

Regular Town Board Meeting May 28, 2013

Supervisor Moore called the meeting to order at 10:02 AM.

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

Others Present: Fred Wilhelm, Larry Page, Art Wilson, Darin Saiff, Milt DeGraw, Jacki DeGraw, Deb Christy, Toby Bogart, Town Attorney Linden

A motion was made by Supervisor Moore and seconded by Councilwoman Robinson to move into Executive Session at 10:03 AM to discuss ongoing litigation.

All in favor.

A motion was made by Councilwoman Robinson and seconded by Councilwoman Tremper to leave Executive Session at 10:24 AM.

All in favor

A motion was made by Councilman Votra and seconded by Councilwoman Robinson to approve the minutes of the regular meeting on April 23, 2013 as submitted by the Town Clerk.

All in favor.

CEO Report:

CEO and Assessor Ferguson was absent to conduct Grievance Day being held downstairs today.

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

All in favor.

Water District Report:

Superintendent of Public Works Woods reported a quiet month with no problems in the Water District.

A motion was made by Councilwoman Tremper and seconded by Councilwoman Robinson 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 a busy month with the opening of the Park yesterday. The beach will be open in a couple of weeks and all the permits have been submitted to the Health Dept. Verbal approvals have been received with written ones anticipated soon. The new playground boat that was purchased with grant money from New York State Dept. of Health and St. Lawrence County was installed and is a big

hit with all the kids. There is baseball being held 4 nights a week at the park and many games are being hosted there as well. Mr. Woods reported the Town owned cemeteries have been mowed and cleaned up for Memorial Day. This week Mr. Woods will meet with all his Summer Day Camp applicants for orientation and drug testing. Mr. Woods submitted his list of applicants to the board.

A motion was made by Councilman Votra and seconded by Councilwoman Robinson to allow Superintendent Woods to hire the personnel for the Summer Day Camp at his discretion.

All in favor.

Mr. Woods also reported that he is required to attend a recertification CPR/First Aid course in Watertown.

A motion was made by Councilwoman Tremper and seconded by Councilman Votra to approve Mr. Woods to use the Town owned Park truck to drive to Watertown and back and to allow Mr. Woods to stay overnight for this course.

All in favor.

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

All in favor.

Privilege of the Floor:

Milt DeGraw from the Parishville AMVETS Post 265 told the Town Board that the AMVETS would be meeting next week to discuss their plans for acquiring the old highway garage on State Highway 72. He will report back at next month's meeting. St. Lawrence County Trail Coordinator Deb Christy addressed the Town Board and presented two resolutions for the Town Board to consider. Ms. Christy also informed everyone about a meeting to be held in Colton next week regarding the opening of the Multiuse Trail System. Ms. Christy invited Supervisor Moore to speak at this meeting about the impact of the opening of the Trail system in Parishville. St. Lawrence County Highway Superintendent Toby Bogart addressed the Town Board and stated he would like to have the Town of Parishville pass a Local Law to open particular sections of roads within the Town of Parishville connecting trail head to trail head on the multiuse trail. He explained the current SEQR would cover these roads which would open up the main corridor of the trail. He requested that a public hearing be held before the regular Town Board meeting in June with the Local Law being passed at the regular meeting. Ms. Christy explained the roads affected by this proposed law are Crawford Street, Catherine Street, Sylvan Falls Road and the Picketville Road.

A motion was made by Councilwoman Tremper and seconded by Councilman Cook to move ahead with the public hearing for June 25, 2013 for Local Law 02-2013.

All in favor.

A motion was made by Councilwoman Tremper and seconded by Councilman Votra to adopt the following two resolutions:

**Resolution 05-2013
Town of Parishville
Supporting ATV Increase Weight Bill A04971/S1946**

WHEREAS, weight limits for registration currently stand at 1,000 pounds, and many of the different manufactured brands weigh more than 1,000 pounds, making registration an impossibility, and **WHEREAS**, this legislation would also amend the definition of ATV “All-Terrain Vehicle” to include any self-propelled vehicle which is manufactured for sale for operation primarily on off-highway trails or off-highway competitions and only incidentally operated on public highways providing that such vehicles does not exceed seventy inches in width, and **WHEREAS**, these important Bills would allow the registration of UTVs, commonly referred to as “side by sides”, with weight limits up to 1500 pounds, and **WHEREAS**, other states have passed similar legislation, and **WHEREAS**, the Parishville Town Board recognizes that this type of ATV, although larger in stature than conventional ATVs, are characterized as a passive mode of recreational vehicle that allow the users, a more practical way to accomplish chores, an opportunity for two or more hunters to reach their destination with a single machine, and a more comfortable and safe avenue to enjoy the beautiful outdoors that St. Lawrence County and New York State has to offer, and **WHEREAS**, the Parishville Town Board recognizes the necessary revenue gains for both the County and State that could be attained through sales and use of ATVs, both conventional and “side by side”, and **WHEREAS**, this legislation is a critical step towards creating economic development, job creation and increased tourism opportunities in a County that is rich in natural resources for responsible ATV use, **NOW, THEREFORE, BE IT RESOLVED** the Town of Parishville supports ATV increase weight Bill A04971/S1946, and **BE IT FURTHER RESOLVED** that copies of this resolution be sent to Governor Andrew Cuomo, Senator Patty Ritchie, Senator Joseph Griffo, Senator Elizabeth O’C Little, Assemblyman Kenneth Blankenbush, Assemblywoman Addie Russell, Assemblyman Marc Butler

