

Regular Town Board Meeting August 22, 2007

Supervisor Moore called the meeting to order at 7:30 PM.

Roll Call: Supervisor Moore, Councilwoman Robinson, Councilwoman Tremper, Councilman Cook, Councilman Votra, Superintendent of Public Works Woods, CEO Rodenhouse, Highway Superintendent Remington, Town Clerk Maguire

Others Present: Elbridge E. Randall, Edward J. Woolston, Legislator Laura Perry, Robert Phillips, Ralph Randall, James Scovil, Ernest Scovil, Matt Akins, Julie Bump, Ron Barlow, Cathy Barlow

A motion was made by Councilwoman Tremper and seconded by Councilman Votra to approve the minutes of the regular meeting on July 25, 2007 as corrected and submitted by the Town Clerk.

All in favor.

CEO Report:

A motion was made by Councilwoman Tremper and seconded by Councilman Cook to accept the CEO report as submitted and to be filed with the Town Clerk.

All in favor.

Business:

- a.) John Carr updated the board on the progress on the proposed town barn project and the progress on the River Walk project.
- b.) Ralph Randall was present and asked the board to sign a letter that stated the DEC and not the Town of Parishville will be the lead agency for the gravel pit located on the Benson Road. This gravel pit has been granted a use variance. It was discussed among the board.

A motion was made by Councilman Cook and seconded by Councilwoman Tremper to approve the signing of the letter to give the DEC permission to act as lead agency pending approval of Town Attorney Roger Linden. **All in favor.**

- c.) A motion was made by Councilman Cook and seconded by Councilwoman Robinson to approve Resolution 04-2007 as follows:

RESOLUTION # 04-2007
DATED- AUGUST 22, 2007

RESOLVED that this Town Board hereby introduces a revised Town of Parishville Dog Control Ordinance (enacted October 1979) as follows:

Dog Ordinance

1. Definition of terms
2. Restraint of dogs
3. Dogs as a public nuisance
4. Care of dogs
5. Harboring of dogs
6. Additional Fees
7. Penalty
8. Application of Article
9. Effective Date

1) Definition of terms

Dog- Except when the context otherwise indicates, includes a female dog.

Owner- Includes any person or persons, firm, association, corporation, or society owning, harboring or keeping a dog.

Dog Warden- Shall mean a person appointed by the Town Board to assist in the enforcement of this Article or any member of the Police Department.

2) Restraint of Dogs

- a) No dog shall be allowed in Parishville Park unless restrained on a leash not to exceed six (6) feet in length.
- b) Dogs are prohibited in any grocery or other store where perishable goods are sold.

3) Dogs as a Public Nuisance

- a) An owner of a dog or dogs shall not permit such dog or dogs to become a public nuisance.
- b) A dog shall be considered a public nuisance if it shall;
 - 1) Consistently or persistently barks or howls.
 - 2) Causes personal injury
 - 3) Causes damage to personal property.
 - 4) Transports trash or creates impairment of lawns, hedges, flower beds and gardens on property other than the owner or anyone having the dog in custody.
 - 5) A dog that consistently barks or chases pedestrians (while not restrained) using the sidewalks while the dog is on the property of owner or harborer.
 - 6) Any dog may not be restrained closer than then (10) feet of sidewalk.

4) Care of Dogs

It shall be unlawful for any owner of a dog or dogs to fail to provide such dog or dogs with adequate food, water and shelter at all times.

5) Harboring of Dogs

Any person, firm, society or corporation, shall at all times keep the area wherein the dogs are kept, possessed or harbored, in a neat, clean sanitary condition and in accordance with the regulations of the Board of Health and Public Health Laws of the State of New York, and such area shall be open to inspection by the proper Town and Health officials at all reasonable times.

6) Additional Fees

In addition to the fees imposed by Article Seven (7) of the New York State Agricultural & Markets Law, an additional local fee of \$2.50 is established for the licensing of dogs to be paid and collected at the time of licensing.

7) Penalty

Any person, firm, society or corporation violating any of the provisions of this ordinance shall upon conviction be subject to a fine not exceeding twenty-five dollars (\$25.00) for each violation and such violation shall constitute disorderly conduct.

8) Application of Article

- a) This article shall not apply to a dog owned by a nonresident, while passing through the Town of Parishville, nor to dogs brought into the Town of Parishville for a period not exceeding fifteen (15) days, if entered in any exhibition at any dog show therein, and confined and in immediate charge of the exhibitor or a dog commonly known as a seeing-eye dog while guiding its master.
- b) This article shall not apply to dogs actually confined to the premises of incorporated societies devoted to the care or hospital treatment of lost, strayed, or homeless animals, or confined to the premises of public or private hospitals devoted to the treatment of sick animals.

