

PUBLIC HEARING PROPOSED LOCAL LAW TRASH

PUBLIC HEARING PROPOSED LOCAL LAW BEST VALUE

REGULAR MEETING

JULY 15, 2013

At the Public Hearings held on Monday, July 15, 2013 at the Hopkinton Town Hall at 6:30 p.m.

PRESENT: Supervisor Wood, Councilpersons Lyon, Sochia, Crump, Potter.

OTHERS PRESENT: James Hollenbeck Deputy Hwy Supt., Clerk French, Richard Schrader, Brenda Nicholson, Ernest Wood, Benny Fairchild Courier-ObsERVER, Victor Barboas Courier-ObsERVER, Ronald Streeter, Loren Shattuck, Etta Phelix, Kenneth Phelix, Gerald Goldsworth, Charles Cogan, Shirley Cogan, Terry Zahler, Shawn Streeter arrived at 7:30, Duane French arrived at 7:30.

Supervisor Wood called the Public Hearing to order on Proposed Local Law Regulation of Rubbish, Trash, Debris and Garbage and Proposed Local Law Authorizing the Award of Purchase Contracts on the Basis of Best Value at 6:30 p.m.

Terry Zahler, Gerald Goldsworth spoke against the Rubbish Law.

Etta Phelix, Kenneth Phelix was in favor of the Rubbish Law.

Georgia Macy submitted a letter in favor of the Rubbish Law.

Councilman Sochia stated that he was against the law and if it passes it should only be in the village limits.

Vickie French asked why those that do not live in the village shouldn't have the same rights as those within the village.

Supv. Wood commented that this would help to keep the town clean and would help the Code Officer with his job.

No Persons spoke in favor or against the Proposed Local Law on Award of Purchase Contracts based on Best Value.

Ms. Lyon made a motion, seconded by Mr. Sochia that all persons desiring to be heard for or against have been heard and therefore the hearing on the Proposed Local Law Regulating Rubbish, Trash, Debris and Garbage and the Proposed Local Law Authorizing the Award of Purchase Contracts on the Basis of Best Value be terminated at 6:40 p.m. Adopted unanimously.

Supervisor Wood called the Regular Meeting to order at 6:40 on p.m.

Supv. Wood made a motion, seconded by Ms Lyon to go into Executive Session to discuss Collective Bargaining Negotiations per Article 14 of Civil Service Law at 6:40 p.m.

Supv. Wood resumed the Regular Meeting at 7:07 p.m.

Mr. Sochia made a motion, seconded by Ms. Lyon to approve minutes of June 17, 2013 as presented. Adopted unanimously.

Supv. Wood reported to the Board that the Monthly Financial Reports were not available this month.

Voucher Nos. 188 to 214 General Fund Abstract 7 in the amount of \$5,605.01 were audited and approved by the Board.

Voucher Nos. 123 to 145 Highway Fund Abstract 7 in the amount of \$42,679.59 were audited and approved by the Board.

Voucher No. 15 to 19 BHLS Health Center Fund Abstract 7 in the amount of \$910.02 were audited and approved by the Board.

Ms. Lyon made a motion, seconded by Ms Potter to pay the bills. Adopted unanimously.

PRIVILEGE OF THE FLOOR:

Charles Cogan asked why his property taxes doubled. Supv. Wood referred him to the Budget Officer. Vickie French, Budget Officer, told him there could be many reasons why his taxes increased and if he would like to

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come into to Town Office they could research this.

CORRESPONDENCE:

City of Ogdensburg: regarding a resolution of support for the St. Lawrence Psychiatric Center.

SLC Board of Health: update on the spread of rabies in the county.

NYS Department of Environmental Conservation: regarding Proposed SLC Multi-Use Recreational Trail System SEQR Generic Environmental Impact Statement.

Adirondack Park Invasive Plant Program: Japanese Knotweed Management Summit being held on August 5.

Health & safety Services: Contract Award and increase in drug and alcohol test fees. Mountain Medical Services was awarded the contract for two years with the option to renew the contract for an additional two years. Alcohol Drug test will increase from \$35.50 to \$37.80 and a substance test will increase from \$68.90 to \$74.90. The administration fee also increased by \$4.00 per year per facility. These fees will go into effect on July 1, 2013.

Hopkinton Summer Fest: inviting the Town Board to participate in the parade.

NYS Appropriations for Municipal Building: regarding that the \$60,000.00 in state funds was approved for the project. Supv. Wood signed the application and returned.

OLD BUSINESS:

Water Test Town Hall: Board approved testing the water for calcium and lime. Results are not back as of yet.

Truck Purchase: Mr. Hollenbeck reported that he will have some prices for the next meeting.

Credit Card Policy: Clerk French presented the Board with two sample copies. Supv. Wood will review and have one to present to the Board in August.

Town Hall Steps: Ms Lyon will check with Rick Burnett on the repairs.

Proposed Local Law Regulating Rubbish, Trash, Debris & Garbage: Mr. Sochia made a motion, seconded by Mr. Crump not to pass the Proposed Local Law Regulating Rubbish, Trash, Debris & Garbage.

VOTE: Supv. Wood Nay, Councilpersons Sochia Aye, Potter Aye, Crump Aye, Sochia Aye.

Proposed Local Law Authorizing the Award of Purchase Contracts on the Basis of Best Value: Ms Potter made a motion, seconded by Ms Lyon to pass Local Law No 1 of 2013 as presented entitled "Authorizing the Award of Purchase Contracts on the Basis of Best Value:

BE IT ENACTED by the Town of Hopkinton of the County of St. Lawrence as follows:

SECTION 1. Preamble.

