

MINUTES

Regular Town Council Meeting, Town of Massena

Date/Time: Wednesday, June 17, 2020, 5:30 pm

Location: Massena Town Hall - via Facebook Live

ATTENDANCE:

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

ALSO PRESENT:

Pamela Catanzarite – Town Clerk, Jeannine Brouse – Deputy, Brenda Mossow – Secretary, Frank Diagostino – Hwy/Airport, Eric Gustafson – Town Attorney, Jim Murphy - BDC

The Supervisor opened the meeting with the **Pledge of Allegiance**.

The Supervisor continued the meeting with a **15-Minute Public Comment Period**. Ray Belanger called in with several questions. Called Rita Curran for tax update, Don Meissner update on fishing.

Discussions

Resolutions:

Resolution #	91 - 2020				
To Approve minutes for 6/10/20					
Motion by:	Councilman Nicola	Vote:			
Second by:	Councilwoman Bellor	Aye	Nay	Abstain	Absent
	Steve O’Shaughnessy	X			
	Albert Nicola	X			
	Robert Elsner	X			
	Samuel Carbone, Jr.	X			
	Susan Bellor	X			

Resolution #	92 - 2020				
To Authorize the Supervisor to sign a Professional Services agreement with C&S Engineers, Inc., of C&S Companies, Syracuse, New York in the amount of One Hundred and Seventy Thousand and No Cents (\$170,000.00) for the project design of a 21,000 square foot Town Highway Garage					
Motion by:	Councilman Elsner	Vote:			
Second by:	Councilman Nicola	Aye	Nay	Abstain	Absent
	Steve O’Shaughnessy	X			
	Albert Nicola	X			
	Robert Elsner	X			
	Samuel Carbone, Jr.	X			
	Susan Bellor	X			

Resolution #		93 - 2020			
Designating the Town of Massena Town Board as Lead Agency with Respect to Classifying Microenterprise Grant Program as a “Type 2 Action”					
WHEREAS, The Town of Massena has received a Microenterprise Program Grant through the New York State Office of Homes and Community Renewal ‘s Community Development Block Grant Program that will offer grant funds to new and existing businesses with 5 or fewer employees, including the owner, within the Town of Massena, and					
WHEREAS, said grant funds will allow microenterprises to provide job opportunities for low- and moderate-income persons and broaden the overall tax base of the town, and					
WHEREAS, it has been determined that such Project is subject to the requirements of the State Environmental Quality Review Act, and it is therefore necessary to initiate procedures with respect thereto, and					
WHEREAS, the Massena Town Board has determined it is the agency with the most appropriate governmental powers for investigation of the impact of the proposed action and has the greatest ability for providing the most thorough environmental assessment of the Project, and					
WHEREAS, the Massena Town Board is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Project,					
Therefore be it RESOLVED, that the Massena Town Board hereby declares its intention to seek lead agency status with respect to the environmental review of the Microenterprise Grant application, and WHEREAS, the Office of Community Renewal requires that the Town, as lead agency, to designate an Environmental Review Certifying Officer, therefore be it further					
RESOLVED, that the Massena Town Board hereby designates Steve O’Shaughnessy, Town Supervisor, as the Certifying Officer, and authorizes the Board to inform OCR of such designation.					
BE IT FURTHER RESOLVED, that the Massena Town Board, based on the Environmental Assessment Form (Appendix C) annexed hereto as “Exhibit A” hereby determines and declares that the Microenterprise Grant Program will not have a significant impact on the environment, and the project is considered to be a Type II action under Section 617.5 (c)(25) of the SEQR regulations and is therefore not subject to review under the SEQR regulations.					
Motion by:	Councilman Carbone	Vote:			
Second by:	Councilwoman Bellor	Aye	Nay	Abstain	Absent
	Steve O’Shaughnessy	X			
	Albert Nicola	X			
	Robert Elsner	X			
	Samuel Carbone, Jr.	X			
	Susan Bellor	X			

Resolution # 94 - 2020

To accept the TOWN OF MASSENA NOISE ORDINANCE dated April 8th, 2020

**TOWN OF MASSENA NOISE ORDINANCE
Adopted June 17th, 2020**

Chapter 171 Noise Ordinance

§ 171-1 Declaration of policy; construction.

