

MINUTES

Public Hearing & Regular Town Council Meeting, Town of Massena

Date/Time: Wednesday January 20 at 5:30 PM

Location: Massena Town Hall

LIVE-STREAMED ON FACEBOOK

ATTENDANCE:

| MEMBER | PRESENT | ABSENT |
|--------------------------------|-----------------|---------------|
| Supervisor Steve O’Shaughnessy | X | |
| Councilman Albert Nicola | X | |
| Councilman Robert Elsner | X | |
| Councilman Samuel Carbone, Jr. | VIA ZOOM | |
| Councilwoman Susan Bellor | X | |

ALSO PRESENT:

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| Jeannine Brouse, Town Clerk; Brenda Mossow, Secretary/Bookkeeper; Frank Diagostino, Highway and Airport Supervisor, James Murphy BDC, Austyn Allen, Audio Support |
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| <p>The Supervisor opened the meeting with the Pledge of Allegiance.</p> <p>Called to order at 5:30 PM</p> |
| <p>Public Hearing: Councilman Nicola and Councilman Elsner motion to open the public hearing. The public hearing opened at 5:30 PM. Supervisor O’Shaughnessy read the following:</p> <p>The Town Board of the Town of Massena will hold a public hearing on Wednesday, January 20, 2021 at 5:30 PM in Room 30 of the Massena Town Hall, 60 Main Street, Massena, New York, (also to be livestreamed via Town of Massena Facebook) for the purpose of considering the following amendment to Town of Massena Local Law 2 of 2020 to Regulate Solar Energy Facilities:</p> <p>Add to Section C: (4) The Town of Massena shall not permit any exemption within its jurisdiction pursuant to § 487 of the Real Property Tax Law of the State of New York with respect to any energy system constructed or installed subsequent to the effective date hereof. The Town may, consistent with RPTL § 487, and other provisions of law and the implementing rules and regulations, enter into a payment in lieu of taxes agreement in respect of the installation of or improvements relating to any such facilities.</p> <p>The proposed amendment is also available for viewing at the Town Clerk’s Office during regular business hours or at www.massena.us</p> |
| <p>Announcements / Notifications</p> |
| <p>Presentations / Discussions.</p> |

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|---|---------------------|-------|-----|---------|
| Resolution TABLED - 2021 | | | | |
| Enacting Local Law 1 of 2021: Add an amendment to The Town of Massena Local law 2 of 2020 to Regulate Solar Energy Facilities | | | | |
| Add to Section C: (4) The Town of Massena shall not permit any exemption within its jurisdiction pursuant to § 487 of the Real Property Tax Law of the State of New York with respect to any energy system constructed or installed subsequent to the effective date hereof. The Town may, consistent with RPTL § 487, and other provisions of law and the implementing rules and regulations, enter into a payment in lieu of taxes agreement in respect of the installation of or improvements relating to any such facilities. | | | | |
| Motion by | Councilman Elsner | Vote: | | |
| Second by: | Councilman Nicola | Aye | Nay | Abstain |
| | Steve O'Shaughnessy | X | | |
| | Albert Nicola | X | | |
| | Susan Bellor | X | | |
| | Samuel Carbone, Jr. | X | | |
| | Robert Elsner | X | | |
| Motion is TABLED | | | | |

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|--|---------------------|-------|-----|---------|
| Resolution 21 - 2021 | | | | |
| Approval of minutes from December 16, 2020 January 4, 2021s | | | | |
| Motion by | Councilwoman Bellor | Vote: | | |
| Second by: | Councilman Nicola | Aye | Nay | Abstain |
| | Steve O'Shaughnessy | X | | |
| | Albert Nicola | X | | |
| | Susan Bellor | X | | |
| | Samuel Carbone, Jr. | X | | |
| | Robert Elsner | X | | |
| Motion is Carried. | | | | |

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|--|---------------------|-------|-----|---------|
| Resolution 22 - 2021 | | | | |
| Authorizing the Town Supervisor to execute the Intermunicipal Agreement with The Village of Massena for Services of a Court Officer | | | | |
| Motion by | Councilwoman Bellor | Vote: | | |
| Second by: | Councilman Elsner | Aye | Nay | Abstain |
| | Steve O'Shaughnessy | X | | |
| | Albert Nicola | X | | |
| | Susan Bellor | X | | |
| | Samuel Carbone, Jr. | X | | |
| | Robert Elsner | X | | |
| Motion is Carried. | | | | |

