

Town of Alexandria Town Board Meeting October 19, 2022

Present: Supervisor Brent Sweet, Councilman Mike Fayette, Councilman Shawn Thomas, Councilman Ron Thomson. Councilman Gene Kring joined by phone

Supervisor Sweet called the meeting to order

Pledge of Allegiance

Motion to Pay Bills

The motion to pay bills was held over until the adjourned meeting .

Motion to Accept Minutes

Motion was made by Councilman Thomas and seconded by Councilman Thomson to accept the minutes for the meetings of September 21, 2022 and October 5, 2022. Motion was carried with all voting in favor thereof.

Prior to the public hearing, Supervisor Sweet explained that this local law had been presented just in case the town needed to have a tax cap override. However, after looking at the budget figures, it has been determined that this would not be necessary.

Public Hearing

Motion was made by Councilman Thomas and seconded by Councilman Thomson to open the public hearing for the local law to override the Tax Levy Limit Established in General Municipal Law 3-c. Motion was carried with all voting in favor thereof.

No one spoke.

Motion was made by Councilman Thomson and seconded by Councilman Thomas to close the public hearing.

Following the hearing, discussion was held relative to just keeping the local law available if it was needed as budget sessions progressed as the board was not in a position to make a final decision on it at this time.

Motion was made by Councilman Thomson and seconded by Councilman Thomas to hold off on voting on this local law at this time, but leaving the option open in the future if need be. Motion was carried with all voting in favor thereof.

Privilege of the Floor

Steven Jarvis addressed the chair concerning the water bills that now have a \$75 water reserve fee added to the bill. He stated that he had been advised that this type of fee needed a permissive referendum.

Councilman Fayette explained how the town charges.

Councilman Thomson commented that this fee was incorrectly stated on the bill.

Discussion continued with Jamie Papin explaining about the chlorine levels and how the chlorine is pushed through the village system.

Mary McGreevy , Tennis Island, addressed the chair concerning a formal complaint she filed in June 2022. She remarked that she was at this meeting to follow up with where the complaint stands at this point.

Attorney Silver responded that he is here to give legal advice to the board but if they approve, he would comment on this. He explained that the letter he sent out was sent to two landowners as directed by the board and it is getting near the end of the compliance period. He has not been contacted by anyone.

Presentation of 2023 preliminary town budget

The preliminary budget was presented.

New Local Law No. 2 to establish the residency requirements for the appointed Deputy Town Clerk for the Town of Alexandria

Introduced by Councilman Thomas

A local law to establish the residency requirements for the appointed office of Deputy Town Clerk for the Town of Alexandria.

Be it enacted by the town board of the Town of Alexandria as follows:

Section I. Title.: A local law to establish the residency requirements for the appointed office of Deputy Town Clerk.

Section II. Authority: This local law is adopted pursuant to Municipal Home Rule Law 10(1)(II)(a)(1) that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this local law recognizes that the State Legislature amended Public Officers Law 3, adding a new subdivision including but not limited to subdivision (24) expanding the residency requirements for any appointed public office in the Town of Greenburgh Westchester County, and others thereby rendering Public Officers Law a special law with respect to any appointed town officer (See cf N.Y. Op. Atty. Gen (Inf.) No. 91-37 and No.2000-5).

Section III. Supersession: This local law shall supersede Town Law 23(1) in its application of the office of Deputy Town Clerk for the Town of Alexandria.

Section IV. Residency requirements for the position of the Deputy Town Clerk for the Town of Alexandria: The person holding the office of Deputy Town Clerk in the Town of Alexandria need not be a resident nor an elector of the Town of Alexandria, provided, however, that such person shall reside in the county in which such town is located or an adjoining county within the State of New York.

Section V. Inconsistency: All other local laws and ordinances of the Town of Alexandria that are inconsistent with the provisions of the local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section VI. Savings Clause: If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder, thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section VII. Effective Date: This local law shall take effect immediately upon filing with the New York State Secretary of State.

Certification of Necessity: Pursuant to the authority invested in me as Town Supervisor by section twenty of the Municipal Home Rule Law, I hereby certify to the necessity for the immediate passage of this local law entitled: "A local law to establish the residency requirements for the appointed office Deputy Town Clerk."

Given under my hand and seal this ___ day of October 2022 in the Town of Alexandria, New York.

Brent Sweet, Town Supervisor

Seconded by Councilman Thomson

Attorney Silver explained that this would still require a 5 day notice requirement for a public hearing even though certification of necessity has been provided.

Motion was made by Councilman Thomas and seconded by Councilman Thomson to schedule a public hearing on the foregoing local law for October 27, 2022 at 6 pm. Motion was carried with all voting in favor thereof.