§ 171-2 Exemptions.

§ 171-3 Prohibited noises enumerated.

§ 171-4 Warning of violation; penalties for offenses.

§ 171-1 Declaration of policy; construction.

A. It is hereby declared to be the policy of the Town to prevent excessive, unnecessary or unusually loud noises. It is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of preserving, protecting and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the Town of Massena and its inhabitants.

B. This chapter shall be liberally construed so as to effectuate the purposes described in this section. Nothing herein shall be construed to abridge the emergency powers of any Town department or the right of such department to engage in any necessary or proper activities. Nothing herein shall abridge the powers and responsibilities of any Police Department or law enforcement agency to enforce the provisions of this chapter.

§ 171-2 Exemptions.

This chapter shall not apply to the operation or use of any organ, radio, bell, chimes or other instrument, apparatus or device by any church, synagogue or school or to emergency services.

§ 171-3 Prohibited noises enumerated.

A. The creation of any unreasonably loud, disturbing and unnecessary noise is prohibited. Said noise shall be prohibited when it is of such character, intensity and duration or of any type or volume that a reasonable person would not tolerate under the circumstances and that is detrimental to the life, health or welfare of any individual or would cause or create a risk of public inconvenience, annoyance or alarm.

B. The following acts and the causing thereof are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but the enumeration herein shall not be deemed to be exclusive:

(1) Noisy vehicles. No person shall:

(a) Use an automobile, motorcycle or other vehicle so out of repair, so loaded or in such a manner as to create loud, unnecessary grating, grinding, rattling or other noise.

(b) Operate any vehicle in such a manner as to cause unnecessary and unreasonable noise by spinning or squealing the tires or revving the motor of such vehicle.

(c) Modify or cause to be modified the muffler, exhaust system or other noise-control device of any vehicle in a manner that will increase the noise emitted by such vehicle above that emitted by the vehicle when newly manufactured, regardless of the date of manufacture. The noise-control devices of any vehicle operated in the Town shall be maintained and in good working order. No person shall operate or permit to be operated a vehicle where the muffler, exhaust system or other noise-control device has been so modified or has not been maintained.

(2) Discharge of exhaust: the discharge into the open air of the exhaust of any stationary internal-combustion engine, motor vehicle or boat engine or motor, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(3) Construction, demolition, excavation, and other uses of power equipment: the erection, including excavating, demolition, alteration, dredging, or repair of any building, land clearing, land grading, river bed or road and utility construction and the operation of other power equipment outdoors other than between 7:00 a.m. and 10:00 p.m., Monday through Friday, and between 8:00 a.m. and 10:00 p.m., Saturday and Sunday, except in case of residential and agricultural projects and in an urgent necessity in the interest of public safety, upon approval of the Code Enforcement Officer.

(4) Noise near schools and other institutions: the creation of any excessive noise on any street adjacent to any school, institution of learning, church or court, while the same is in session, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions, provided that conspicuous signs are displayed in such streets indicating that the same is a school, hospital, church or court street.

(5) Refuse collecting equipment. No person shall operate refuse collecting equipment between the hours of 10:00 p.m. and 7:00 a.m.

(6) Sound reproduction. No person shall operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound so as to produce unreasonable or unnecessary noise at any time, except for activities open to the public or for the public benefit and for which permission has been granted by the Town.

(7) Animals. No person shall keep, permit or maintain any animal under his or her control that causes unreasonable and prolonged noise by continued barking, howling or other animal noises, excluding farm animals maintained using sound agricultural practices.

(8) Shouting. No person shall shout, yell, call, whistle or sing on public streets or in public places in such a manner and for a period of time as to be unreasonable under the circumstances.

(9) Noise in the conduct of any business: the creation of unreasonable or unnecessary noise in the operation, conduct and/or maintenance of any business, factory, plant yard or manufacturing establishment (except as otherwise provided in this chapter), including but not limited to excavating, blasting, grinding, breaking, crushing or processing of any substance (where permitted).