**Resolution 06-2013
Town of Parishville**

**Supporting the Plan of the St. Lawrence County Recreational Trails Board
For Reopening the Community Connector/Recreational Access Corridor Below the Rainbow Falls
Dam in Parishville as a Segment of the St. Lawrence County Multi-Use Trail and a Segment of New
York State Snowmobile Trail No. 8**

WHEREAS, access below Rainbow Dam on Picketville Road located in the Town of Parishville has been an important route for travel, recreation, and other purposes since the 1950s, and **WHEREAS**, this route is an essential and important recreational community connector connecting the Towns of Parishville and Colton, and **WHEREAS**, the St. Lawrence County Recreational Trails Advisory Board through State Environmental Quality Review (SEQR) and consultation with local clubs has identified this as a route critical to the Cross County Trails Development, and **WHEREAS**, this route was a groomed snowmobile trail and is included in the New York State Department of Environmental Conservation White Hill Unit Management Plan as Trail No. 8, and **WHEREAS**, Brookfield Renewable Energy Group restricted access below Rainbow Dam closing this route to all forms of traffic. **WHEREAS**, on March 4, 2013, two men drowned while trying to cross the Rainbow Falls Reservoir by snowmobile on the ice, and **WHEREAS**, reopening the crossing at Rainbow Dam would provide a safe route across the Raquette River, and **NOW, THEREFORE, BE IT RESOLVED** Board of Legislators supports the plan of the St. Lawrence County Recreational Trails Board for re-opening the community connector/recreational access corridor below the Rainbow Falls Dam in Parishville as a segment of the St. Lawrence County Multi-Use Trail and a segment of New York State Snowmobile Trail No. 8, and **BE IT FURTHER RESOLVED** that copies of this resolution be forwarded to the NYS Snowmobile Association, NYS Department of Environmental Conservation, Town of Colton Supervisor, St. Lawrence County Snowmobile Association, St. Lawrence County Trails and Recreation Advisory Board, Brookfield Renewable Energy Group.

All in favor.

Art Wilson, Parishville ATV Club President, addressed the Town Board and reported the ATV Club did a roadside garbage pickup on 3 miles of the Old Potsdam Parishville Road. They will try to do this twice a year.

Milt DeGraw, from the Parishville AMVETS reported that his organization has picked up roadside garbage on the Catherinesville Road.

The Town Board expressed their gratitude to both organizations.

Business:

1. *A motion* was made by Councilwoman Robinson and seconded by Councilman Votra to adopt the following resolution:

**Town of Parishville
County of St. Lawrence
Resolution 04-2013**

Calling for the Repeal of the Erroneously Named NY SAFE Act

WHEREAS the members of the Town Council of the Town of Parishville, New York have been elected by the approximately 2,150 residents of the Town of Parishville as their representatives; and

WHEREAS said members have taken an oath; indeed the very same oath as the members of the Senate and Assembly, as well as the Governor, of the New York State; to uphold the constitution of the State of New York and the Constitution of the United States of America; and

WHEREAS said constitutions contain clauses protecting the individual, inalienable, God-given right of the citizens of the United States of America and the citizens of the State of New York to keep and bear arms without infringement; and

WHEREAS on January 15, 2013 the Legislature of the State of New York passed the erroneously name NY SAFE Act which contains multiple violations of said rights; and

WHEREAS this passage occurred within a period of less than twenty-four hours of introduction to the legislature, thereby not allowing the mandatory three day review period; and

WHEREAS this avoidance of the mandatory review period was accomplished by the Governor's declaration of a Message of Necessity; and

WHEREAS the reasons listed by the Governor in his request for said Message of Necessity are wholly inadequate, completely inaccurate, and without justification; and

WHEREAS the aforementioned infringements upon the rights of the citizens of New York State will have no effect in reducing crimes committed with firearms; and

WHEREAS the sacrifice of freedoms for the illusions of security secures neither;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Parishville of the County of St. Lawrence of the State of New York hereby condemns the manner in which the aforementioned legislation was passed and finds the actions of the Governor deplorable and unbecoming of an elected official and representative of the people of New York State; and be it further

RESOLVED, that the Town of Parishville demands a public apology by the Governor for his abuse of the legislative process of the State of New York; and be it further

RESOLVED, that the Town of Parishville demands the complete and total repeal of the NY SAFE Act of 2013 in its entirety by State Assembly and State Senate member; and be it further