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|--|---------------------|-------|-----|---------|
| Resolution 23 - 2021 | | | | |
| Authorizing Payment of Registration fees for Town Board members to Participate in NYS Association of Towns 2021 (Virtual) Training School and meetings (Feb. 14-17, 2021) | | | | |
| Motion by | Councilman Nicola | Vote: | | |
| Second by: | Councilwoman Bellor | Aye | Nay | Abstain |
| | Steve O'Shaughnessy | X | | |
| | Albert Nicola | X | | |
| | Susan Bellor | X | | |
| | Samuel Carbone, Jr. | X | | |
| | Robert Elsner | X | | |
| Motion is Carried. | | | | |

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|--|---------------------|-------|-----|---------|--------|
| Resolution 24 - 2021 | | | | | |
| Authorizing the Town Supervisor to Execute Contract with (Massena International Airport, General Aviation Apron Rehabilitation, FAA AIP No. 3-36-0054-83-19 & 3-36-0054-88-20 (C); NYS DOT Project No. 7902-95 (D) and 7902?? C | | | | | |
| Motion by | Councilman Nicola | Vote: | | | |
| Second by: | Councilman Bellor | Aye | Nay | Abstain | Absent |
| | Steve O'Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

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|---|---------------------|-------|-----|---------|--------|
| Resolution Tabled | | | | | |
| Authorizing the Town to pay Invoices from E5 Support Services, LLC Outside of the Monthly Audit Time Frame, said permission to pay E5 Invoices outside of the Audit to continue until revoked. | | | | | |
| Motion by | Councilwoman Bellor | Vote: | | | |
| Second by: | Councilman Elsner | Aye | Nay | Abstain | Absent |
| | Steve O'Shaughnessy | | | | |
| | Albert Nicola | | | | |
| | Susan Bellor | | | | |
| | Samuel Carbone, Jr. | | | | |
| | Robert Elsner | | | | |
| Motion is TABLED | | | | | |

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|--|---------------------|-------|-----|---------|--------|
| Resolution 25 - 2021 | | | | | |
| Authorizing the Town Supervisor to Execute Contract (Massena International Airport, Taxiway C Rehabilitation, FAA AIP No. 3-36-0054-76-18 & 3-36-0054-89-20(C);NYS DOT Project No. 7902-87(D) | | | | | |
| Motion by | Councilman Elsner | Vote: | | | |
| Second by: | Councilwoman Bellor | Aye | Nay | Abstain | Absent |
| | Steve O'Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

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|--|---------------------|-------|-----|---------|--------|
| Resolution 26 - 2021 | | | | | |
| Authorizing the Town Supervisor to execute “ Aviation Capital Project Agreement” with NYSDOT for Massena International Airport (PIN: 7902-96 Rehabilitate 4,890 Yd² existing General Aviation Apron Pavement – Construction) cost breakdown: Federal \$798,950.00; State \$21,025.00; Local \$21,025.00) | | | | | |
| Motion by | Councilman Carbone | Vote: | | | |
| Second by: | Councilwoman Bellor | Aye | Nay | Abstain | Absent |
| | Steve O'Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

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|---|---------------------|-------|-----|---------|--------|
| Resolution 27 - 2021 | | | | | |
| To determine that the Project at the Massena International Airport (PIN: 7902.96), “Rehabilitate 4,890 Yd² of the existing General Aviation Apron Pavement-Construction” is a Type 2 Listed Action” and Authorizing the town Supervisor to Execute the SEQR | | | | | |
| Motion by | Councilman Nicola | Vote: | | | |
| Second by: | Councilman Elsner | Aye | Nay | Abstain | Absent |
| | Steve O’Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

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| Resolution 28 - 2021 | | | | | |
| Adopting Retention Disposition Schedule for New York Local Government Records (LGS-1) | | | | | |
| <p>BE IT RESOLVED by the Town Board of the Town of Massena that <i>Retention and Disposition Schedule for New York Local Government Records (LGS-1)</i> issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein; and</p> <p>BE IT FURTHER RESOLVED that in accordance with Article 57-A:</p> <p>a) Only those records will be disposed of that are described in <i>Retention and Disposition Schedule for New York Local Government Records (LGS-1)</i> after they have met the minimum retention periods described therein; and</p> <p>b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.</p> | | | | | |
| Motion by | Councilwoman Bellor | Vote: | | | |
| Second by: | Councilman Carbone | Aye | Nay | Abstain | Absent |
| | Steve O’Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

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| Resolution 29 - 2021 | | | | |
| Setting a Public Hearing for Replacement of existing water line in the East Massena Water District: Wednesday, January 27, 2021 at 4:00 PM vis Facebook Live | | | | |
| Motion by | Councilwoman Bellor | Vote: | | |
| Second by: | Councilman Carbone | Aye | Nay | Abstain |
| | Steve O'Shaughnessy | X | | |
| | Albert Nicola | X | | |
| | Susan Bellor | X | | |
| | Samuel Carbone, Jr. | X | | |
| | Robert Elsner | X | | |
| Motion is Carried. | | | | |

