

Village of Massena
BOARD OF TRUSTEES
Meeting Minutes

DATE/TIME: March 20, 2018 (5:30 p.m.)

PLACE: Town Hall Building, 60 Main Street, Massena, New York

PRESENT: **Board of Trustees:**
Mayor Timmy J. Currier
Trustee Timothy Ahlfeld
Trustee Francis Carvel
Trustee Albert (Herb) Deshaies
Trustee Matthew LeBire

Staff:
Monique N. Chatland (Village Clerk)
Julie A. Sharlow (Treasurer)
Kevin Felt (Deputy Treasurer)
Steve Dailey (Water Dept. Foreman)
Lisa Tyo (Water Dept.)
Adam Love (Chief of Police)
Aaron Hardy (Interim Fire Foreman/Code Enforcement Officer)
Matt McArdle (Village Attorney)

Press: John Michaud III (WNTS Television), Andy Gardner (North Country This Week)

Residents/Other: Walter Bean, Mike Kelso (Fire/ Code Enforcement Officers), Jordan Jenks (Massena PD), R. Shawn Gray, Michael & Gina Snyder, Tom Seguin, Pam Ryan, Elizabeth Kaneb, Janet Otto Cassada (Mayor, Village of Waddington, NY) James Hidy

Following the Pledge of Allegiance, Mayor Currier asked that all electronic devices be silenced, proceeded to call the meeting to order at 5:30 p.m. and conducted a roll call of Board members present.

REQUEST FROM VILLAGE OF WADDINGTON FOR FUNDING FOR THE BASSMASTERS ELITE SERIES

Village of Waddington Mayor Janet Otto-Cassada explained that she has been busy approaching other towns and villages throughout the North Country to seek funding to assist in covering the costs of the Bassmasters Elite Series Tournament to be held in August 2018. She told the Board that there will also be the largest gun show in the North East being held the same weekend in Waddington. Otto-Cassada then explained that she would ask the Village to consider assisting in those costs as well, as she explained that the entire North Country benefits from the tournament.

Trustee Ahlfeld suggested that he would feel more comfortable contributing financially to a specific line item, as it is more visual for taxpayers to see what the money is going towards. Ms. Cassada concurred that there are several surrounding Town and Villages thinking along the same lines. Trustee LeBire asked if she could provide a list of what's left to be paid for. Mayor Currier explained he would prefer the Board further discuss before committing any funding, as he will be presenting his budget soon.

PUBLIC HEARING TO CONSIDER AUTHORIZING A TAX LEVY IN EXCESS OF 2% LIMIT

At 5:39 p.m. a motion was offered by Trustee Carvel and seconded by Trustee Ahlfeld to open the meeting to a public hearing to consider adopting a local law to authorize a real property tax levy in excess of the limit established by General Municipal Law §3-c. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire) **(Clerks Note: See page 1594 for Notice of Public Hearing.)**

Mayor Currier explained the purpose of the hearing was to hear public comment on a possible property tax cap override but that it was just a precautionary measure and the Board would not be taking any action at tonight's meeting. The hearing will remain open and at the conclusion of the budget work sessions, prior to adopting the budget the Board will determine if it is necessary to adopt a local law to override the tax cap and vote on the matter then.

PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 290 (WATER), SECTION 10 (RATES & CHARGES) FOR USERS OUTSIDE THE VILLAGE AND NOT WITHIN A DISTRICT

Trustee Ahlfeld offered a motion, seconded by Trustee Carvel to open the meeting to a public hearing to consider amending Chapter 290 (Water), Section 10 (Rates & Charges) of the General Code for users outside the village and not within a district at 5:41 p.m. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire) **(Clerks Note: See page 1595 for Notice of Public Hearing.)**

Trustee LeBire explained that he, Trustee Ahlfeld and DPW Supt. Fayad have had several discussions with Town Board members on how to get the 200+ EDU's (equivalent dwelling units) that reside in the Town into a water district, but unfortunately nothing has come to fruition. LeBire pointed out that this has been a discussion and issue for many years, further explaining that the Village is consistently cited by the federal agencies that it is a "concern" for not having all water users in a district. He said that is also a way to provide certain safeguards to the Village of Massena taxpayers and the water rate system. LeBire said that while the discussions with the Town haven't led to an Agreement yet, the Village is still very much open to it and it is their hope to get these accounts into a district. One of the problems, he said, is that there currently is no incentive to be in a district. Users not in a district, outside of the Village, are paying slightly less than a user outside of the Village in a district. The other problem, LeBire explained, is that the Village needs to safeguard themselves should there be issues with bills not being paid, as avenues for collection are really limited due to those users not being in a district. Ideally, he continued, the goal would be to have no one paying the increased cost, as the Village just wants everyone in a district.

Trustee Ahlfeld continued to explain that there is \$174 charge to users in a district that is paid by those users to maintain their system that goes into a fund that if something happens outside the Village of Massena, that fund is available for all the users in a district in order to fix whatever problem occurred. Users not in a district don't pay that fee and don't have a fund.

Trustee LeBire also explained the how they determined the 1.25% increase in rates.

