstract for the library property not to exceed the amount of \$2,000. Ayes: All

**Reval update:** Supv. Scott reported that there was a meeting two weeks ago. What came out of the meeting is that we would look at the properties that are being questioned and review them with the assessor. If anyone has a list of inequities the Board would like it by the 23<sup>rd</sup> of July so that they can get them to the Assessor for his review and meet with him to get his determination by the first week of August before our next regularly scheduled meeting. By that time they would like to make a determination whether there is enough inequities in the roll to move forward with a dismissal process or to see if there is anything really out of line.

Bruce MacDonald addressed the Board concerning their procedure. Bruce noted that he was a house builder in the area for many years and feels that there are basis for some gross inequities but doesn't feel the Board is going in the right way to correct the problem. He noted that he has seen some of the inequities based on his experience of building and comparing houses, lots, porches, etc.

He has suggested that the Town get the Assessor some extra help to conduct his inventory. If he were to look at all 1800 properties he will not be able to get through every one. He noted that by doing this it may cost some money but will get the reval the way that it is supposed to be.

The Board thanked Bruce for his insight and discussed talking with the Assessor to get him the help that he may need for the project. The Board will meet on July 26<sup>th</sup> @ 7:00PM. This will be advertised as an executive session to discuss the Assessor and Code Enforcement Officer. No other business will be addressed.

**Code Enforcement:** Supv. Scott reported that Civil Service Law protects the Code Enforcement Officer's position. After a period of five years he is due a hearing according to Section 75 of the Civil Service Law. When we meet with him we will be telling him what we expect as Code Enforcement Officer.

**River Road Lot:** Supv. Scott noted that the Board had talked about an open listing for the property. C. Robinson has asked that we wait on this until she returns from vacation. She has been doing some research on this.

**Agreed Upon Procedures:** Supv. Scott reported that Pinto & Associates would begin the Agreed Upon Procedure the week of July 26<sup>th</sup>.

**Citizen's Comments:** There were no comments at that time.

**Bills:** A motion was made by Putney, seconded by McKnight to pay bills # to in the amount of \$. Ayes: All

**Adjournment:** A motion was made by Thew, seconded by Putney to adjourn the meeting at 9:30PM. Ayes: All

Respectfully submitted,

Carol A. Burns, Town Clerk

## Bid Opening

The bid opening for the Hepburn Library Project was held on July 15, 2010 @ noon in the Municipal Building.

**Present were:** Supv. Mark Scott, Carol A. Burns, Town Clerk, Tom Owney, Burley & Guminiak, Martha Sinkeldam, Theresa Hill, and contractor representatives.

The meeting was called to order a noon. Three bids were received for Contract #1 and four bids received for contract #2. Results as follows:

### **Contract #1**

Con Tech Building Systems, Inc.  
4524 State Highway 58  
Gouverneur, NY 13642

Base Bid: 420,000    Alternate A: 45,000    Alternate B: 49,800    Alternate C: 9,900  
Alternate D: 92,000                      Alternate E: 8,200    Bid Bond: Yes

Fiacco & Riley Construction Inc.  
283 County Route 48  
Norwood, NY 13668

Base Bid: 525,000    Alternate A: 100,000    Alternate B: 49,000    Alternate C: 5,200  
Alternate D: 24,000    Alternate E: 7,000    Bond Bid: Yes

Ganem Contracting Corp  
Ushers 9 Park Route 9  
Clifton Park, NY 12065

Base Bid: 156,000    Alternate A: 46,000    Alternate B: 39,000    Alternate C: 2,000  
Alternate D: 61,000    Alternate E: 9,000    Bond Bid: Yes

### **Contract #2**

Dow Electric Inc  
3874 State Route 11  
Malone, NY 12953

Base Bid: 37,300    Alternate A: 175.00                      Bid Bond: Yes

Watson Electric  
6 Circle Drive  
Norwood, NY 13668

Base Bid: 26,317    Alternate A: 314.00                      Bid Bond: Yes

S & L Electric  
5313 State Highway 56  
Colton, NY 13625

Base Bid: 23,500    Alternate A: 400.00                      Bid Bond: Yes

Empire Northeast  
39 South Gordon Street  
Gouverneur, NY 13642

Base Bid: 23,098    Alternate A: 740.00                      Bid Bond: Yes

After the bids were opened and read publicly aloud, Tom Owney thanked the Contractors for their interest. A decision would be made once the bids have been completely reviewed.

Tom told Supv. Scott that he was concerned that the bids came in so high for the window restoration. He wasn't sure if the lead & asbestos abatement had anything to do with it. He would talk to the contractors for answers. He was also concerned that Ganem's base bid was more than 50% lower than the other two contractors. He will be talking with him also. Tom will be in touch with Supv. Scott with Burley's suggestions before the July 26<sup>th</sup> meeting. He hopes that the Town will be able to award the contracts at this meeting.

The meeting was adjourned at 1:00PM.

Respectfully Submitted,

Carol A. Burns, Town Clerk

### Special Meeting

A special meeting of the Waddington Town Board was held on July 26, 2010 @ 7:00PM in the Municipal Building.

**Present were:** Supervisor Mark Scott and Council Members: Stephen McKnight, Shirley Robinson, James Thew, and David Putney.

**Also Present:** Carol A. Burns, Town Clerk, Sandy Wright, Martha Sinkeldam, Allison Charles, Theresa Hill, Ken Hargrave, Tom Owney, Burley & Guminiak, Charles Nash, Town Attorney, and Kenneth Pierce, Town Assessor

**Call to order:** Supv. Scott called the meeting to order @ 7:00PM

Supv. Scott announced that the purpose of this meeting is to discuss the bids for the Hepburn Library Project and that there will be a need for an executive session to discuss the employment of the Assessor.