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|---|---------------------|-------|-----|---------|
| Resolution 30 - 2021 | | | | |
| Authorizing the Town Supervisor to Sign the Airport Improvement Program Final Application {Sand Storage Building} (Design) | | | | |
| Motion by | Councilwoman Bellor | Vote: | | |
| Second by: | Councilman Carbone | Aye | Nay | Abstain |
| | Steve O'Shaughnessy | X | | |
| | Albert Nicola | X | | |
| | Susan Bellor | X | | |
| | Samuel Carbone, Jr. | X | | |
| | Robert Elsner | X | | |
| Motion is Carried. | | | | |

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| Resolution 31 - 2021 | | | | |
| ADOPTING | | | | |
| Town of Massena Fair Housing Policy | | | | |
| 1. Purpose/Vision Statement | | | | |
| <p>Title VIII of the Civil Rights Act establishes federal policy for providing fair housing throughout the United States. The intent of Title VIII is to assure equal housing opportunities for all citizens. Furthermore, the Town of Massena, as a recipient of federal community development funds under Title I of the Housing and Community Development Act of 1974, is obligated to certify that it will affirmatively further fair housing. This shall be done through a program of education, an analysis of impediments, designation of a Fair Housing Officer and development of a procedure for complaints of discrimination.</p> <p>The Town of Massena is committed to meeting this obligation and has developed this Fair Housing Policy to further that goal.</p> | | | | |
| 2. Fair Housing Policy Statement | | | | |
| <p>It is the policy and commitment of the Town of Massena to ensure that fair and equal housing opportunities are granted to all persons in every housing opportunity and development activity funded by the town regardless of race, color, religion, gender, sexual orientation, marital status, status with regard to public assistance, familial status, national origin or disability. This will be done through strong external policies that provide meaningful access for all constituents to fair housing informational and referral services and through internal practices and procedures designed to deter discrimination and affirmatively further fair housing.</p> <p>This fair housing policy represents the Town's commitment to actions to affirmatively further fair housing in the Town of Massena by endorsing positive steps to ensure equal access to housing, employment, public facilities/services, contracting and business opportunities, Community Development Block Grant Program (CDBG) benefits/services and displacement protection. The primary purpose of this policy is the maintenance of a positive fair housing environment in the Town of Massena.</p> <p>Under this policy, it shall be unlawful:</p> <p>(1) To refuse to sell or rent or refuse to negotiate for the sale or rental or to deny any dwelling to any person because of race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, military status or because the person has a child or children.</p> | | | | |

(2) To discriminate against any person in the terms, conditions or provision of services or facilities in connection with the sale or rental of a dwelling because of race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, military status or because the person has a child or children.

(3) To induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry into the neighborhood of a person or persons of a particular race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, military status or because the person has a child or children.

(4) For a person offering residential property for sale or rent or anyone acting on behalf of such a person to print or circulate or cause to be printed or circulated any statement, advertisement or publication or to use any form of application for the sale or rental of a dwelling or to make any record or inquiry in connection with the sale or rental of a dwelling which expresses, directly or indirectly, any limitation, specification or discrimination as to race, color, religion, sex, age, marital status, disability, national origin, source of income, sexual orientation, military status or because the person has a child or children.

For purposes of this Fair Housing Policy, discrimination shall include:

(1) A refusal to permit, at the expense of a disabled person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises (except that, in the case of rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted); and

2) A refusal to make reasonable accommodations in the rules, policies, practices or services when such accommodation may be necessary to afford such person equal opportunity to use and enjoy a dwelling.

Additionally, the Town commits to the following:

- To take affirmative steps to ensure that all segments of the community regardless of economic, racial or ethnic status are informed of grant opportunities.
- To demonstrate that their program benefits are not awarded in ways that discriminate.
- To take affirmative steps to promote fair and equal housing.
- In addition to equal access, to affirmatively further fair housing and accessibility for persons with disabilities.
- All CDBG funded projects for which the Town is the recipient whether it is for housing, infrastructure, or economic development, attention to the civil rights, fair housing and equal opportunity component for the CDBG project must be all-inclusive, from the project design phase to final progress report.
- The Town shall incorporate and promote fair housing opportunities in the Town's Comprehensive Plan.¹
- The Town shall notify local banks of fair housing activities and enlist their support and active participation.
- The Town shall notify local realtors of fair housing activities and enlist their support and active participation.

3. Other Statutes and Regulations Affecting Fair Housing Choice

Fair housing is having a choice to live where you want and where you can afford without the fear or threat of discrimination. Discrimination, in this sense, is any housing practice or action that is unlawful under Title VIII of the Civil Rights Act of 1968, as amended, commonly referred to as the Fair Housing Act . The Fair Housing Act specifically provides that “...no person shall be subjected to discrimination because of race, color, religion, sex, handicap, familial status, or national origin in the sale, rental or advertising of dwellings, in the provision of brokerage services, or in the ability of residential real estate-related transactions...”.