(10) The operation of restaurants, taverns, bars and discos.
 (a) No restaurant, tavern, bar, nightclub, disco or other similar use, whether public or private, shall be conducted so that unreasonable or unnecessary music or other noise is caused by and/or emanates from said use.
 (b) Any owner, operator or proprietor of such a business use or the owner, licensee or person in control of any private premises shall so limit the level of noise emanating from the premises.
 (c) Further, it shall be the duty of any such person to disperse any assembly of persons loitering, drinking alcoholic beverages or otherwise engaging in lewd or disorderly conduct adjacent to or near the premises or to immediately notify the police of such conduct.

(11) Private residences. No noise from parties, entertainment, music or social gatherings of any kind, whether public or private, shall be such that noise caused by and/or emanating from said use can be heard between the hours of 11:00 p.m. and 7:00 a.m. the following day inside any residence, regardless of whether the windows of such residence are open, or at any other time if said noise is unnecessary or unreasonable under the circumstances.

(12) To operate, or to permit the continued operation of malfunctioning air-handling equipment, including but not limited to fans, compressors and heat pumps.

§ 171-4 Warning of violation; penalties for offenses.

A. In those cases of unreasonable noise, other than violations of § 171-3B(1), (2), (3) and (5), the person or persons responsible shall be advised of any conduct prohibited herein by the police or any Town officer authorized to enforce the provisions of this chapter. After such warning, if any party shall continue or repeat said conduct or similar conduct, the party shall be in violation of this chapter and which violation shall be punishable as provided herein.

B. It shall be sufficient if said warning is oral and/or in person or over the telephone.

C. No such warning shall be required in any case of a violation of § 171-3B(1), (2), (3), and (5).

D. Violations of the provisions of the Town of Massena Noise Ordinance shall be punishable by a fine not to exceed \$100.00 dollars for each offense.

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

Resolution #	95 - 2020				
To accept the Transfers and Amendments					
Motion by:	Councilwoman Bellor	Vote:			
Second by:	Councilman Nicola	Aye	Nay	Abstain	Absent
	Steve O'Shaughnessy	X			
	Albert Nicola	X			
	Robert Elsner	X			
	Samuel Carbone, Jr.	X			
	Susan Bellor	X			

**TOWN OF MASSENA
TOWN BOARD MEETING
June 17, 2020**

BUDGET & CASH TRANSFERS AND AMENDMENTS

CASH TRANSFER:

TRANSFER \$11,078.62 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**

This transfer will cover the employer and employee share of the St. Lawrence County Chamber of Commerce – Health Plan for the hospital retirees for July 2020.

TRANSFER \$1,500.00 from NBT Bank A/C#**8489 Town of Massena General Fund to NBT A/C#****1149 Pre-Medicare retiree Jeffrey Kearns.**

This transfer will allow for a portion of the Town’s share of insurance deductibles deposited as needed.

TRANSFER \$1,000.00 from NBT Bank A/C#**8489 Town of Massena General Fund to NBT A/C#****9869 Pre-Medicare retiree Brian Chase.**

TRANSFER \$1,000.00 from NBT Bank A/C#**8489 Town of Massena General Fund to NBT A/C#****7266 Pre-Medicare retiree Georgette Davis.**

REQUEST PERMISSION TO:

OPEN A NEW CHECKING ACCOUNT AT NBT BANK A/C#7891 Town of Massena – Dale Peets Jr.

This will create a new insurance debit card account for Dale Peets Jr. effective 6/17/2020.

OPEN A NEW CHECKING ACCOUNT AT COMMUNITY BANK A/C#**1554 for the Fuel Truck State grant at the Massena Airport.**

This will create a new account for the funds to be deposited for the State grant only.

BUDGET TRANSFERS:

TRANSFER \$12,856.30 from Airport Contractual A/C# A.5610.400 to the following:

Airport Contractual. Communications & Utilities A/C# A.5610.400.0401	\$2,505.27
Airport Contractual. Supplies & Materials A/C# A.5610.400.0402	\$924.25
Airport Contractual. Contractual Services A/C# A.5610.400.0403	\$319.17
Airport Contractual. Repairs & Maintenance A/C# A.5610.400.0407	\$8,682.68
Airport Contractual Fuel – Jet A A/C# A.5610.400.0408	\$253.22
Airport Contractual Sale Tax A/C# A5610.400.0410	\$171.71

This transfer will cover the over-run in these general ledger's accounts.

