

## Town of Alexandria Board Meeting September 21, 2022

Meeting was called to order at 6:00PM

**Present:** Supervisor Brent Sweet, Councilman Mike Fayette, Councilman Shawn Thomas, Councilman Ron Thomson

Absent: Councilman Gene Kring

### **Pledge of Allegiance**

Motion was made by Councilman Thomas to pay the bills before the board. Motion was seconded by Councilman Fayette. Discussion followed and the motion was carried with the following three exceptions: that the assessor bills submitted should contain the hours and that the two travel arrangement bills to the conference should be a 50-50 split with the Town of Orleans.

The board decided to hold off on approving the minutes that have been prepared for them for meetings held in April, June and August to allow time for the members to review.

### **Privilege of the Floor**

Chris Rupp, Limestone Road, addressed the chair concerning a tree that had been cut down on his property by the town and the fact that the wood was removed. He stated that he had sent a letter to the town concerning this sometime ago and would like the wood returned. He questioned if the wood was actually sent to the dump. Supervisor Sweet responded that he would speak with the Highway Superintendent and see about getting three face cord of wood for Mr. Rupp. Supervisor Sweet also commented that in the future, the town needs to contact the landowner of trees that are going to be cut down as well as the need to establish a policy of what happens to the wood afterwards.

### **Moratorium Filing Status**

Supervisor Sweet advised the board that the local law has been sent to New York State a couple of days ago. The town should be getting a notice that it was filed.

### **Town Engineer Report**

Rob Campany explained that he and Supervisor Sweet had a call from Irene Hollick, Department of State regarding the Goose Bay work for both the boat launch and the parking lot. The town had requested a waiver from the DEC to allow for water work during the time frame that is not usually allowed due to the fact that DC Builders can't get there this fall, but can in the spring. DEC granted the waiver reluctantly. Irene Hollick doesn't want DEC to draft the waiver and would rather have the boat launch work done in the fall of next year. It doesn't mean that the parking lot can't be done and it doesn't mean that the town board couldn't appeal her boat launch timing suggestion. It was agreed that another conference call would be held with her.

Mr. Company advised that they still haven't heard from DOT in regards to the Route 12 sewer. He suggested contacting them one more time and if they get no response, the town should go ahead and bid the project in order to get prices.

He also advised that they had spoken with DEC about putting the pavillion on the shore at Butterfield Lake and they liked the idea. A formal letter will be sent to DEC.

### **Town Zoning Report**

Norris Handschuh reviewed his report with the board.

### **Light Up Plessis**

Kim Kernehan addressed the chair concerning this project . Tim Helmer was unable to attend the meeting to do the presentation. The project would include Redwood, Plessis and Clear Lake. They are asking the town to put up Christmas decorations in these three hamlets just as they do in the town. They are asking the town to take a look at their proposal. Supervisor Sweet advised that he had put the project on the agenda for budget discussions.

### **Deputy Town Clerk Office Hours and Signing Privileges**

Supervisor Sweet stated that the office hours have been advertised in the paper each week.

He also commented that he is waiting to hear from Attorney Silver concerning the signing privileges. He explained that they will probably have to do a simple local law to allow for a deputy town clerk that does not fill the residency requirement. He remarked that he had spoken with Laurie from the Association of Towns and she suggested doing the local law. He stated that he was hoping to discuss this further at an adjourned meeting next week.

### **Water/Sewer Committee Report**

Councilman Fayette advised that the Bearup's have decided to remove the four meters in the apartment building and put in a single meter. That will drop the EDUs to 3.25 instead of 4. Supervisor Sweet asked if these changes require a motion every time. Sandy Caputo explained that they don't require a motion. However, the board does need to know about the changes and it needs to be in the minutes of the meeting.

Councilman Fayette also advised that the committee reviewed the engineer's report in regard to water use at Swan Bay Car Wash. This is on its own meter. After committee discussion, they felt that it should be set at 3 EDU for now and then after a year's time, they will have the actual water use number and a new EDU rate will be used, if necessary. He also explained that there is a vacant parcel next to the carwash that is for sale. It has no water or sewer at this time. However, they are in the districts. The committee is proposing a .5 cap unit. They could hook up in the future, if they want to.