In addition, New York State enacted laws to support the provisions of the Federal Fair Housing Act. Specifically, the State enacted Executive Law Article 15, Human Rights Law, the Fair Housing Act and the Equal Credit Opportunity Act. In addition to the seven protected classes outlined in the Fair Housing Act, New York State has added marital status, age and Military status to the protected class list.

Housing discrimination complaints in New York State are handled through the Office of Fair Housing and Equal Employment Opportunity.

This plan will incorporate the directives of state and federal laws and executive orders, including, but not limited to:

Title VI of the Civil Rights Act of 1964;

The Fair Housing Act - Title VIII of the Civil Rights Action of 1968, as amended;

Executive Order 11063, as amended by Executive Order 12259;

Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended;

Section 109 of Title I of the Housing and Community Development Act of

1974, as amended;
 Section 3 of the Housing and Urban Development Act of 1968, as amended;
 Sections 503 and 504 of the Rehabilitation Act of 1973, as amended;
 The Americans with Disabilities Act of 1990;
 The Age Discrimination Act of 1975; as amended;
 Executive Order 11246 (as amended by Executive Orders 12375 and 12086)
 Equal Opportunity under HUD contracts and HUD-assisted Construction Contracts;
 Executive Order 12892, Leadership and Coordination of Fair Housing;

4. Selection of a Fair Housing Officer

The Town of Massena has designated Secretary/Bookkeeper Brenda M. Mossow as the Fair Housing Officer for the Town.

Brenda M Mossow
Secretary/Bookkeeper
Town of Massena
60 Main Street
Massena, NY 13662

Ph# 315-769-3588 Ext. 2 Fax# 315-769-0578

Email : bmossow@massena.us

The Fair Housing Officer will be responsible for the implementation of the Town's Fair Housing Policy. The Fair Housing Officer will also receive complaints from Town residents who believe they are an aggrieved person with regard to unfair housing practices by a local municipality or bank or a realtor. The Fair Housing Officer will assist the aggrieved person with filing a complaint with the proper federal office. The Fair Housing Officer shall file a copy of the complaint with the regional or field office of the United States Department of Housing and Urban Development. The Fair Housing Officer is delegated to investigate the allegations of any complaint, including requesting a response from the entity charged in the complaint. Following completion of the investigation, the Fair Housing Officer will issue a final investigative report to the Town.

Records showing the date, time and nature of the fair housing complaint, as well as the decisions made regarding the complaint process (referrals, information given, etc.) and any follow-up action will be fully documented. A separate file will maintain a record of all housing discrimination complaints and follow-up actions.

The Fair Housing Officer will also monitor Town activities affecting fair housing and raise issues and concerns where appropriate.

5. Meaningful Access

Online Information – The Town of Massena will have information about fair housing and its Fair Housing Officer prominently displayed on its website. The website will also have links to various fair housing resources, including the St. Lawrence County Fair Housing Task Force. The website will also link to state and federal housing complaint forms.

2. In-Person Information – The Town of Massena will provide fair housing information to anyone requesting such information at the Town offices during regular business hours.

6. Complaint ID and Referral Process

Housing discrimination complaint forms such as Forms HUD-903 and HUD-903A (Spanish version) from HUD, as well as, a summary of actions which may constitute housing discrimination, and instructions for completing and filing housing discrimination complaints will be made available to citizens through the Town's Fair Housing Officer, located at the Massena Town Hall, 60 Main St., Massena, NY 13662. Complaints need not be made on official forms to be valid. Forms will also be distributed to lenders, realtors, and at other public places such as the Library periodically.

The Fair Housing Officer will reasonably assist the complainant in submitting the complaint to the appropriate body by providing assistance in explaining the form and/or contacting the appropriate office and allowing the use of town phones for communication.

The individual(s) filing the complaint will then be advised of the option of filing directly with the U.S. Department of Housing and Urban Development (HUD) within one year after an alleged violation, the Connecticut Commission on Human Rights and Opportunities (CHRO) by filing a notarized complaint within 180 days of the alleged violation, or the Equal Employment Opportunity Commission or with all agencies simultaneously. The individual should also be advised of the option of filing suit, at his/her expense in Federal District Court or State

Court within two years of an alleged violation. The individual should be further advised that if he/she cannot afford an attorney, the Court may appoint one and that a suit may be commenced even after filing a complaint, if the individual has not signed a conciliation agreement and an Administrative Law Judge has not started a hearing. A court may award actual and punitive damages and attorney's fees and costs.