**TRANSFER \$2,284.20 from General Repairs Contractual A/C# DB.5110.400 to
General Repairs Annual Spring Cleanup A/C# DB.5110.410**

This transfer will cover the over-run in this general ledger account.

**TRANSFER \$859.71 from Library Personal Service A/C# L.7410.100 to Brasher Library Personal
Service A/C#L.7410.100.7411**

This transfer will cover the over-run in this general ledger account.

**TRANSFER \$2,461.09 from Library Maintenance A/C# L.7410.420 to Library Maintenance Massena
Library A/C# L.7410.420.7410**

This transfer will cover the over-run in this general ledger account.

**TRANSFER \$65.00 from Library Supplies A/C# L.7410.440 to Library Supplies Massena Library A/C#
L.7410.440.7410**

This transfer will cover the over-run in this general ledger account.

**TRANSFER \$410.83 Library Brasher Branch Expenditures A/C# L.7410.460 to Brasher Library
Expenditures A/C# L.7410.460.7411**

This transfer will cover the over-run in this general ledger account.

CREATE A DUE TO/DUE FROM

REQUEST PERMISSION to create Due to/Due from entries as follows:

From the General A Fund \$1,100 to HGA Fund-GA Apron Rehabilitation (Design)

To cover the cost of an invoice due to be paid back when State Funds are received.

Resolution # 96 - 2020				
To approve Warrant # 6				
Motion by:	Councilman Nicola	Vote:		
Second by:	Councilwoman Bellor	Aye	Nay	Abstain
	Steve O'Shaughnessy	X		
	Albert Nicola	X		
	Robert Elsner	X		
	Samuel Carbone, Jr.	X		
	Susan Bellor	X		

**TOWN OF MASSENA
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WARRANT #6

FUND	DESCRIPTION	AMOUNT
A	GENERAL	\$ 165,144.57
B	GENERAL OUTSIDE	27,118.35
DA	HIGHWAY	24,461.04
DB	HIGHWAY OUTSIDE	27,061.76
HGA	GA APRON REHAB (DESIGN)	3,000.00
HTA	TERMINAL APRON REHAB DESIGN	7,005.21
L	LIBRARY	14,143.11
SSM	SOUTH MAIN STREET SEWER	62.43
SWA	E MASSENA CONSOLIDATED WATER DISTRICT	24.29
	TOTAL	\$ 268,020.76

WARRANT #6 CHECK #'S 47119 - 47195 **\$ 153,051.21**

MANUAL CHECKS **114,969.55**

TOTAL **\$ 268,020.76**

Massena Town Board meeting June 17, 2020.

Highway Department

Mowing roadsides started June 2, 2020. (1st time 2 wks.)

Mowed cemetery's, bridges, rescue squad etc. (5th time 2.5 days)

Grader patched Pontoon Bridge Road and N. Racquette River Road.

Trim brush and trees back on Pontoon Bridge road, Old River road, and Dennison road.

Installed new driveway culvert pipe on Old River Road.

Spring Cleanup

Town of Massena Spring Cleanup, May 1 through May 30, 2020

	2020 Totals	2019 Totals
Number of loads	195	171
Weight LBS	110,480	72,940 lbs.
Tons	55.23	36.47 tons
Cost	\$6,627.60	\$4,155.88

Massena Airport

Boutique Air numbers for May 2020, enplaned 41, Deplaned 57, Total 98, Cancelled for weather 7, Cancelled other 5, Total cancelled flights 12.

April 2020 landings for Boutique Air at the Massena Airport 89.

Training and calibration were completed on May 21, 2020 on the new Jet-A fuel truck. Truck is now in services.

Working with the FAA online on yearly certification inspection for 2020.

Massena Library Closed.

Installed 11 sneeze guards at the Massena Library.