IRLC has contacted the committee again about hooking up to the Redwood sewer. They are right next to the district boundary. Councilman Fayette also stated that there are about ½ a dozen parcels that are connected to the Redwood water district waterline but are not in the district and rather than do an outside user, it would be better to just put them in the district. We need to speak with Attorney Silver to see if this could be done.

Discussion was held concerning IRLC being allowed to get connected to the sewer, at their cost, and then amending the boundaries to include them. They are already getting water and would like the sewer also. Councilman Fayette commented that they need to get all the engineering work completed first. Supervisor Sweet commented that he would like to know if Attorney Silver would be ok with this. The sewer is on the other side of the road, so it would concern the highway department.

**An Ordinance Amending the Town of Alexandria Sewer Use Ordinance for the Redwood Sewer District**

**INTRODUCED BY COUNCILMAN FAYETTE**

WHEREAS, the Town of Alexandria adopted a Sewer Use Ordinance governing the Redwood Sewer District on May 6, 1992; and

WHEREAS, the Town Board of the Town of Alexandria has determined that it is in the public interest to amend the Redwood Sewer District Ordinance to call for a special assessment pursuant to New York Real Property Tax Law §102(15) to create a charge imposed upon benefitted real property in proportion to the benefit received by such property to defray the cost of the District's improvements or service; and

WHEREAS, the State Comptroller has concluded that such a special assessment must be imposed on all parcels within a District as being deemed benefitted by the improvement, whether or not the parcel is utilizing the service and whether the parcel is vacant or improved; and

WHEREAS, the Redwood Sewer District is composed of parcels that either are connected to the sewer system or are unconnected to the District, even though the parcels are within the District and services are available; and

WHEREAS the Town Board acknowledges that some parcels located within the District may well be unbuildable, such that a special assessment should not be imposed,

NOW THEREOFRE BE IT ORDAINED, by the Town Board of the Town of Alexandria, hereby adopts the following amendments to the Redwood Sewer Use Ordinance:

**ARTICLE II: Definitions**

The following definitions are hereby added to the list of definitions contained in the Ordinance, as amended:

**Benefit Assessment** – Each real property tax parcel in the District is deemed to be benefitted by the Sewer District, whether connected or not, and will be charged a special assessment as defined at Section 102(15) of the Real Property Tax Law as a charge imposed upon benefitted real property in proportion to the benefit received by such property with respect to retirement of debt on the capital cost incurred in constructing the facilities of the Sewer District.

**Connected Parcel** – A parcel of real property located within the Sewer District that is actually receiving service through the District facilities.

**Unconnected Parcel** – A parcel of real property located within the Sewer District which is developable, or buildable, but is vacant or otherwise not connected to the Sewer District facilities.

**Unbuildable Parcel** – A parcel of land located within the District upon which no structure or facility may reasonable be constructed.

**ARTICLE XII: Imposition of Benefit Assessment**

Commencing with the fiscal year beginning on January 1, 2023, each benefited parcel shall be assessed a benefit assessment, which benefit assessment is designed to defray the capital cost reduction expense established by the Town Board. The benefit assessment shall be payable based upon the parcel type and related benefit as set forth on Exhibit A.

**EXHIBIT A**

Each parcel within the sewer district will be subject to a special assessment, annually, on its town tax bill in accordance with Section 102 (15) of the Real Property Tax Law. The special assessment is a charge imposed upon beneficial real property to defray the cost of the improvement.

Properties within the district will be broken down into the following units of benefit:

- Properties receiving sewer service will be “1” unit of benefit.
- Properties not receiving service will be “0.5” units of benefit,
- Properties unable to reasonable obtain sewer service will be “0” units of benefits.  
(IE) parcels that are too small to build, swamp land etc.)

The benefit assessment of a particular parcel in any given year will be calculated by dividing that and dividing that number by the total units of benefit, and then multiplying the debt per benefit by that parcel’s number of units of benefit. Example:  $(\text{Annual Debt Retirement} \div \text{total units of benefit}) \times \text{units of benefit} = \text{benefit assessment}$ .

**SECONDED BY COUNCILMAN THOMSON**

Motion was made by Councilman Thompson to hold a public hearing on the foregoing local law on Wednesday, October 5, 2022 at 4 p.m. Motion was seconded by Councilman Thomas and carried with all voting in favor thereof.