9) Effective date-January 01, 2008

Resolution offered by: Councilwoman Robinson

Seconded by: Councilman Cook

Vote:

Supervisor Moore Aye

Councilwoman Robinson Aye

Councilwoman Tremper Aye

Councilman Cook Aye

Councilman Votra Aye

Resolution Adopted

A public hearing regarding the amendment of the Dog Ordinance was set for September 26, 2007 at 7:15 PM before the regular monthly board meeting.

- c.) There was a discussion about an article sent to Supervisor Moore advising the state of New York is trying to abolish the justice courts in small towns. A motion was made by Councilman Moore and seconded by Councilman Moore to adopt Resolution 05- 2007 as follows:

RESOLUTION

05-2007

At this regular meeting of the Town of Parishville held on August 22, 2007, the following Resolution was adopted by the Town Board of the Town of Parishville

WHEREAS, there has recently been negative press coverage by the *New York Times* and local papers within St. Lawrence County suggesting that the Town court system is flawed and more specifically alleging that the three hundred year tradition of non-lawyer judges presiding over and within the local municipalities should be eliminated; and

WHEREAS, there has always been a Town Court within the Town of Parishville, conveniently located and accessible to our citizens; and

WHEREAS, there are two (2) Town Judgeships established within the Town of Parishville and

WHEREAS, there are presently two (2) non—attorney Town Justices and no **(0)** attorney Town Justices within the Town of Parishville and

WHEREAS, with their civil and criminal jurisdiction, the Town Justices in the Town of Parishville handled many hundreds of cases in the past year; and

WHEREAS, the Town Court of Parishville in the past year collected \$ 18,342.00 in statutory fines, fees and surcharges on behalf of the State of New York, the County of St. Lawrence and the

Town of Parishville to help fund essential public services; and

WHEREAS, the Town Board of the Town of Parishville recognizes and appreciates the professionalism, diligence, intelligence and integrity of the non-attorney or lay justices within our town who bring a specialized experience to the bench particularly with issues unique to our community who elected them.

Now, therefore, be it:

RESOLVED, that the members of the Town Board of the Town of Parishville support the continuation of the three hundred year tradition of non-lawyer or lay justices presiding in Town Courts, and it is further;

RESOLVED, that the members of the Town Board of the Town of Parishville hereby oppose any requirement that Town Justices be attorneys, and it is further,

RESOLVED, that the members of the Town Board of the Town of Parishville oppose any efforts to eliminate local and convenient access to justice by our citizens; and find that the local presence of the Town Court of Parishville provides a meaningful and necessary presence within our community for judicial resolution of conflicts, continued public safety of our citizens and the protection of constitutional guarantees for all of our citizens.

Jerry Moore	Supervisor:	Aye
Shirley, Robinson	Councilperson	Aye
Kari Tremper	Councilperson:	Aye
Rodney Votra	Councilperson:	Aye
Conrad Cook	Councilperson:	Aye

Resolution Adopted.

- d.) Legislator Laura Perry updated the board about the ongoing process of the N.Y. State DEC circumventing town's vetoes to purchase land from Rayonier LLC. This was discussed at length among the board and members of the audience.
- e.) Supervisor Moore made mention of an article that appeared in a recent Courier Observer newspaper that said Blake Reservoir is located in the town of Colton. He said it was brought to his attention by Town Historian, Emma Remington, who had it corrected in the paper to state that it is located in the Town of Parishville. He thanked Mrs. Remington for being observant to this fact and having it corrected.

Privilege of the Floor:

Mr. Ed Woolston spoke on behalf of the thirteen families who live in the Town of Parishville near the Town of Colton line who wanted to be able to use the Town of Colton landfill. He thanked the board and Councilman Votra for their assistance in getting this problem solved.

Mr. Ron Barlow spoke to the board and asked what was being done to address the problem of losing land to the state which in turn hurts our tax base. Supervisor Moore said that this has been an ongoing problem that has been dealt with by writing letters to state and local officials and making the town's position known. Mr. Barlow said that he would like to help the town in any way he can to fight this problem. Supervisor Moore thanked him for his interest and invited him to visit the town office to find out what he can do to help.

Legislator Laura Perry reported to the board that the Workman's Compensation rates for the town of Parishville are twenty thousand dollars less. The county sales tax was discussed and how the towns in her district have been hurt. She is looking for help and is working on the problem. She also reported that she voted in favor on the STAR project for the area schools which targets at risk youths. The county is also reviewing a proposal for county wide telephone service. Supervisor Moore thanked Mrs. Perry for the updates from the county.

Water District Report:

Superintendent of Public Works Woods reported that there have been a few repairs this month with no major problems. Another service was installed this month.

A motion was made by Councilwoman Tremper and seconded by Councilman Votra to accept the Water District report as given by Superintendent of Public Works Woods.

All in favor.