Town Engineer Report

Rob Campney presented his report and explained that they had received a waiver for the Goose Bay project and the contractor has indicated that he could do the work in late April.

Supervisor Sweet commented that he would like to have the building of the ramp monitored.

Mr. Campney also discussed the Redwood Sewer grant application and how HUD felt that the boundary of the hamlet of Redwood apparently didn't line up exactly with the Redwood sewer district. He also discussed how it qualified due to the moderate/low income households but how income surveys would have to be done.

Mr. Campney also explained that they had received a letter giving the go ahead for the Butterfield Lake pavilion location. He also remarked that in regards to Swan Bay, there is no where to go with this without evidence and they are trying to find a photo of the pipe. He also advised the board that no DOT approval has been received yet for the Route 12 sewer. He stated that approval would only be critical when the contractor comes on board.

Route 12 Sewer Project

Motion was made by Councilman Thomas and seconded by Councilman Thomson to authorize that the Route 12 sewer project go to bid. Motion was carried with all voting in favor thereof.

Status of Pesh reimbursement

Nothing has been received back on this.

DPW Report

The board reviewed this report.

Water Report

Jamie Papin presented the water report . He also commented that he should have a price by next week for a Ford vehicle. He explained that Ford is extremely backed up and Dodge really has better pricing.

Councilman Thomas suggested getting quotes on all comparables.

Arena, Bolton Avenue Report

Councilman Thomas reported that the stone pad and concrete barriers have been put in for the Averdi storage units. The turf will come up on the 26th or 27th.

Youth Program Report

Councilman Thomas reported that they are holding youth fall soccer and the participation rates keep going up. The planning is underway for basketball season. He explained that they are looking into using the Reform Church for practice and asked Attorney Silver if the town could give money to the church to compensate for the use of the facility. He said the rate was undetermined at this time.

Attorney Silver responded that he sees no problem with that since there really isn't any other choice of places to use. It would be like the town donating to a non-profit.

Steve Jarvis asked about using the Redwood Fire Hall.

Supervisor Sweet commented that they had checked with them before and the answer was no at the time. However, the town will follow up again.

Start Date Amended

Motion was made by Councilman Thomson to amend Stacy Johnston's start date to 09-26-2022 at \$17.69/hr. Motion was seconded by Councilman Thomas and carried with all voting in favor thereof.

Add two (2) playgrounds (Redwood & Plessis) to insurance

Motion was made by Councilman Thomas to add these two playgrounds to the town's insurance policy. Motion was seconded by Councilman Thomson and carried with all voting in favor thereof.

Bank Accounts

Motion was made by Councilman Fayette and seconded by Councilman Thomas to open separate bank accounts for Gen A, Gen B, DA & DB. Motion was carried with all voting in favor thereof.

Highway Report

The board reviewed this report.

Review of Tim Helmer Documents

Supervisor Sweet had given each board member copies of Mr. Helmer's paperwork. It was mainly concerning not abandoning Bearup Road. Supervisor Sweet explained that no action to abandon is being taken and it doesn't even meet the criteria to be abandoned.

Review NYS Rt 37 Speed Complaints

Complaints were received concerning the speed of vehicles on Rt. 37 and also the use of jake brakes on that route. The speed limit in the area of the complaints is 35 mph.

Councilman Fayette explained how the state could initiate a speed study and suggested that Supervisor Sweet meeting with the NYS DOT in Watertown and take the packet of complaints to show that there is a concern about this.

Change in Meeting Dates for November and December

Motion was made by Councilman Thomas to move the November monthly meeting to 11-09-2022 for budget public hearing purposes. Motion was seconded by councilman Fayette and carried with all voting in favor thereof

Motion was made by Councilman Thomas to move the December monthly town board meeting to 12-14-2022 due to holidays. Motion was seconded by Councilman Fayette and carried with all voting in favor thereof.

Surplus Equipment

Motion was made by Councilman Thomas to declare the old trailer and old water truck surplus equipment and put them out to bid. Motion was seconded by Councilman Fayette and carried with all voting in favor thereof.

Executive Session

Motion was made by Councilman Thomson to move into Executive Session to discuss employment of a current town employee and employment of future Town of Alexandria employee. Motion was seconded by Councilman Fayette and carried with all voting in favor thereof.

The town board moved into Executive Session at 7:20 pm

The town board reconvened at 9:38 pm and adjourned with the following motion being presented:

Motion was made by Councilman Thomson to adjourn the meeting to Friday, October 21, 2022 at 9 AM for the purpose of paying the bills. Motion was seconded by Councilman Fayette and carried with all voting in favor thereof.