7. Affirmatively Furthering Fair Housing

As a recipient of federal funds, the Town agrees to participate in any regional Analysis of Impediments as organized by the regional St. Lawrence County Fair Housing Task Force or other designated regional agencies. The Town will consider integrating the recommendations and action plans into Town planning documents, including its Comprehensive Plan and other applicable documents.

The Town commits to the following steps to promote awareness and sensitivity to fair housing issues in all of its government functions, including:

Staff Training – The Town will regularly train its staff and elected officials on fair housing considerations, including working with people with disabilities and limited English proficiency constituents.

Periodic Analysis of Housing Conditions, codes and policies - The Town will periodically review its housing inventory to examine the affordability of both rental and owner-occupied housing and whether all reasonable actions have been taken to remove barriers to ensure adequate housing choices for all Town residents.

The Town will periodically review its municipal codes, with specific focus on ordinances related to zoning, building and occupancy standards, to identify any potential for disparate impact or disparate treatment.

Project Planning and Analysis - The Town will make determinations in project planning with an eye to fair housing issues, including whether potential projects may perpetuate segregation or lead to the displacement of protected classes.

Community Engagement - The Town commits to ongoing community engagement, specifically robust conversations with the community regarding potential housing projects, zoning changes and other land use planning decisions. The Town will display Fair Housing posters identifying the Town's Fair Housing Officer, title, address and phone number in prominent locations. Fair Housing information will be distributed at locations other than traditional municipal locations including local realtors and banks.

Additional Policies - The Town of Massena adopts the following policies to inform its work:

- ADA Policy (Attached)
- Limited English Proficiency Policy (Attached)

The Town of Massena will review, revise if necessary, and adopt annually the Fair Housing Statement and Fair Housing Plan.

| Motion by | Councilwoman Bellor | Vote: | | | |
|---------------------------|---------------------|-------|-----|---------|--------|
| Second by: | Councilman Carbone | Aye | Nay | Abstain | Absent |
| | Steve O'Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

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|--|---------------------|-------|-----|---------|--------|
| Resolution 32 - 2021 | | | | | |
| ADOPTING | | | | | |
| NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT | | | | | |
| <p>In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Massena will not discriminate against qualified individuals with disabilities on the basis of disability in its services, program, or activities.</p> <p>Employment: The Town of Massena does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.</p> <p>Effective Communication: The Town of Massena will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Town of Massena programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.</p> <p>Modifications to Policies and Procedures: The Town of Massena will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Town of Massena offices, even where pets are generally prohibited.</p> <p>Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Massena, should contact the office of Brenda M Mossow, Secretary/Bookkeeper, Town of Massena, 60 Main Street, Massena, NY 13662, Ph# 315-769-3588 Ext. 2, Fax# 315-769-0578, bmossow@massena.us as soon as possible, but no later than 48 hours before the scheduled event.</p> <p>The ADA does not require the Town of Massena to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.</p> <p>Complaints that a program, service, or activity of the Town of Massena is not accessible to persons with disabilities should be directed to [name and contact information for ADA coordinator].</p> <p>The Town of Massena will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.</p> | | | | | |
| Motion by | Councilwoman Bellor | Vote: | | | |
| Second by: | Councilman Nicola | Aye | Nay | Abstain | Absent |
| | Steve O'Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

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|--|---------------------|-------|-----|---------|--------|
| Resolution 33 - 2021 | | | | | |
| ADOPTING | | | | | |
| GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT | | | | | |
| <p>This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Massena. Employment related complaints of disability discrimination are covered elsewhere, in policies available from the human resources office of the Town of Massena.</p> <p>The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. No particular format of the complaint is required. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.</p> <p>The complaint should be submitted in writing by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:</p> <p style="padding-left: 40px;">Brenda M Mossow Secretary/Bookkeeper Town of Massena 60 Main Street Massena, NY 13662 Ph# 315-769-3588 Ext. 2 Fax# 315-769-0578 Email: bmossow@massena.us</p> <p>Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Massena and offer options for substantive resolution of the complaint.</p> <p>If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the agency head or his/her designee.</p> <p>Within 15 calendar days after receipt of the appeal, the agency head or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the agency’s final resolution of the complaint, or indicating that the matter has been returned to the ADA Coordinator for further action. If further response is indicated, the complainant will be contacted within 15 calendar days.</p> <p>All written complaints received by the ADA Coordinator or his/her designee, appeals to the agency head or his/her designee, and responses from these two offices will be retained by the Town of Massena for at least three (3) years.</p> | | | | | |
| Motion by | Councilwoman Bellor | Vote: | | | |
| Second by: | Councilman Nicola | Aye | Nay | Abstain | Absent |
| | Steve O’Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