Supv. Scott turned the meeting over to Tom Owney. Tom reported that Contract #1 came in with prices that were all over the place. Contract # 2 came in on budget. The bids for the window restoration came in way over budget. Two contractors came in at approximately \$200,000 and the low bid came in at \$15,000. Tom talked to the low bidder Ganem to find out why his was so low. He was told that he did not realize that there was asbestos & lead abatement. He has withdrawn his entire bid. The other two contractors told Tom that they were planning on totally removing the windows, taking them back to their shops, and totaling restoring them to their original conditions. Tom told them that the windows were not going to be removed from the building. They were to repair the storm windows, install ½ screens, repair or replace any storm sashes, make the weights operational, paint, caulk, and glaze. Con Tech would be the low bidder since Ganem withdrew their bid. After talking with Tom Con Tech revised its bid as follows:

<b>Description of work:</b>	<b>Unit Price</b>	<b>Deduct/Add</b>	<b>Revised</b>
Mobilization	25,000	0.00	25,000
Window & Wood Elements	222,000	147,000	75,000
Attic Insulation	32,700	700	32,000
Masonry Restoration	45,000	0	45,000
Architectural Precast concrete	59,000	0	59,000
Canopy Entrance	36,700	36,700	0
<b>Total Base</b>			<b>236,000</b>
<b>Alternate A</b>			
Entrance Addition	45,000	45,000	0

<b>Alternate B</b>			
Standing Seam Roof	49,800	49,800	0
<b>Alternate C</b>			
Remove & Replace Bricks			
At bulge	9,900	9,900	9,900
<b>Description of Work</b>	<b>Unit Price</b>	<b>Deduct/Add</b>	<b>Revised</b>
<b>Alternate D</b>			
Repoint Remaining Building	92,000	92,000	0
<b>Alternate E</b>			
Site Work	8,200	8,200	0
<b>Total project Cost</b>			<b>245,900</b>

**Electrical Contract:**  
 Empire Northeast **23,098.**

Tom noted that he had spoken with Dawn Vincent who administers the State Library portion of the grant and she stated that the Town had to stay within the scope of the original grant, which included the replacement of the bricks at the bulge in the wall. Tom stated that Rich Applebaum who is the brick expert told the board that this area was not a problem but because it was in the original scope of work it must be included.

The above bid would keep the project within the budget allotted. The breakdown of the budget is as follows:

Funding Source:	161,450.00	State Library System Grant
	116,390.00	USDA Loan
	<u>100,000.00</u>	USDA Grant
	<b>377,840.00</b>	<b>Total funds available</b>
Expenses		
	5,000.00	Legal service
	45,502.50	Engineering Services
	268,998.00	Contract #1/Contract #2 Electrical
	<u>58,339.50</u>	Contingency
	<b>377,840.00</b>	<b>Total project cost</b>

Tom explained that this information would have to be sent to the State Architect in Syracuse for review under the guidelines of the USDA loan/grant. Once she reviews there is paperwork that needs to be completed and then the Town will get the go ahead to award.

Tom stated that he is hoping to hear from Syracuse by Friday, and then there is 10 days to execute the agreement for contracting. He is hoping by the 2<sup>nd</sup>/3<sup>rd</sup> week of August. Ken Hargrave noted that the time would be ticking for the brickwork/cast stone. Tom stated that he realizes this but the Town has to go through all the steps required by the USDA. If the Board agrees with these contract bids he will be talking with the contractors to have them start to get their bonds etc together so they will be ready when notice to award is issued.

The Board further discussed the bid results. Supv. Scott asked the Town Attorney if it would be legal for the Board to pass a resolution awarding the bid pending approval from USDA. He said that it would be.

Resolution #59

Motioned by: Thew

Seconded by: Robinson

RESOLVED, that the Waddington Town Board does hereby award the Hepburn Library Project Contract #1 to ConTech and Contract #2 Electrical to Empire Northeast.

FURTHER RESOLVED, that this bid award is contingent upon approval from the USDA. Ayes: All

Supv. Scott noted that the Town Board needed to pass a resolution for the St. Lawrence County Planning Office concerning the Community Planning Grant being applied for.  
Resolution #60

Motioned by: McKnight

Seconded by: Putney

WHEREAS, the Town of Waddington has expressed an interest in preparing a Community Development Plan to identify community needs, goals and objectives, and develop implementation steps to address those needs; and

WHEREAS, the St. Lawrence County Planning Office has the capacity and experience necessary to prepare a Community Planning Program Application for the New York Office of Community Renewal.

NOW, THEREFORE BE IT RESOLVED that the Town of Waddington:

- Hereby requests the St. Lawrence County Planning Office to prepare and submit a Community Planning Program application to the new York State Office of Community Renewal on their behalf;
- Will provide \$500 to the County Planning Office to cover the costs for preparing the application;
- Will provide the 33% local match in the form of a cash contribution and in-kind services for the grant; and
- Authorize the Town Supervisor to take any and all actions necessary to assist the County Planning Office in the preparation of this application. Ayes: All

**Assessor:** Supv. Scott read a letter addressed to the Town Board from the Concerned Citizen's Group regarding the re-evaluation process and the role of the Assessor. The Board noted that they have asked this group for their list of inequities and they have produced nothing for them. They also felt that the letter should be signed for it to be made official.

A motion was made by Robinson, seconded by McKnight to enter into executive session @ 7:35 to discuss the employment of the Assessor. A motion was made by McKnight, seconded by Putney to return to regular session @ 8:40PM. No action was taken during executive session.

**Adjournment:** A motion was made by McKnight, seconded by Putney to adjourn the meeting @ 8:40PM. Ayes: All

Respectfully submitted,

Carol A. Burns, Town Clerk