Recreation Report:

Superintendent of Public Works Woods reported that two cameras were purchased for the park and they have proven useful so far. He also reported that the old rescue boat and two canoes are missing from the park and a police report has been filed. The park has been busy and youth soccer is over for the season. He asked if it could be considered for next year putting an age limit on the program for the day campers.

A motion was made by Councilwoman Tremper and seconded by Councilman Votra to accept the Recreation report as given by Superintendent of Public Works Woods.

All in favor.

Highway Report:

Highway Superintendent Remington reported that they should be done with Rosenbarker Drive in about two weeks. They have paved an additional 8/10 of a mile which will complete the paving near Jo Indian Pond. Elbridge E. Randall asked if the signs at the intersection near the West Parishville Road and the Lenney Road could be painted or replaced to make them more visible. Mr. Remington agreed that they were a problem and should be replaced. Elbridge also thanked Mr. Remington for the good job that was done with the mowing near the West Parishville Road.

A motion was made by Councilman Votra and seconded by Councilwoman Robinson to accept the Highway report as given by Highway Superintendent Remington.

All in favor.

Sealed Bids

Town Clerk Maguire opened and read aloud the bids on the advertised surplus items for the highway department and they were as follows:

1. 1984 Dodge crew cab pickup truck-
\$200.00 bid by Jeremy Collette.

A motion was made by Councilman Cook and seconded by Councilman Votra to accept the bid of \$200.00 by Jeremy Collette for a 1984 Dodge crew cab pickup truck.

All in favor.

2. Galion 10-ton roller-
\$456.78 bid by J.E. Sheehan

A motion was made by Councilman Cook and seconded by Councilwoman Tremper to accept the bid of \$456.78 for a Galion 10 ton roller by J.E. Sheehan.

All in favor.

3. Drill Press-
\$10.00 bid by David Wells.

A motion was made by Councilman Cook and seconded by Councilwoman Robinson to accept the bid of \$10.00 for a drill press by David Wells.

All in favor

4. 1990 4x4 Chevy truck-
\$1,234.56- Richard Casey
\$1,500.00- Bruce Thompson

A motion was made by Councilman Cook and seconded by Councilwoman Robinson to accept the bid of \$1,500 from Bruce Thompson for the 1990 4x4 Chevy truck.

All in favor.

5. 1999 763H Bobcat-
\$9,545.55- J.E Sheehan
\$10,001.00- Midstate Industrial Supply
\$8,477.00-R.M Duffy Enterprises

A motion was made by Councilman Cook and seconded by Councilwoman Robinson to accept the bid of \$10,001.00 from Midstate Industrial Supply for the 1999 763H Bobcat.

All in favor.

Bills:

A motion was made by Councilwoman Robinson and seconded by Councilwoman Tremper to accept the bills as follows:

1. General Account Bills - \$17,302.00
2. Highway Account Bills - \$30,112.33
3. Water District No. 1 Bills - \$11,144.56
4. Payrolls:
 - General:** 07/27/07 (\$15,687.70), 08/03/07 (\$3,382.77), 08/10/07 (\$17,672.08), 08/17/07 (\$3,388.01)
 - Highway:** 07/27/07 (\$7,363.26), 08/03/07 (\$7,363.26), 08/10/07 (\$7,363.26), 08/17/07 (\$7,363.26)
 - Water:** 07/27/07 (\$715.87)

All in favor.

Anything else anyone wishes to discuss:

Councilman Cook brought up the fact that the bridge on State Highway 72 still has not been painted by New York State as promised. Supervisor Moore said he would look into this.

A motion was made by Councilman Cook and seconded by Councilwoman Robinson to declare the following unused items in the storage area of the Town Hall as surplus items and donate these items to the Historical Society to do with as they wish.

1. 5 level fax/printer stand
2. 3 Okidata 590 microline
3. Southwest Bell Answering Machine
4. Sprint 2 line telephone
5. Dell keyboard
6. 17" keyboard
7. Webcor Royalite reel to reel recorder
8. Healthometer weight scale
9. 2- 20" Gateway monitor
10. Canon Fax-phone B-70
11. Canon P101-D adding machine
12. IBM electric typewriter
13. Gateway computer parts only
14. Gateway computer keyboard
15. large briefcase
16. Assorted garbage baskets
17. Hand held document scanner
18. Assorted computer cords and accessories
19. hanging file cart

All in favor.

A motion was made by Councilman Cook and seconded by Councilwoman Tremper to send a copy of a letter drafted by Councilman Votra and signed by the Supervisor and each member of the board to local and state officials stating our dissatisfaction with the proposed pending legislation regarding the role of local governments as it pertains to large scale power plants.

All in favor.

A motion was made by Councilman Cook and seconded by Councilman Votra to adjourn the meeting at 8:55 PM.

All in favor.

Meeting Dates:

Next Audit Date September 25, 2007

Auditors: Councilwoman Robinson, Councilman Votra

Next Meeting Date: September 26, 2007

Connie Maguire
Town Clerk