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|---|---------------------|-------|-----|---------|
| Resolution 34 - 2021 | | | | |
| Authorizing the Town Supervisor to Execute the FY2021 Pre-Application (Massena International Airport Purchase SRE (Support Vehicle-Loader, FAA AIP No. 3-36-0054-??-21)) | | | | |
| Motion by | Councilman Carbone | Vote: | | |
| Second by: | Councilman Nicola | Aye | Nay | Abstain |
| | Steve O'Shaughnessy | X | | |
| | Albert Nicola | X | | |
| | Susan Bellor | X | | |
| | Samuel Carbone, Jr. | X | | |
| | Robert Elsner | X | | |
| Motion is Carried. | | | | |

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|---|---------------------|-------|-----|---------|
| Resolution 35 - 2021 | | | | |
| Authorizing the Town Supervisor to execute the FY2021 Pre-Application (Massena International Airport, Terminal Apron Rehabilitation (Construction), FAA AIP No. 3-36-0054-??-21) | | | | |
| Motion by | Councilman Carbone | Vote: | | |
| Second by: | Councilman Nicola | Aye | Nay | Abstain |
| | Steve O'Shaughnessy | X | | |
| | Albert Nicola | X | | |
| | Susan Bellor | X | | |
| | Samuel Carbone, Jr. | X | | |
| | Robert Elsner | X | | |
| Motion is Carried. | | | | |

| | | | | |
|---|---------------------|-------|-----|---------|
| Resolution 36 - 2021 | | | | |
| Authorizing the Town to Participate in NYSDOT PERM 1-Undertaking on File option for NYS Highway Work Permit for Annual Maintenance and Authorizing the Town Supervisor to Execute Undertaking) | | | | |
| Motion by | Councilwoman Bellor | Vote: | | |
| Second by: | Councilman Elsner | Aye | Nay | Abstain |
| | Steve O'Shaughnessy | X | | |
| | Albert Nicola | X | | |
| | Susan Bellor | X | | |
| | Samuel Carbone, Jr. | X | | |
| | Robert Elsner | X | | |
| Motion is Carried. | | | | |

| | | | | | |
|---|---------------------|-------|-----|---------|--------|
| Resolution 37 - 2021 | | | | | |
| Transfers & Amendments | | | | | |
| BUDGET & CASH TRANSFERS AND AMENDMENTS | | | | | |
| CASH TRANSFER: | | | | | |
| TRANSFER \$6,822.67 from NBT Bank A/C#****9438 Town of Massena - MMH Retirees Health Insurance Account to NBT Bank A/C#****8489 – Town of Massena General Fund <i>(This transfer will cover the employee share of the St. Lawrence County Chamber of Commerce – Health Plan for the hospital retirees from March – December 2020 for Mark Brouillette & Kevin Ward.)</i> | | | | | |
| TRANSFER \$1,000.00 from NBT Bank A/C#****8489 Town of Massena General Fund to NBT Bank A/C#****9869 Town of Massena – Brian Chase | | | | | |
| TRANSFER \$1,000.00 from NBT Bank A/C#****8489 Town of Massena General Fund at NBT Bank A/C#****7258 Town of Massena – Joseph Cordwell | | | | | |
| TRANSFER \$1,000.00 from NBT Bank A/C#****8489 Town of Massena General Fund at NBT Bank A/C#****7266 Town of Massena – Georgette Davis <i>(These transfers will allow for a portion of the Town’s share of insurance deductibles deposited as needed.)</i> | | | | | |
| TRANSFER \$3,000.00 from the Town of Massena Rescue Squad Billing A/C#****5913 to Town of Massena General Fund NBT A/C#****8489 <i>(This transfer is per the 2021 Town of Massena Adopted Budget to cover the cost of the allocation to the North Country Life Flight.)</i> | | | | | |
| TRANSFER \$38,761.76 from the Town of Massena Rescue Squad Billing NBT A/C#****5913 to the Town of Massena General Fund NBT A/C#****8489 <i>(This will cover the cost of the leasing payment for the new 2018 Rescue Squad Ambulance.)</i> | | | | | |
| TRANSFER \$4,659.38 from Town of Massena Rescue Squad Billing NBT A/C#****5913 to Town of Massena General Fund NBT A/C#****8489 <i>(This will cover the cost of the serial bond interest due on January 15, 2021 for the Squad Building.)</i> | | | | | |
| BUDGET TRANSFERS: | | | | | |
| TRANSFER \$838.37 from Contingent Account A/C# A.1990.000 to Installment Purchase.Interest A/C# A.9785.700 <i>(This transfer will cover the over-run in this general ledger account.)</i> | | | | | |
| TRANSFER \$2,482.00 from Garage.Contractual A/C#A.5132.400 to Garage Equipment A/C#A.5132.200 <i>(This transfer will cover the over-run in this general ledger account.)</i> | | | | | |
| **Please see attached 2019 Year-End Transfers, Budget Amendments & Cash Transfers** | | | | | |
| Motion by | Councilman Carbone | Vote: | | | |
| Second by: | Councilman Nicola | Aye | Nay | Abstain | Absent |
| | Steve O’Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