**Goose Bay Parking Lot Local Law and Enforcement**

The board discussed how to control parking issues at the Goose Bay parking lot and docking issues at the Clear Lake and Butterfield Lake docks. Supervisor Sweet commented that the only solution would be to create a local law so that vehicles could be ticketed if they stay beyond the allowable time frame. There have been several complaints about cars and trailers being parked long-term and boats being docked for extended periods of time.

**Weather Proof Container for the turf**

Board members discussed best storage options for the turf currently at the ice arena. They are currently looking into purchasing waterproof containers to store it for the winter.

#### **Short Term Rental Committee Status**

This committee will offer recommendations on matters regarding short-term rental properties and will be meeting for the first time on Thursday, September 29 at 7 p.m. Ten of the eleven members plan to be in attendance.

#### **New Marine Residential Zoning Ordinance Committee Status**

This committee will consider revising the marine residential zoning district and is still being formed. Norris Handschuh, Zoning Officer, advised that three people had submitted their names to serve on the committee but two more are needed.

#### **Resolution for tax cap override – if needed**

Supervisor Sweet explained that this will have to be for the next meeting as he doesn't have the resolution right now. And it would only be used as a precautionary measure.

#### **Updating of Junk Law**

Board members reviewed a draft law pertaining to junk. It defines junk, including abandoned vehicles, litter and debris. The draft law covered how the junk law would be enforced, the things that could be done to correct the situation and it also detailed the procedures that would be followed by the town and the violators.

Motion was made by Councilman Thomas and seconded by Councilman Fayette to set the public hearing on the junk law for October 5<sup>th</sup> immediately following the first public hearing.

Norris Handschuh questioned if toys in a yard would be considered junk.

#### **Highway Dept., Mud Lake Shoreline Rehab Status**

Supervisor Brent remarked that the Mud Lake shoreline looks very nice and is level. While it is a work in progress, the crew has done a wonderful job on it.

#### **Highway Superintendent Report**

This report was given to and was reviewed by town board members.

#### **Highway Superintendent's Report**

Supervisor Sweet shared the report with the board.

#### **Abandoned Road Discussion**

After board discussion on the listing of proposed roads to abandon, it was agreed that Supervisor Sweet will talk with the highway superintendent about # 3, the end of Bearup Road, Plessis. There will be a need for a public hearing on any action to be taken.

### **Youth Program Report**

Councilman Thomas reviewed the co-ed fall soccer program for grades K-6. Currently there are 20 in K-1, 18 in 2-3 and 23 in 4-6. They are planning for the 2022 youth basketball season. So far, there is no place to play. They are reaching out to the Reform Church for practice times. However, games can not be played there. They may contact LaFargeville to see about holding games there. Research is also being done for teams and leagues.

### **Redwood Historical Society Request**

The society has requested if any funds are available for roof replacement at their museum. They submitted bids of \$28,000 and \$36,000. Supervisor Sweet explained that the town was already putting \$3000-\$4000 in three signs for the society and the town also gives them \$4,000 a year. There is no answer at this point.

### **Buy new truck 2023 for DPW/Rink State Bid, Old Truck?**

This will be discussed during budget sessions.

### **Water and Sewer Reports**

Both reports were reviewed by the board

### **EDU Change Protocol**

As changes are made, they will be put into the minutes for the bookkeeper.

### **Streetscape**

The board discussed both the Holland Street and Crossman Street boat ramps. Holland Street is probably finished. However, they don't want to finish Crossman Street until after Columbus Day. Discussion centered on the incline of the ramp. Supervisor Sweet and Mr. Campany will look at it.

### **Budget Sessions**

There will be budget sessions on Thursday, September 22<sup>nd</sup>, Wednesday, September 27th and Thursday, September 28th at 3:00 pm- 6:30 pm.

### **Executive Session**

Motion was made by Councilman Thomson, seconded by Councilman Thomas to move into Executive Session to discuss ongoing litigation and a purchase offer. Motion was carried with all voting in favor thereof.

### **Adjournment**

Meeting was adjourned at 8:06 pm until Wednesday, October 5<sup>th</sup> at 4:00 pm.