Town of Massena business owner and resident Elizabeth Kaneb asked how many users were not paying their bills, but Trustee LeBire stated he did not have those figures with him. She said she feels that the increase is a punishment against her and the people that live in that area, an area that has brought great development to Massena. It seems that this, she said, is a vindictive attempt to force the users in that area to pay for something that they have already paid for numerous times and that they continue to pay for with higher rates and in the past, with PILOT Agreements. She stated that her business, the Highland Nursing Home, has not received a rate increase from New York State in 11 years, and asked the Board if they expect her to swallow a 25% increase in water rates. She explained that she is likely the largest user in that area. Ms. Kaneb stated that according to the 1995 Village of Massena PILOT committee report, they are being charged \$10,000 more per year based on what was given to Alcoa, pointing out Alcoa hasn't done much for the community since 1995. She expressed her displeasure with the Board and implied that the Board expects her to keep struggling because certain users in that area don't pay their water bills. She continued to say that thanks to that waterline that runs out there (Highland Rd.) that there is even a mall, that there are extra people in districts and if it weren't for that water line than no development would have occurred. Although it is failing, she said, that is not the fault of those people.

Kaneb stated that they have contributed hundreds of thousands of dollars to the Village coffers for the upkeep of the lines and if the Board were to read this Village report, she said, it explains that is part of the reason they did this in the first place and why it continued after 1995. When the intake was upgraded, Kaneb said, the users in that area contributed towards that, as that fee was added to their bill and questioned if the Village were short on funds to run the water treatment program. Trustee LeBire replied that the increase has nothing to do with increasing revenue and the Village would prefer that those users outside the Village not in a district pay the lower rate, which they would, if they were put into a water district.

According to the 1995 Village of Massena PILOT committee report, Kaneb continued, the Highland Nursing Home, at that time we were paying \$10,000 more a year as a result of the Village giving water to Alcoa at that time. Up until the mall was built, she stated they were contributing over \$200,000 per year until the Village changed the program and as a result of giving Alcoa water, the Highland Nursing Home had to pay an extra \$10,000 per year in water rates and again implied that the Village was being vindictive. She said she pays higher taxes than others in the Town, is charged a sewer PILOT and has higher water bills than anyone else in the Village. Trustee LeBire replied that that was due to her usage and that she pays the same rates as everyone else in the Town in a district and those people have to pay a fee. Kaneb replied that she paid those fees, in the form of a PILOT, for years and years until Alcoa decided they didn't want to pay a PILOT. Trustee Ahlfeld replied that one of the reasons that the PILOT program went away was because it would have been crazy to try to include Alcoa in that Agreement. Ahlfeld added that the increase is not being proposed in order to be vindictive because if it were the case the increase would have been proposed years prior. He continued to explain that they have help at least a dozen meetings with the Town of Massena regarding this topic and the Town continues to come back to the Village with questions that cannot be answered, citing "will that line in the ground fail?" as a question that has been asked. Ahlfeld further explained that the Village doesn't know if or when that line will fail, but the Village has spent over \$200,000 within the last three years just fixing that loop on Leslie Road, reassuring her that they are not trying to be vindictive, they are simply trying to push the issue forward and protect Village assets. The Village has answered the questions posed by the Town as best they can, however, the Town doesn't like those answers so they are choosing not to do anything to move the issue forward, or even meet the Village halfway.

In response to Ms. Kaneb's insinuation that the Village was not being a good neighbor to residents outside the Village, Trustee Ahlfeld explained that a user in the Village pays \$3.95 and users outside the Village pay \$4.15 for the first 3,000 gallons of water used. In Canton, he explained, inside the Village users pay \$5.51 and outside users pay \$11.02, in Gouverneur users inside the Village pay \$80 per quarter and outside the Village pay \$145 further reiterating that they are trying to be good neighbors.

Ms. Kaneb continued to voice her feelings that they have more than paid their share for any updates to any lines in that area and contributed more than anybody has. Before 1995 and for a number of years, the mail, for example, was paying more than \$200,000 in PILOT fees, which should cover any maintenance for the water line, she stated. The 1995 PILOT committee report also stated that that money collected is going into the general fund, she said. Mayor Currier told Ms. Kaneb that her accusation was absolutely false, any water fees that are being paid are going to the water fund, any taxes that are being paid go to the general fund.

Ms. Kaneb requested the rates in that area be equalized and since she is the only institutional user, her rates should be compared to the St. Regis Nursing Home rates. She further stated that when the Village gave water to Alcoa, the only business that would be affected would be Highland Nursing Home and reiterated that they have more than contributed to any upkeep of the water line. Other than being mean, she asked, why would a 25% increase be warranted? Trustee LeBire, again, explained that if she were in a district her rates would not change and the higher rate is only to provide an incentive and to offset the Villages' cost of the higher risk. He repeated that the federal agencies that have repeatedly listed that they have concerns about those users not being in a district have reasoned that there is very limited avenues for collection of unpaid bills and recommended the Village safeguard their assets. Kaneb said she feels as though she is being punished because the Town and Village can't get along. Until she is told that money has been lost in that area, she said she feels as though there is no reason to increase rates in that area and the Village is only opening themselves up to another lawsuit, as they already have lawsuits against the Village, which she feels is factoring into the increase in rates. Ms. Kaneb then continued to say that they have tap-on rights to the water line and are currently in a major lawsuit with the Village over that issue and thinks the increase is a vindictive attempt to get back at her for suing the Village over contract problems. Mayor Currier replied that the Board is not going to comment on pending litigation. Ms. Kaneb repeated her thoughts that the Village is opening itself up to more litigation. She also stated that since the line has been in since 1958 the Board should be able to tell her how much money has been lost by those not paying their bills. Trustee LeBire, again, reiterated that the intent is to provide an incentive to put these users in a district, to be proactive and protect the Village's assets.