| Resolution 38 - 2021 | | | | | |
|---|---------------------------------------|---------------|---------------------|---------------------|--------|
| Warrant # 1A and 1B | | | | | |
| TOWN OF MASSENA | | | | | |
| <u>WARRANT #1A</u> | | | | | |
| <u>2020 INVOICES</u> | | | | | |
| FUND | DESCRIPTION | AMOUNT | | | |
| A | GENERAL | \$85,420.97 | | | |
| B | GENERAL OUTSIDE | 52,801.02 | | | |
| DA | HIGHWAY | 37,835.57 | | | |
| DB | HIGHWAY OUTSIDE | 3,733.89 | | | |
| HDA | RUNWAY 5-23 REHABILITATION | 8,000.00 | | | |
| HTA | TERMINAL APRON REHABILITATION | 30,000.00 | | | |
| L | LIBRARY | 10,157.88 | | | |
| SWA | E MASSENA CONSOLIDATED WATER DISTRICT | 8,520.71 | | | |
| | | TOTAL | \$236,470.04 | | |
| WARRANT #1A CHECK #S 47955-48019 | | | | \$179,079.36 | |
| MANUAL CHECKS | | | | 57,390.68 | |
| | | TOTAL | \$236,470.04 | | |
| <u>WARRANT #1B</u> | | | | | |
| <u>2021 INVOICES</u> | | | | | |
| FUND | DESCRIPTION | AMOUNT | | | |
| A | GENERAL | \$169,849.82 | | | |
| B | GENERAL OUTSIDE | 57,823.60 | | | |
| DA | HIGHWAY | 135,126.16 | | | |
| DB | HIGHWAY OUTSIDE | 350.00 | | | |
| L | LIBRARY | 15,449.46 | | | |
| SF | FIRE PROTECTION DISTRICT | 98,950.00 | | | |
| SSM | SOUTH MAIN STREET SEWER | 82.98 | | | |
| SWA | E MASSENA CONSOLIDATED WATER DISTRICT | 8,776.12 | | | |
| | | TOTAL | \$486,408.14 | | |
| WARRANT #1B CHECK #S 48020-48065 | | | | \$410,637.44 | |
| MANUAL CHECKS | | | | 75,770.70 | |
| | | TOTAL | \$486,408.14 | | |
| Motion by | Councilman Carbone | Vote: | | | |
| Second by: | Councilman Nicola | Aye | Nay | Abstain | Absent |
| | Steve O'Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

Committee Reports:Report Submitted by Frank Diagostino:

Highway Department

Unit #45 replaced left side steering box.

Unit #45 towed to 5TH wheel in Malone on 1/18/21 transmission problems.

Unit #50 replaced right front spring, bank of 4 air solenoid valves and transmission cooler.

Brought backhoe to Nortrax in Gouverneur having trouble with hydraulics (drifting).

Unit# 51 Stadium International service Tech. replaced failed EGR valve.

Unit #52 replaced right rear and left front rear brake chambers.

As of January 20,2021, plowed 7 times, worked 112 hrs. of overtime. January 20,2020, plowed 16 times, worked 232 hrs. of overtime.

Total overtime worked in January 2020 353 hrs.

Salt purchase January 20, 2020 2713 Tons.

Salt purchase January 21, 2021 1624 Tons.

Diff. 1089 Tons.

Massena Airport

Boutique Air numbers for December 2020 Enplaned 157, Deplaned 126, Total 283, landings 87 (November 2020 270, landings 88). Cancelled for weather 7, Cancelled other 7, Total cancelled flights 14 for December 2020.

Working with MED to replace obstruction light on telephone poles located on N.Raquette River Road. Have received the three new fixtures the week of January 11, 2020.

Airport Plow Truck #52 replaced blown back flow regulator valve on air tanks.

Massena Library

Massena Museum

Both closed

Massena Town Hall

Massena Town Hall open no issues.

Massena Rescue Squad

Open no issues.