RESOLVED, that the Town of Parishville demands the State Assembly and State Senate, in the very near future, consider legislation which repeals various laws currently in place that infringe upon the rights of the citizens of the State of New York to keep and bear arms, including, but not limited to, the following:

- Firearm magazine capacity limitations;
- Requirements for permits to carry a firearm concealed;
- Limitations on the aesthetic appearance of certain firearms, erroneously referred to as "assault weapons;"

- Restrictions on locations where firearms can be carried, both openly and concealed, including State Forests and Parks; and
- Restrictions on other arms constitutionally protected under the second amendment including knives, pepper spray, swords, air/spring rifles, etc.; and be it further

RESOLVED, that the Town of Parishville finds these aforementioned and any other infringements upon the right of the citizens to keep and bear arms unconstitutional and illegal; and be it further

RESOLVED, that the Town of Parishville hereby urges nearby towns to enact similar resolutions urging the State Legislature to action; and be it further

RESOLVED, that certified copies of this resolution be delivered to the following individuals: President Barack Hussein Obama; Governor Andrew Cuomo; New York State Senator Elizabeth Little, New York State Assemblyman Marc W. Butler, New York State Congressman Bill Owens, and St. Lawrence County Legislator Scott Sutherland.

All in favor.

2. Supervisor Moore reported that he received correspondence from the Public Service Commission stating that there will be new area codes created for this area to assist with the great amount of new phone numbers being issued. There will be more information available as this takes place.
3. *A motion* was made by Councilwoman Robinson and seconded by Councilman Cook to hire Larry Page as the permanent Transfer Station Attendant.

All in favor.

The need for a backup Transfer Station Attendant was discussed and First Class Services from West Parishville is now picking up the E-Waste materials that are disposed of. The Town Board and Highway Superintendent Remington complimented Mr. Page on appearance of the Transfer Station.

4. Supervisor Moore and the Town Board discussed the suggestion made by the auditors, that all sales and purchases of equipment be accompanied by a bill of sale and the details be reflected in the meeting minutes.

A motion was made by Councilwoman Robinson and seconded by Councilwoman Tremper that all sales and purchases of equipment be accompanied by a bill of sale which would include a date and the description and dollar amount of the transaction

All in favor.

5. *A motion* was made by Councilwoman Tremper and seconded by Councilwoman Robinson to allow the Town Clerk to create a Facebook page for the Town of Parishville.

All in favor.

Highway Report:

Highway Superintendent Remington reported the new guard rails have been installed on the Old Potsdam Parishville Road. The Highway crew will be paving this week in West Parishville and George Street. They are also mixing mulch and should start mowing the roadsides soon.

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

All in favor.

Bills:

A motion was made by Council and seconded by Council to accept the bills as follows:

1. General Account Bills - \$46,637.41
2. Highway Account Bills - \$56,541.02
3. Water Account Bills - \$414.50
4. Payment to Harvey Excavation Co. paid from TH/TB Renovations fund
\$21,592.42
5. Payrolls:
General: 04/25/13 (\$1,794.76), 04/26/13 (\$3,642.58), 05/02/13 (\$3,493.62),
05/09/13 (\$3,500.07), 05/10/13 (\$4,429.33), 05/16/13 (\$3,519.46), 05/23/13
(\$3,480.70)
Highway: 04/25/13 (\$7,414.97), 05/02/13 (\$7,485.21), 05/09/13 (\$7,485.21),
05/16/13 (\$7,414.97), 05/23/13 (\$7,414.97)
Water: 04/25/13 (\$1,698.86)

All in favor.

Anything else anyone wishes to discuss:

Councilwoman Tremper reported she attended the HAZNY meeting held in Canton last month. She gave a brief overview and said she will be attending future meetings with Town Clerk Maguire and will keep everyone up to date. The attendance of these meetings is necessary to qualify for FEMA funds if the need arises. Ms. Tremper stated that she would like to work on a Hazard Plan for the Town of Parishville with Ms. Maguire, Highway Superintendent Remington and Superintendent of Public Works Woods in the future.

The large generator at the Highway building was discussed. Highway Superintendent Remington said PHCS said they have no need for this generator. Councilwoman Tremper asked Mr. Remington for the specs on the generator to see if someone else may be interested.

Supervisor Moore addressed the Town Board and everyone present and said that he will be retiring from his job at the end of 2013 and will not be seeking reelection. He plans to move from the area and enjoy his retirement. He said he is proud of all that has been accomplished in the last 8 years and has enjoyed working with everyone present.

A motion was made by Councilwoman Tremper and seconded by Councilwoman Robinson to adjourn the meeting at 11:16 AM.

All in favor.

Meeting Dates:

Next **Audit** Date June 25, 2013 Auditors: Councilwoman Robinson
Councilman Votra

Regular Board Meeting Date: June 25, 2013 ó 10:00 A.M.

Connie Maguire
Town Clerk