Resident and former Mayor James Hidy commented that while in office he was confused regarding receiving payment of \$3,200 for payment of waterline, upon reaching out to NYCOM for advice, they were amazed that an entity or person that would be tapping on to a waterline where the Village is providing water to a certain area that the Village is taking those funds received for tapping on to the line and returning them to someone in private sector. Hidy also stated that the Village lost money for years due to constant water running on Leslie Road and that he feels it is time for the Town to make a decision regarding water districts.

Hearing no further public comment, Trustee Ahlfeld made a motion, seconded by Trustee Carvel to close the public hearing at 6:06 p.m. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaiies/LeBire)

RESOLUTION #08-2018: ADOPT LOCAL LAW TO AMEND CHAPTER 290, SECTION 10 FOR USERS OUTSIDE THE VILLAGE AND NOT WITHIN A DISTRICT

A motion was offered by Trustee LeBire, seconded by Trustee Ahlfeld, and carried, to adopt the following resolution to wit:

RESOLUTION #08-2018
Adopt Local Law #04-2018

A local Law AMENDING the Code of the Village of Massena, Chapter 290 titled "WATER", SECTION 10" RATES & CHARGES" FOR USERS OUTSIDE THE VILLAGE AND NOT WITHIN A DISTRICT

Be it enacted by the BOARD OF TRUSTEES of the Village of Massena as follows:

CHAPTER 290 – WATER
ARTICLE I – General Provisions
Section 290-10. Rates and Charges
AMEND:

2. **Water rate schedule: outside Village within a Water District**
ADD:

3. **Water rate schedule: outside Village not within a Water District**

(1) *Water rate schedule: outside Village not within a Water District.*

(a) *Water Plant capital recovery fee: \$3.50 per month per EDU; \$7 every two months per EDU; or \$10.50 quarterly per EDU, as determined by the Village.*

(b) *Non-District Fee: \$14 per month per EDU; \$28 every two months per EDU; or \$42 quarter per EDU, as determined by the Village.*

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(c) Rate Schedule.

Use	Rate
Residential	\$5.19 per 1,000 gallons per month; minimum \$15.57 per month for 3,000 gallons, or minimum \$31.14 bimonthly (every two months) for 6,000 gallons
Commercial	\$9.44 per 1,000 gallons per month; minimum \$70.80 per month for 7,500 gallons, or minimum \$141.60 bimonthly (every two months) for 15,000 gallons
Industrial	\$7.55 per 1,000 gallons per month; minimum per contract agreement
Institutional	\$5.19 per 1,000 gallons per month; minimum \$103.80 per month for 20,000 gallons, or minimum \$207.60 bimonthly (every two months) for 40,000 gallons

Effective Date: This local law shall take effect on April 1, 2018.

Question of the adoption of the foregoing resolution resulted as follows:

AYE: Trustee Ahlfeld, Trustee Carvel, Trustee Deshaies, Trustee LeBire

NAY: None

Mayor Currier declared Resolution #08-2018 duly adopted (4:0).

PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 266 (TAXATION) TO PROVIDE A COLD WAR VETERAN'S EXEMPTION TO QUALIFYING OWNERS WITHOUT 10- YEAR LIMITATION

Trustee Ahlfeld offered a motion, seconded by Trustee Deshaies to open the meeting to a public hearing to consider amending Chapter 266 (Taxation) to provide a Cold War Veterans exemption to qualifying owners without a 10-year limitation at 6:07p.m. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire) (*Clerks Note: See page 1596 for Notice of Public Hearing.*)

Mayor Currier explained that the exemption is already given to Village residents, the new, proposed law will eliminate the 10-year limitation on the Cold War Veteran's exemption and in order to be consistent with New York Real Property Tax Law § 458-b, suggested adopting this proposed law.

Hearing no public comment, Trustee Ahlfeld made a motion, seconded by Trustee Deshaies to close the public hearing at 6:08 p.m. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

RESOLUTION #09-2018: ADOPT LOCAL LAW TO AMEND CHAPTER 266; COLD WAR VETERANS EXEMPTION

A motion was offered by Trustee LeBire, seconded by Trustee Carvel, and carried, to adopt the following resolution to wit:

RESOLUTION #09-2018

Adopt Local Law #05-2018

A local Law AMENDING the Code of the Village of Massena, Chapter 266 titled "TAXATION" to provide a Cold War Exemption to Qualifying Owners without a 10-year Limitation.

Be it enacted by the BOARD OF TRUSTEES of the Village of Massena as follows:

CHAPTER 266 – TAXATION

ARTICLE VII – Cold War Veterans Exemption

Section 266-39: Purpose.

This article shall implement the provisions of New York Real Property Tax Law § 458-b, to provide a Cold War veteran real property tax exemption for qualified owners of qualified residential property in the Village of Massena.

Section 266-40: Definitions.

The terms "cold war veteran," "qualified owner," and "qualified residential real property" shall have the definitions set forth at New York Real Property Tax Law § 458-b. All other definitions set forth at New York Real Property Tax Law § 458-b shall be applicable to the interpretation and implementation of the Cold War veteran real property tax exemption in the Village of Massena

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Section 266-41: Exemption.