Report Submitted by Susan Bellor

Rescue Squad:

The board met via zoom on Wednesday January 13th . Newly appointed board member is Debra Willer, retired Director of Respiratory Therapy of Massena Hospital. Bills have been submitted to town with December bills totaling \$ 52,984.93. Members accumulated 2116.8 hours of service. Calls were reported for advanced life and basic life support with or without transport totaling 189, and 1656 for the year, with transported calls are up by 24 compared to 2019. Calls to other hospitals showed 4.4% going to Canton-Potsdam Hospital. Discussion ensued about long distance transports for rescue squad members or board members but not for community members. Bob Elsner asked again to see a breakdown of the transported calls and related resource recovery payments in billing. Discussion ensued again about the procurement policy and the questionable use of credit cards (for example: in question this month is the order of merchandise from Canada and the use of the credit card without prior authorization by the board) and additionally the predicament when there are no receipts prompting the need for a credit card policy. The auditors in 2017 had indicated a need for an active administrator in the office, along with other issues with advice from the auditors. President Roger will find the final audit report to share. Additionally discussed, was the timing of the required physicals by members; whether annually or every 2 years per policy. Also discussed is proper usage of initialing of monthly bills by two members of the board. Next in the discussion was the Memorandum of

Understanding which needs review and updating, the tracking of vehicles by age and their repairs, and the procurement of new clothing to follow proper budget line item as approved in annual budget. Officers elected were: President Roger Bennett, vice president Greg Fregoe and Secretary Ralph Bathelt. The next meeting is Wednesday February 10th, 6pm.

Library:

The library board met on January 12th by ZOOM. Monthly business agenda items were completed as usual. There is still some question as to the budget expenditure line for Brasher branch library. Trustee terms were reviewed and Jack Bain was reappointed through 2025 by the town board; and review of other library board member terms as follows: Joe Savoca 2021, Linda McDonald 2022, Patty Ryan 2023, Jeanna Matthews 2024. Officers were elected: President Joe Savoca, Vice president Jack Bain, Secretary Patty Ryan, Treasurer Linda McDonald. They discussed their strategic planning process, in following library standards, mission statement and vision statement. The library has begun with surveys available to community online and in hard copy, along with plans to develop focus groups to assist in goals and assessments. The library will remain in their current phase of curbside delivery due to Covid. The next scheduled meeting is February 9th.

Chamber of Commerce:

Board of Directors continues to be active. The Chamber scheduled two fundraising events to raise money for their annual Chamber Scholarship; first an Online Bingo on January 15 with 20 prizes donated by several local businesses and organizations, and second, a Drive Through Rigatoni Dinner on Sunday January 24 at the Italian American Club with Toby Violi cooking. Pre-orders only are taken by calling 315-514-1753 either on Saturday 10-2 or Sunday 10am until all dinners sold out and can be picked up only between 4-6pm on Sunday. The chamber thanks the Italian American Club for their use of the facility. The Chamber will meet Thursday January 21st noon via zoom.

BDC

The Business Development Council: they will meet via zoom Thursday Jan. 21 at 5pm for their annual organizational meeting. Appointed by the town board tonight to the BDC is Sheri Thompson.

Report Submitted by Al Nicola

The Arena needs a new Zamboni the cost of which is \$150,000.00 for an electric Zamboni. The cost could be shared with the Village and the Town and with possible grant funding.

Old Business

New Business

- Supervisor stated that he would like to put out for bid to update the Management Employee Handbook that has not been updated since 2001. He is asking that the process be done ASAP.

| Resolution 39 - 2021 | | | | | |
|--|---------------------|-------|-----|---------|--------|
| Appointing Sherry Thompson to the Business Development Corporation Board to fill the unexpired term of Ron Bacon; said term to expire 12/31/2022. | | | | | |
| Motion by | Councilwoman Bellor | Vote: | | | |
| Second by: | Councilman Elsner | Aye | Nay | Abstain | Absent |
| | Steve O'Shaughnessy | X | | | |
| | Albert Nicola | X | | | |
| | Susan Bellor | X | | | |
| | Samuel Carbone, Jr. | X | | | |
| | Robert Elsner | X | | | |
| Motion is Carried. | | | | | |

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|--|
| <p>Next Scheduled Meeting (January 27, 2021 at 4:00 PM – Public Hearing and Special Meeting)</p> <p>Next Regular Board Meeting (February 17, 2021 at 5:30 PM.)</p> |
| <p>Closing 15-Minute Comment Period</p> <ul style="list-style-type: none">James Murphy BDC gave updates on the Theater Project, saying that \$28,000.00 was allocated to complete the Theater Project. Steve and Bob Fiacco wrote letters of support for \$500,000.00 Grant for Downtown Development. |
| <p>Closing Remarks</p> |
| <p>Executive Session Motion by Councilman Nicola, Second by Councilman Carbone to conduct an Executive Session to discuss the employment history of a particular individual. Motion carried unanimously. The Board went into Executive Session at 6:45 PM.</p> <p>Returned to Open Session at 7:23 PM</p> |
| <p>Adjournment 7:24 PM</p> |

Respectfully Submitted,
Jeannine L. Brouse