Massena Museum Closed.

Having issue with security system and surveillance cameras.

Massena Town Hall

Closed, Town Hall personnel only.

Notes / Information

NCC Cameras

Massena Airport Windows 7

Massena Town Hall & Massena Museum Having problems with cameras and security system

Town asked C&S to be engineering firm for new Town of Massena Highway garage.

Need to approve Consultant Agreement with C&S.

Frank Diagostino

Sue's Committee Reports June 2020**1. Rescue Squad:**

The board met via zoom on Sunday June 14th. Bills have been submitted to Town totaling \$ Members accumulated 1584 hours of donated service at value of \$38, 174.40. Calls were reported for advanced life and basic life support with or without transport totaling 161, and 655 for the year, with transported calls down by 60 compared to 2019. Calls to other hospitals showed 11.5% to CP Hospital. Vehicle repair cost is up to \$26,223 and the squad needs to look at replacing at least one ambulance, has applied for 501c-3 status with the hope of application for grants. The CARES ACT deposited \$21,983.83 into the town bank account awaiting to be sent to Massena Volunteer Emergency Unit, earmarked and based on call volume. The many volunteers of the squad are postponing their annual picnic due to the covid to later this summer or fall. In the meantime, it would be nice to at least see some banners around town celebrating the 60th anniversary of Massena Rescue Squad and showing support of all these lifesaving volunteers. The next meeting is July 6th.

2. Library:

The library board met on June 11th by ZOOM. Monthly business agenda items were completed as usual; with information on dealing with the coronavirus -19; with plans for reopening at 50% and hours cut in half, expecting to be back at full hours in phase 4 with 35 hours as directed by NYS under the Dept. of Education. Limited services continue at curbside in phase 2 and without interlibrary loans. They are following guides for installation of plexiglass at the main desk and work area with proper distancing, masks, and cleansers. The board is awaiting results of the Library District Initiative.; they may have a special board meeting dependent on those results. The next scheduled meeting is July 14th.

3. The Chamber of Commerce:

The chamber does not have the means to bring back employees. Both the exec. director and office manager will remain on lay-off for the foreseeable future. The chamber is considering the county chamber consolidation plan as the best viable option for their future. They are working on a communication strategy to members and will have them vote on the path forward. They do not see how they can operate the lock store this summer. The last two years they have asked for volunteers to cut the cost of staffing, but there was no consistency in getting anyone. Additionally, concerts in the park are cancelled this summer. Their next meeting is tomorrow via zoom.

4. Fishing Tournament:

Bob and I met with Don Meissner and Linda McQuinn about the summer tournaments. The Toyota FLW is planned for July 9-11th at the Intake; discussions ensued about parking, staff security and other details as to be followed by phase 4 re-opening guidelines for safe operating procedures.

	Next Town Board Meeting July 15, 2020 @ 5:30pm
	15- Minute Public Comment Period (Closing Comments)

Motion to go into executive session at 6:45 for discussions regarding proposed, pending or current litigation. No action expected.					
Motion by:	Councilman Carbone	Vote:			
Second by:	Councilman Nicola	Aye	Nay	Abstain	Absent
	Steve O’Shaughnessy	X			
	Albert Nicola	X			
	Robert Elsner	X			
	Samuel Carbone, Jr.	X			
	Susan Bellor	X			

Motion to go back in regular session at 7:40pm					
Motion by:	Councilwoman Bellor	Vote:			
Second by:	Councilman Elsner	Aye	Nay	Abstain	Absent
	Steve O’Shaughnessy	X			
	Albert Nicola	X			
	Robert Elsner	X			
	Samuel Carbone, Jr.	X			
	Susan Bellor	X			

Motion to adjourn at 7:41					
Motion by:	Councilman Carbone	Vote:			
Second by:	Councilman Nicola	Aye	Nay	Abstain	Absent
	Steve O’Shaughnessy	X			
	Albert Nicola	X			
	Robert Elsner	X			
	Samuel Carbone, Jr.	X			
	Susan Bellor	X			

Respectfully Submitted,

Pamela A. Catanzarite
 Town Clerk