- A.** Qualifying residential real property shall be exempt from real property taxation in the Village of Massena to the extent of 15% of the assessed value of such property; provided however, that such exemption shall not exceed \$12,000, or the product of \$12,000 multiplied by the latest state equalization rate for the Village of Massena, whichever is less.
- B.** In addition to the exemption provided by Subsection A of this section, where a Cold War veteran has received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service-connected disability, qualifying residential real property shall be exempt from real property taxation in the Village of Massena to the extent of the product of the assessed value of such property, multiplied by 50% of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed \$40,000, or the product of \$40,000 multiplied by the latest state equalization rate for the Village of Massena, whichever is less.
- C.** The Cold War veteran exemption from real property taxation in the Village of Massena shall be granted to qualifying owners of qualifying property permanently as long as they remain qualifying owners.
- D.** If a qualified owner of qualified residential real property receives an exemption from real property taxation in the Village of Massena pursuant to Real Property Tax Law § 458 or § 458-a, said owner shall not be eligible to receive the Cold War Veteran exemption.

Section 266-42: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Question of the adoption of the foregoing resolution resulted as follows:

AYE: Trustee Ahlfeld, Trustee Carvel, Trustee Deshaies, Trustee LeBire

NAY: None

Mayor Currier declared Resolution #09-2018 duly adopted (4:0).

APPROVE MINUTES:

A motion was made by Trustee LeBire, seconded by Trustee Deshaies, to approve the minutes of the August 15th and 24th, 2017 Village Board Meetings. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

TREASURER'S REPORT:

Deputy Treasurer Kevin Felt presented the following:

**Village of Massena
Treasurer's Report
March 20, 2018**

INFORMATION

- You have been provided with the Balance Sheet and Revenue/Expense Actual to Budget comparison reports for February and the February summary follows:

	Revenue		Expense	
General Fund	7,698,787	87%	6,700,568	70%
Refuse Fund	794,703	64%	798,090	65%
Water fund	1,435,255	66%	1,359,439	60%
Sewer Fund	1,343,403	62%	919,930	54%
Joint Rec	728,553	78%	692,402	73%

- Year-end projections for the above funds have been updated through February 28, 2018. Projection spreadsheets have been distributed to the Mayor and Board as well as Department Managers.
- We are nearing the end of the implementation of the new Incode 10 Financial Software. I am currently working with the Village Clerk to incorporate the village's fixed assets into the system. This should conclude the final step of the implementation.
- Payment on the Community Center bond was processed in the last warrant. The total amount of the payment was \$65,781.25, made up of \$40,000 in principal and \$25,781.25 in semi-annual interest. The next interest payment is due in September. The outstanding balance on this bond is \$1,210,000.
- We have received notice of our next serial bond payment of \$205,000 due to NYS EFC on April 21st. This bond was issued for the CSO Project and is a no-interest bond; therefore, the entire amount goes toward principal. The outstanding balance after the April payment will be \$615,000.
- The assessment amount for 2018, as supplied by the County Real Property Tax Office, is \$355,411,395, a decrease of \$402,444 from last year's assessment (approximately 0.1%).

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ACTION

7. ***Independent Accountants' Report on Village on Village Justice Court Records:*** Accept Independent Accountants' Report on Village Justice Court Records for FYE 5/31/2017, performed by Seyfarth & Seyfarth CPAs. The Village is required to file this report with the Uniform Court System, per Section 2019-a of the Uniform Justice Court Act. Motion to accept report is required. **LeBire/Carvel/Carried**
8. ***Authorized Signers on Village Bank Accounts:*** The following is offered in order to change the names of the authorized signers on the Village of Massena's bank accounts:

RESOLUTION #10-2018: AUTHORIZE SIGNERS ON VILLAGE BANK ACCOUNTS

A motion was offered by Trustee Deshaies, seconded by Trustee LeBire and carried, to adopt the following resolution to wit:

RESOLUTION #10-2018

AUTHORIZED SIGNERS ON VILLAGE BANK ACCOUNTS

WHEREAS the Village of Massena currently has funds on deposit in its list of official banks of deposit, and
WHEREAS, all of the banks of deposit require resolutions of Corporate Authorization naming the officers of the corporation who have various powers related to the Village's banking activities; and
WHEREAS, the Village has executed such resolutions in the past; and
WHEREAS, there will be a change in the officers of the corporation due to the retirement of Julie Sharlow effective March 31, 2018, and
WHEREAS, the Village needs to have the names of the newly designated officers appear on its banking resolutions; then be it

RESOLVED, that the names that should appear on the Corporate Banking resolutions along with their associated titles effective April 1, 2018, shall be:

- Timmy J. Currier, Mayor
- Matthew J. LeBire, Deputy Mayor
- Timothy Ahlfeld, Authorized Trustee
- Kevin Felt, Village Treasurer
- Lisa M. Tyo, Deputy Village Treasurer

Question of the adoption of the foregoing resolution resulted as follows:

AYE: Trustee Ahlfeld, Trustee Carvel, Trustee Deshaies, Trustee LeBire

NAY: None

Mayor Currier declared Resolution #10-2018 duly adopted (4:0).

COMMITTEE REPORTS:

Committee reports were presented for informational purposes with no Village Board action taken at this time.

INITIAL PUBLIC COMMENT PERIOD:


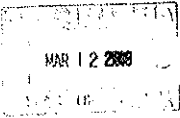

No public comment was heard at this time.

