

Town of LeRay

Town Board Minutes

November 14, 2024

Call to Order

Proceedings of a Town Board Meeting held at the LeRay Town Municipal Office on November 14, 2024. The meeting was called to order at 4:00 p.m. by Supervisor Carpenter who led the room in the Pledge of Allegiance.

Open Regular Meeting

Leland J. Carpenter – Supervisor, Melissa L. Verne – Town Clerk, Nathan Toutant – Clerk to Supervisor, Board Members in attendance: Samuel Biondolillo – Absent, Michael Gracey, Merle Otis, Patrick O’Donnell, James Burrows – Town Attorney, Jessica Jenack – Community Development Coordinator – Absent, Lee Shimel – Zoning Enforcement Officer, William Vargulick – Town Assessor, Dan Young – Highway Superintendent, Michael Altieri – Town Engineer, Kenny Kizzer – DANC
Additionally present – MaryLouise Hunt and Brian Nutting

Approval of Minutes

The minutes from the meeting held October 7 & 10, 2024 were reviewed by the Board Members. A motion to approve the minutes as drafted was made by Councilman Gracey and seconded by Councilman O’Donnell.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

Comments from the Floor

MaryLouise Hunt from Sally Ploof Hunter Memorial Library in Black River spoke on the Cool Yule Celebration that they would like to request Occupancy Tax money for.

Brian Nutting spoke on the Amendment #1 for the Water & Sewer Agreements with DANC.

A motion was made by Councilman Gracey and seconded by Councilman Otis to fund the Sally Ploof Memorial Library \$1,000 of Occupancy Tax to support their Cool Yule Celebration for 2024.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

A motion was made by Councilman O’Donnell and seconded by Councilman Gracey to accept and have Supervisor Lee Carpenter sign Amendment #1 for the Water Service Agreement with the Development Authority of the North Country (DANC).

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

A motion was made by Councilman O'Donnell and seconded by Councilman Gracey to accept and have Supervisor Lee Carpenter sign Amendment #1 for the Sewer Service Agreement with the Development Authority of the North Country (DANC).

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

Three (3) Public Hearings were opened @ the November 1, 2024 meeting, and remained open for Public Comment;

- 1) Town of LeRay will consider contracts for ambulance service with Evans Mills Volunteer Ambulance Squad- \$62,000 and Black River Volunteer Ambulance Squad- \$49,400
- 2) Town of LeRay will consider contracts for fire protection with Black River Fire Department, Inc- \$129,172 and Pamela Volunteer Fire Company- \$21,028
- 3) Town of LeRay will review the Preliminary Budget for the Fiscal Year 2025

Public Hearing -the Town Board of the Town of LeRay will consider contracts with the Evans Mills Volunteer Ambulance Squad - \$62,000 and the Black River Volunteer Ambulance Squad, Inc. - \$49,400, for ambulance service within the Town of LeRay.

No comments were made.

A motion was made by Councilman Gracey and seconded by Councilman Otis to close the Public Hearing for ambulance service in the Town of LeRay that had remained open from November 1, 2024.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

Public Hearing -the Town Board of the Town of LeRay will consider contracts with the Black River Fire Department, Inc. - \$129,172 and the Pamela Volunteer Fire Company - \$21,028 for fire protection within the Town of LeRay.

No comments were made.

A motion was made by Councilman Otis and seconded by Councilman O'Donnell to close the Public Hearing for fire protection in the Town of LeRay that had remained open from November 1, 2024.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

Public Hearing -the Town Board of the Town of Leray will meet and review the Preliminary Budget for the Fiscal Year 2025.

No comments were made.

A motion was made by Councilman O'Donnell and seconded by Councilman Gracey to close the Public Hearing for review of the Preliminary Budget for the Fiscal Year 2025 that had remained open from November 1, 2024.

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

A motion was made by Councilman Gracey and seconded by Councilman Otis to adopt the Preliminary Budget as the Final Budget for the Fiscal Year 2025.

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

Report from Highway Superintendent – Dan Young

Mr. Young reported on work done the past month.

A motion was made by Councilman Gracey and seconded by Councilman O'Donnell to accept and have Supervisor Lee Carpenter sign the Amended Jefferson County Shared Services Agreement.

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

Report from the Town Engineer – Mike Altieri

A motion was made by Councilman Gracey and seconded by Councilman Otis to approve and have Supervisor Lee Carpenter sign the Change Order for Contract 10-03 General Construction, labor, material and equipment to renovate existing breakroom and two (2) office spaces for a total of \$37,869.

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

A motion was made by Councilman Gracey and seconded by Councilman to approve and have Supervisor Lee Carpenter sign the Change Order for Contract 12-03 Electrical Construction, labor, materials and equipment needed to provide and install one (1) new 40' wooden pole and four (4) new lights, for a total of \$9,066.65

The vote went as follows:		
Ayes:	4	Nays: 0
The motion passed.		