ESTABLISH A PUBLIC HEARING DATE: TIME WARNER CABLE FRANCHISE AGREEMENT

A motion was made by Trustee LeBire and seconded by Trustee Deshaies to hold a public hearing on April 17, 2018 at 5:30 p.m. to consider a cable franchise agreement with Time Warner Cable Northeast, LLC. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

APPOINTMENT: CODY WILSON, POLICE DEPARTMENT SERGEANT

Chief Adam Love presented the Board with the following:

	MASSENA POLICE DEPARTMENT Town Hall Building - 60 Main Street Massena, NY 13662 Tel: (315) 769-3537 Fax: (315) 769-2793
Date: 05/12/2018	
Mr. Timmy Currier, Mayor Village of Massena Town Hall Building-60 Main Street Massena, NY 13662	
Re: Promotion: Police Sergeant	
Dear Mr. Mayor,	
The Village Board of Trustees authorized me to canvas for a Police Sergeants position.	
I recommend that the Village Board of Trustees appoint the following person to Police Sergeant effective April 1, 2018.	
Cody Wilson	
Mr. Wilson is an eligible candidate for the position of Police Sergeant on the St. Lawrence County Civil Service list.	
Mr. Wilson is a 6yr veteran and started his career with our agency on January 9, 2012 and is one of our Field Training Officers.	
He would fill the vacancy created by Sr. Sgt. Mark Englett.	
If you have any questions, please feel free to contact me.	
Sincerely yours,  Adam J. Love Chief of Police	

A motion was offered by Trustee LeBire, seconded by Trustee Ahlfeld to appoint Cody Wilson to Police Sergeant effective April 1, 2018. **Motion Carried 4:0** (AYE= Ahlfeld/Carvel/Deshaies/LeBire)

DISCUSSION: PERSONNEL POLICY MANUAL REVISIONS (CHAP. 3, EMPLOYMENT)

Mayor Currier explained there has been on-going discussions regarding the Village's hiring process for non-competitive positions and revising the Personnel Policy Manual Chapter 3.01(A). Currier continued to explain that currently there are two Village Trustees who choose five (5) individuals from the pool of applicants to be interviewed. The proposed revisions allow the Dept. Head and management personnel to select the applicants to be interviewed, with two Trustees approving those candidates. Trustee Carvel and Deshaies do not see a need to change a system that has worked overall. Trustee LeBire stated that he felt elected officials shouldn't be selecting those applicants but should have some oversight.

The revisions proposed are to Chapter 3.01 (A) and are as follows:

"After the last filing date, the Department Head and chosen management personnel will meet and identify five (5) applicants to be interviewed. The applications will be forwarded to the Village Personnel Committee for review and approval. Should a disagreement occur on chosen applicants, the matter will be resolved by the Village Board."

A motion was made by Trustee Ahlfeld and seconded by Trustee LeBire to approve the revisions to Chapter 3 of the Personnel Policy Manual. **Motion Carried 3:2** (AYE=Currier/Ahlfeld/LeBire) (NAY=Carvel/Deshaies)

AUTHORIZATION TO CANVASS/HIRE FOUR (4) MOTOR EQUIPMENT OPERATORS

DPW Supt. Fayad presented the Board with the following:

Memo

To: Timothy J. Currier, Mayor
Board of Trustees
From: Hassan A. Fayad, P.E.
Date: February 28, 2018
Re: Request to Canvass/Hire, MEO's

Mayor and Board...
Recently, the DPW experienced a devastating setback with the loss of one of our key personnel. Terry Favreau, who was an 18-year veteran suddenly passed away last week. This is a request to fill the vacancy caused by this loss and the departure of others.

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There are certain people in every organization who step up to the plate, require no maintenance and are willing to perform any duty assigned to them, and in this case with a smile...I just described Terry. His vision and pride in his work, raised the aesthetic value of this Village. Although, we realize Terry was cut from a different loincloth than most, we must make an effort to replace personnel in this essential department and hope his replacement will perform as well. As we leave much of the winter season behind us, we will be facing new challenges with the level of work we have earmarked to accomplish. This work is labor intensive and in most cases, requires a group effort. Our aging infrastructure requires added attention which is performed predominantly by this department, cannot be accomplished with the current staffing level...we are in a tail spin. Additionally, there are no plans to perform sidewalk replacement in the 2018-19 budget year.

Since December 2017, this department has lost four (4) employees do to retirement and death. Each of these individuals (Wells, Monacelli, Lashomb and Favreau) had a dedicated plow route. They were seasoned and experienced employees in the business of plowing in the winter and various functions in the spring, summer and fall months. It is or should be understood that the essential service we provide this community revolves around manpower.

There are many reasons to have a full and complete level of staffing. The first and foremost is to continue to provide the safe service this community has benefitted from for decades. This includes but is not limited to, plowing and hauling of snow from streets and sidewalks, mowing of grass on public and private property, response to code violations, construction of roadways and sidewalks and many other practices. Obviously, all the service components we provide, require personnel to perform the tasks.

Training is a key element in the successful and safe performance of our employees. During this time of year, new personnel need to be trained on the process of snow plowing and clearing using various pieces of equipment. This training is essential to the safe operation for the employee, Village and public.

Finally, the funding for all four (4) personnel are in the current budget and proposed for the next fiscal year. To maintain our current level of service, we need proper staffing. We are anticipating additional retirements by January 2019, which will decimate this department and the service we provide, should no changes occur.

The Department of Public Works is once again requesting immediate replacement of all four (4) personnel.

Mayor Currier conveyed to the Board that his proposed budget allocates for two (2) of the positions DPW Supt. Fayad is requesting. Trustee Ahlfeld and LeBire have had on-going discussions since September 2017 regarding the staffing levels at the DPW. They do not want to create "fiscal stress" but are wondering how you reduce staffing levels but still maintain same services to residents? Water Foreman Steve Dailey reported they are currently down four positions, but already have permission to canvass for one at this time. Currently, he continued, employees are working overtime to just maintain the workload, but if they are not able to hire any additional employees they will likely have to cut services citing the sidewalk program and sidewalk plowing as examples. Dailey reported that the DPW Supt. has been working with the Treasurer to shift funds around in order to replace four employees without an impact to the budget. CSEA has reportedly stated that they will not allow any summer hires or extra help, unless the Board allows those four positions to be filled he explained, also pointing out that they are already down two employees from 2008. Trustee Carvel voiced his thoughts, stating that the Village is not getting any bigger and senior residents cannot afford to have taxes increased at this time.

Mayor Currier would like to authorize to allow them to canvass for one additional MEO at this time, then wait until the budget process starts before making a decision on the other two.

At this time Trustee Carvel made a motion, seconded by Trustee Deshaies to authorize DPW Supt. Fayad to canvass for an additional (one) MEO, pointing out that they already have permission for one and with this motion they will have two, total. Discussion amongst the Board continued with Trustee's Ahlfeld and LeBire interjected that they would like to see it split in half giving DPW 75% of what they lost, with Ahlfeld stating he is in favor of replacing three of the four positions. The DPW, he said, is not the problem with the Village of Massena, however Mayor Currier reminded him that that is the only department that can be cut. Mayor Currier urged them that budget adoption is within the next month and that they are also waiting to hear regarding CREG application. **Motion Carried 3:2** (AYE=Currier/Carvel/Deshaies) (NAY=Ahlfeld/LeBire)

SPRING CLEAN-UP DATES

DPW Supt. Fayad presented the Board with a memo that explained Spring Clean-Up would be conducted north of the Grasse River April 9th – 13th and south of the Grasse River April 16th – April 20th. It was noted that textiles are now considered recyclable and need to be separated from cleanup items.

ESTABLISH PUBLIC HEARING DATE: CONSIDER AMENDING CHAPTER 240 (SOLID WASTE)

A motion was offered by Trustee LeBire and seconded by Trustee Ahlfeld to establish a public hearing date of April 17, 2018 at 5:35 p.m. to consider amending Chapter 240 (Solid Waste). **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

AUTHORIZE REQUEST FOR PROPOSALS: CLEANING/MOWING PROPERTIES IN VIOLATION OF VILLAGE CODE

A motion was made by Trustee Ahlfeld and seconded by Trustee LeBire to Authorize a request for proposals for cleaning and mowing properties in violation of Village code. **Motion Carried 4:0** (AYE= Ahlfeld/Carvel/Deshaies /LeBire)

RESOLUTION #11-2018 APPROVE AGREEMENT WITH MASSENA PERMANENT FIREFIGHTERS

A motion was offered by Trustee LeBire, seconded by Trustee Ahlfeld and carried, to adopt the following resolution to wit

RESOLUTION #11-2018

Approve Agreement By and Between the Village of Massena and Massena Permanent Firefighters

WHEREAS, the Village of Massena Contract Committee has negotiated a four-year Agreement (June 1, 2016 through May 31, 2020) with the Massena Permanent Firefighters International Association of Fire Fighters, Inc., Local #2220;

NOW, THEREFORE, BE IT RESOLVED, that the Agreement is hereby accepted by the Village of Massena; and

BE IT FURTHER RESOLVED, that Timmy J. Currier, as Mayor of the Village of Massena, is hereby authorized and directed to execute said Agreement on behalf of the Village of Massena.

Question of the adoption of the foregoing resolution resulted as follows:

AYE: Trustee Ahlfeld, Trustee Carvel, Trustee Deshaies, Trustee LeBire

NAY: None

Mayor Currier declared Resolution #11-2018 duly adopted (4:0).

RETIREMENT: JULIE A. SHARLOW, VILLAGE TREASURER & TAX COLLECTOR

Trustee LeBire offered a motion, seconded by Trustee Ahlfeld to accept the retirement of Village Treasurer and Tax Collector Julie A. Sharlow, effective March 31, 2018. Julie has worked in the municipality for more than 27 years and has served in the role of Treasurer and Tax Collector in the last five years. The Board thanked her and congratulated her for her outstanding job over the years. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

APPOINTMENT: KEVIN FELT, VILLAGE TREASURER & TAX COLLECTOR

Trustee LeBire offered a motion, seconded by Trustee Deshaies to appoint Kevin Felt to the position of Village Treasurer and Tax Collector, effective April 1, 2018. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

AUTHORIZATION TO CANVASS/HIRE: DIRECTOR OF DEVELOPMENT

Mayor Currier explained to the Board that the Director of Development would replace Director of BDC but is awaiting the Joint Budget meeting with Town to be held on April 18th before explaining the finalized details, as the actual job description and various other aspects have not been finalized yet. Trustee LeBire explained that this position would be a 0% increase because the Village is just reallocating funds that are in the budget.