A motion was made by Councilman Otis and seconded by Councilman Gracey to approve and have Supervisor Lee Carpenter sign the Change Order for Contract 12-04 Electrical Construction, labor, materials and equipment to provide and install three (3) new 60” ceiling fans, three (3) speed controllers and wiring needed for all fans and controllers, for a total of \$4,937.63

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

A motion was made by Councilman O’Donnell and seconded by Councilman Gracey to approve and have Supervisor Lee Carpenter sign the Field Order Allowance Authorization 1201-12, labor, materials and equipment to provide and install twelve (12) new 2x2 drop in troffer LED lights in the office area, in the amount of \$2,448.60.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

Report from Assessor – William Vargulick

Reported he spoke with Brian Phelps to help get the property tax assessments up where they need to be.

Report from Community Development Coordinator – Jessica Jenack – Absent

A motion was made by Councilman Otis and seconded by Councilman Gracey to take the Planning Board’s letter of recommendation for the Zone Change Application for Adam Kokinda into consideration based on that they have concluded that the zone change would constitute spot zoning and not align with the broader context of the Town’s long-term planning and development goals, therefore the application has been denied by the Town Board.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

Report from the Zoning Enforcement Officer – Lee Shimel

Mr. Shimel reported that he had Tom Boxberger investigate a property at 32421 County Route 30, a letter will be sent to the owner to remedy the situation.

A motion was made by Councilman O’Donnell and seconded by Councilman Gracey to have Lee Shimel send a letter to the owner of 32421 County Route 30.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

RESOLUTION # 21 of 2024
SEQR REVIEW FOR
PROPERTY LOCATED AT:
30429 County Route 46, Evans Mills, NY
Tax Parcel # 55.00-1-1.5

WHEREAS, the Town Board for the Town of LeRay, New York has considered the demolition and removal of structures upon the above-referenced property; and

WHEREAS, the Town Board recognizes that the record owners of the Subject Property have not demolished the dangerous structure nor disposed of the same despite notice to do so; and

WHEREAS, that the Town Board of the Town of LeRay has considered the proposed action under SEQR; and

WHEREAS, it appears that the action constitutes an emergency and is designated as Type II pursuant to SEQR §617.5(c)(21) and (42); and

WHEREAS, that the Town Board is the only agency with jurisdiction by law to undertake this action.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of LeRay, New York:

1. Based upon the examination and consideration of the nature of the action and the emergency nature of the same, the Town Board determines the demolition constitutes a Type II action for purposes of SEQR and no further environmental review is required.

2. This Resolution shall take effect immediately.

The foregoing Resolution was offered by **Board Member, Gracey**, and seconded by **Board Member, Otis**, and upon roll call vote of the Board was duly adopted as follows::

Supervisor Leland J. Carpenter	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Michael J. Gracey	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Samuel J. Biondolillo- Absent	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Merle Otis	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Patrick O'Donnell	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Dated: November 14, 2024

Melissa L. Verne, Town Clerk

Report from DANC – Kenny Kizzer

Mr. Kizzer gave his monthly report. Mr. Kizzer reported that Carey well is being flushed 7 days per week/ 5 hours a day.

Report from the Town Clerk – Melissa L. Verne

	Cash Balances as of October 31, 2024	Current Month Abstract 11
General Fund	\$ 4,198,101.26	\$ 87,731.05
Highway Fund-Town wide	\$ 1,138,472.67	\$ 38,239.21
Highway Fund-Town Outside	\$ 417,712.93	\$ 35,464.91
Expendable Trust	\$ 792.67	\$ 0.00
Consolidated Water District	\$ 1,997,947.64	\$ 71,954.50
Water District # 3	\$ 19,114.49	\$ 1,130.00
Sewer District # 1	\$ 766,199.66	\$ 144,965.42
Sewer District # 2	\$ 92,590.66	\$ 3,265.41
Sewer District # 3	\$ 16,227.43	\$ 11,556.64
Sewer District # 4	\$ 325,131.34	\$ 14,235.11
Capital Project # 3 (Sewer Dist. 1)	\$ 135,257.54	\$ 0.00
Capital Project # 4W (Water 2 Imp)	\$ 0.00	\$ 233,304.28
Capital Project # 5 (Highway Fac.)	\$ 0.00	\$ 0.00
Trust & Agency	\$ 71,679.24	\$ 3,918.06

A motion was made by Councilman Gracey and seconded by Supervisor Carpenter that Abstract #11 vouchers 1373-1501 in the amount of \$645,764.59 be paid from the above accounts.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

A clerical error was made for a tax payment from SBA Towers, processed as a rent payment by my Deputy Clerk in January 2024. I will need to pay Jefferson County Treasurer the tax payment for SBA Towers including applicable penalty and interest due.

A motion was made by Councilman Gracey and seconded by Supervisor Carpenter to pay to Jefferson County Treasurer the original tax amount received of \$2,887.27 for SBA Towers and applicable penalty/interest of \$447.52, for a total of \$3,334.79.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

Report from Clerk to the Supervisor/Director of Finance – Nathan Toutant

Mr. Toutant went over the RFP and Contract Agreement for Dog Control Services, as well as the RFP and Contract for Dog Pound-Shelter Control Services with the Board. The RFP's will be mailed/emailed to those who have shown interest and posted on the Town website.

A motion was made by Councilman Gracey and seconded by Councilman Otis to adjourn this meeting, at 5:42 p.m.

The vote went as follows:			
Ayes:	4	Nays:	0
The motion passed.			

Respectfully given:

Melissa L. Verne

Melissa L. Verne, LeRay Town Clerk