Resident Jim Hidy questioned the role of the new position. Mayor Currier stated that the person hired would be responsible for community, business and economic development. The Director of Development would be a joint position between the Town and Village, as there will be an Inter-Municipal Agreement in place with the Town. While the BDC will still stay intact, Currier explained, it will be different. Upon further questioning from Hidy, Currier stated the projected salary for the position is \$60,000. The Director of Development would answer to the Mayor and Supervisor, Currier also reported. He also said some of the details have not quite been finalized yet

Trustee LeBire offered a motion, seconded by Trustee Ahlfeld to authorize to canvass/ hire Director of Development. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

AUTHORIZATION TO DECLARE SURPLUS AND SELL SIX (6) HAENNI LOADMETER SCALES

Chief Love presented the Board a memo requesting permission to declare six Haenni Loadometer scales surplus, as they have not been utilized since 2007 and is an unnecessary expense to have them calibrated annually. Chief Love stated that another department had contacted him and would like to purchase the scales.

Trustee Ahlfeld offered a motion, seconded by Trustee Carvel to authorize Chief Adam Love to declare six Haenni Loadmeter Scales surplus and sell. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire).

AWARD RFP PURSUANT TO URBAN COMMUNITY FORESTRY GRANT: ARBOR PRO (YORBA LINDA, CA)

Trustee Ahlfeld offered a motion, seconded by Trustee LeBire to award RFP Pursuant to Urban Community Forestry Grant to Arbor Pro in the amount of \$39,500 as recommended by Massena Electric Department Superintendent Andrew McMahon. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

VOUCHER WARRANT:

A motion was made by Trustee Deshaies and seconded by Trustee Carvel to approve Voucher Warrant #401.

Motion Carried 4:0 (AYE= Ahlfeld/Carvel/Deshaies/LeBire)

WARRANT#401(Board Meeting 03/20/18)

220254-220263	03/07/18	42,094.95	Prepaid Payroll
220264	03/12/18	6,264.77	Corky's Collision
220265	03/13/18	4,694.49	Massena Electric Dept.
220266	03/13/18	1,930.76	SLIC Network Solutions
220267	03/13/18	111.31	The Home Depot Credit Svcs.
220268	03/13/18	1,088.67	Tractor Supply Credit Plan
220269-220279	03/14/18	45,112.52	Prepaid Payroll
220280	03/15/18	1,121.84	United States Postal Service
220281	03/16/18	191.17	The Home Depot Credit Svcs
		102,610.48	Total Prepaid
220282-220352	03/20/18	<u>934,695.64</u>	Total Unpaid
		1,037,306.12	Total Warrant #401 Including Prepaid Payroll

MONTHLY REPORTS:

The following monthly reports were presented and reviewed:

- Massena Volunteer Fire Department, Inc. (Feb. 2018)
- Massena Permanent Firefighters/ Village of Massena Code Enforcement Office (Feb 2018)

COMMUNICATIONS/CORRESPONDENCE:

Trustee Ahlfeld commented on Massena Housing Authority minutes recently submitted stating that the Village could potentially be receiving 18.3% less in revenue due to changes for funding through federal government.

CLOSING PUBLIC COMMENT PERIOD:

During the closing public comment period resident R. Shawn Gray and Mayor Currier exchanged comments regarding the costs incurred by the Village for arbitration with the Massena Permanent Firefighters and staffing/manning clauses.

EXECUTIVE SESSION:

A motion was offered by Trustee Ahlfeld, seconded by Trustee LeBire to enter into Executive Session to discuss collective bargaining and potential litigation at 7:16 p.m. **Motion Carried 4:0** (AYE= Ahlfeld/Carvel/Deshaies/LeBire). Chief Adam Love, Jordan Jenks and Paul Iachetta was also invited to attend the executive session. Village Attorney Matt McArdle joined the meeting at 7:35 p.m, after discussions regarding collective bargaining issues were complete.

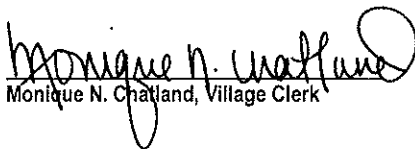
A short Executive Session was held and no action was taken.

At 8:37 p.m. a motion was made by Trustee Ahlfeld and seconded by Trustee Carvel to close executive session and return to the open meeting. **Motion Carried 4:0** (AYE= Ahlfeld/Carvel/Deshaies/LeBire).

ADJOURNMENT:

With no further business, a motion to adjourn the Village Board meeting was made by Trustee LeBire at 8:38 p.m. and seconded by Trustee Ahlfeld. **Motion Carried 4:0** (AYE=Ahlfeld/Carvel/Deshaies/LeBire)

MINUTES PREPARED BY:


Monique N. Chatland, Village Clerk

LEGAL NOTICE OF PUBLIC HEARING TO CONSIDER AUTHORIZING A TAX LEVY IN EXCESS OF 2% LIMIT

Johnson Newspaper Corporation

Client:	191160	VILLAGE OF MASSENA	Phone:	(315) 769-8625
Class.:	60 MAIN ST TOWN HALL			
Ad #	20403493	Requested By: MONIQUE		MASSENA, NY 13662-1975
Sales Rep.:	SL20	Winter Stephens	Fax:	(315) 769-0257
		massenaclass@ogd.com	Phone:	(315) 769-2451 Ext: 100
			Fax:	(315) 764-0337
Class.:	0110	Public Notices		
Start Date:	03/02/2018	End Date:	03/02/2018	Nb. of Inserts: 1
PO #:		Entered By:	WSTEPH	
Publications:	Daily Courier Observer			
Paid Amount:	\$0.00	Balance:	\$26.72	
Total Price:	\$26.72		Page 1 of 1	

Village of Massena
Town Hall Building
Massena, New York 13662
Notice of Public Hearing on
Proposed Local Law
Amendment to Taxation Local
Law
(Tax Levy Limit Override)
NOTICE IS HEREBY GIVEN
that the Board of Trustees of
the Village of Massena, New
York, will conduct a public
hearing on the 20th day of
March, 2018, at 5:35 p.m. in
the Town Hall Building, Mas-
sena, New York, concerning
a proposed Local Law which
provides for amending the
Code of the Village of Mas-
sena, Chapter 265 (Taxation)
to authorize a real property
tax levy in excess of the limit
established in General Mu-
nicipal Law §3-c for the fiscal
year beginning June 1, 2018.
At such time and place all
persons interested in the
subject matter thereof will be
heard concerning the same.
Copies of the proposed local
law in its entirety are
available in the Office of the
Village Clerk located in the
Town Hall Building, 60 Main
Street, Massena, New York,
during regular business
hours, for the purpose of in-
spection or procurement by
interested parties.
By Order of the Village Board
of Trustees
Dated: February 27, 2018
Monique N. Chatland
Village Clerk.

LEGAL NOTICE OF PUBLIC HEARING TO CONSIDER AMENDING CHAP. 290 (WATER), SECTION 10 (RATES & CHARGES) FOR USERS OUTSIDE THE VILLAGE AND NOT IN A DISTRICT

Johnson Newspaper Corporation

Client:	191160	VILLAGE OF MASSENA	Phone:	(315) 769-8625
Class.:	60 MAIN ST			
	TOWN HALL			
Ad #	20403982	Requested By: MONIQUE	Fax:	(315) 769-0257
Sales Rep.:	SL20	Winter Stephens	Phone:	(315) 769-2451 Ext: 100
		massenaclass@ogd.com	Fax:	(315) 764-0337
Class.:	0110	Public Notices		
Start Date:	03/09/2018	End Date:	03/09/2018	Nb. of Inserts: 1
PO #:		Entered By:	WSTEPH	
Publications:	Daily Courier Observer			
Paid Amount:	\$0.00	Balance:	\$30.52	
Total Price:	<input type="text" value="\$30.52"/>			Page 1 of 1

REVISED NOTICE OF PUBLIC HEARING
ESTABLISH WATER RATE SCHEDULE FOR USERS OUTSIDE THE VILLAGE, NOT WITHIN A WATER DISTRICT

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Massena, New York, will conduct a public hearing on the 20th day of March 2018, at 5:40 p.m. in the Town Hall Building, Massena, New York, to consider adopting a proposed Local Law to amend the Code of the Village of Massena, New York, CHAPTER 290 (WATER), Section 290-10 (Rates and Charges) for users outside the Village, not within a Water District by implementing a water rate schedule as follows: for Residential from \$4.15 to \$5.19 per 1,000 gallons per month, \$7.55 to \$9.44 per 1,000 gallons per month for Commercial, \$7.55 for Industrial per 1,000 gallons per month (minimum per contract agreement), and from \$4.15 to \$5.19 per 1,000 gallons per month for Institutional users. Additionally, a "Non-District Fee" of \$14.00 per month per EDU will also be implemented. Copies of the proposed local law amendment in its entirety is available in the Office of the Village Clerk located in the Town Hall Building - Room 12, 60 Main Street, Massena, New York, during regular business hours, for the purpose of inspection or procurement by interested parties.

By Order of the Village Board of Trustees
Monique N. Chatland, Village Clerk

Dated: March 8, 2018.

LEGAL NOTICE OF PUBLIC HEARING TO CONSIDER AMENDING CHAP. 266 (TAXATION): COLD WAR
VETERANS EXEMPTION

Johnson Newspaper Corporation

Client:	191160	VILLAGE OF MASSENA	Phone:	(315) 769-8625
Class.:	60 MAIN ST			
	TOWN HALL			
			MASSENA, NY	13662-1975
Ad #	20404249	Requested By:	MONIQUE	Fax: (315) 769-0257
Sales Rep.:	SL20	Winter Stephens	Phone:	(315) 769-2451 Ext: 100
		massenaclass@ogd.com	Fax:	(315) 764-0337
Class.:	0110	Public Notices		
Start Date:	03/14/2018	End Date:	03/14/2018	Nb. of Inserts: 1
PO #:		Entered By:	WSTEPH	
Publications:	Daily Courier Observer			
Paid Amount:	\$0.00	Balance:	\$28.62	
Total Price:	\$28.62			

Notice of Public Hearing on
Proposed Local Law
Amendment to
Village Code

Re: Cold War Veterans Ex-
emption

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Massena, New York, will conduct a public hearing on the 20th day of March, 2018 at 5:45 p.m. in the Town Hall Building, 60 Main Street, Massena, New York, to consider adopting a proposed local law to amend the Code of the Village of Massena, New York, in conjunction with the recent change to Real Property Tax Law 458-b (Cold War Veterans Exemption) by revising CHAPTER 266 - TAXATION to provide a Cold War Veterans Exemption to qualifying owners permanently, without regard to such ten year limitation. At such time and place all persons interested in the subject matter thereof will be heard concerning the same.

Copies of the proposed local law in its entirety are available in the Office of the Village Clerk located in the Town Hall Building - Room 12, 60 Main Street, Massena, New York, during regular business hours, for the purpose of inspection or procurement by interested parties.

By Order of the Village Board of Trustees
Monique N. Chatland,
Village Clerk
Dated: March 12, 2018