- A. Section 103 of the General Municipal Law requires competitive bidding for purchase contracts and public works contracts and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project.
- B. Section 103 was recently amended to provide that by enacting a Local Law so providing, counties and other municipalities may award purchase contracts which would otherwise be subject to the "lowest bidder" rule on the basis of best value, as defined in Section 163 of the State Finance Law, to a responsive and responsible bidder or offeror.
- C. The town of Hopkinton hereby determines that it is in the best interest of the Town and its residents for the Town Board to have the authority to award purchase contracts on the basis of best value.

SECTION 2. Authorization.

- A. On and after the effective date hereof, the Town of Hopkinton may award purchase contracts, including contracts for service work, but excluding any purchase contract necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law, on the basis of best value, as defined in Section 163 of the State Finance Law, to a responsive and responsible bidder or offeror.
- B. The election to award any such contract on the basis of best value shall be made by the Town Board which authorizes the solicitation for bids therefore.
- C. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing the required security.

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SECTION 3. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this local or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 4. Effective Date.

This local law shall become effective immediately upon the filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Vote: Supv. Wood Aye, Councilpersons Lyon Aye, Potter Aye, Sochia Aye, Crump Aye.

COMMITTEE REPORTS:

Supervisors Report: Supv. Wood reported that she has continued to look for grants for the new municipal building. She also met with one of the engineers that will be submitting an RFP.

Code: Mr. Fukes presented a written report.

Assessor: Mr. Fukes presented a written report.

Museum: Historical Group will be holding a breakfast on Sunday, July 21 during Summer Fest.

Library: Mrs. Nicholson reported that she currently has 55 children signed up for the Summer Reading Program.

Highway & Safety: Mr. Hollenbeck presented a written report. Will be putting in culverts for the SLC Trail System.

Fire and Rescue: Mr. Crump stated he would prepare a report for next month's meeting. The boat they have been working on for fire protection at Lake Ozonia is almost ready.

Town Facilities: Mr. Crump reported that he had contacted Ed Carr in regards to the lights in the Hopkinton Park and has not heard back from him, wiring may need replacing.

Food Pantry: Mr. Schrader reported numbers are up. BJ'S Wholesale has been a great supplier. They will be collecting bedding for the fall food pantry.

Groundskeeper: Mr. Wood reported that he will get the entrance sign moved to the new entrance. He asked Mr. Hollenbeck to look at the deck of the bridge a board needs to be replaced. He needs some garbage cans for the Ft. Jackson Park. Need to look into replacing some of the hibachis.

NEW BUSINESS:

Local Law Override the Tax Levy: Supv. Wood presented the Board with a copy of a Proposed Local Law to Override the Tax Levy Limit established in General Municipal Law 3-c.

Mr. Sochia made a motion, seconded by Ms Lyon to hold a Public Hearing on August 19, 2013 at 6:30 p.m. on the Proposed Local Law to Override the Tax Levy. Adopted unanimously.

Request For Proposals: The following RFP's were received and opened for the proposed new Municipal Bldg: Tisdell Associates, Beardsley Design Associates, Brooks Washburn Architect, PC, Gymo Architecture, Engineering & Land Surveying, P.C., Thomas AH Pahler, PE.

Supv. Wood asked the Board to make time between now and the August meeting to come into the office and review the RFP's so a decision could be made at the August meeting. Ms. Potter also volunteered to help with the process of selecting and engineer.

Appointment of Highway Superintendent: Supv Wood reported to the Board that Ronald Streeter, Highway Supt., had submitted his resignation effective June 29, 2013. She asked the board if they wished to appoint someone to the position or leave it vacant until the General Election. After discussion Ms Lyon made a motion, seconded by Ms Potter to appoint James Hollenbeck to the position to Highway Superintendent until the

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Certification of Ballots in the General Election to be held on November 5, 2013. He will receive additional pay at half the current salary for Highway Superintendent. The union will also have to approve the appointment and sign a letter of agreement. Adopted unanimously.

Fuel Tank Sale: Mr. Hollenbeck reported to the Board that there is a 300 gallon fuel tank on skids at the Highway Garage that needs to be advertised for sale. Ms. Lyon made a motion, seconded by Ms Potter to advertise for sale the 300 gallon fuel tank on skids with gauge, filler cap and vent with a minimum bid of \$250.00. Bids will be opened and read aloud at the August meeting. Adopted unanimously.

Resolution in support of St Lawrence Psychiatric Center: Ms Potter introduced the following resolution with a second by Mr. Sochia:

WHEREAS, the New York State Office of Mental Health is proposing a reduction in the number of inpatient hospital beds, and

WHEREAS, the plan would include designating certain hospitals for closure, and

WHEREAS, the St. Lawrence Psychiatric Center, located in Ogdensburg, New York, already provides a comprehensive range of residential programs including Children/Youth Services, Adult Services, and a Sex Offender Treatment Program, in line with the Office of Mental Health's plan to provide Centers of Excellence and

WHEREAS, the St. Lawrence Psychiatric Center has a distinguished history of providing services to those in need from the North Country and throughout New York State for over 100 years, and

WHEREAS, St. Lawrence County has a long history of assisting New York State by welcoming and caring from those being treated at the St. Lawrence Psychiatric Center, and

WHEREAS, the St. Lawrence Psychiatric Center is the only such facility in this part of the state, and

WHEREAS, the St. Lawrence Psychiatric Center provides high quality care for residents of this region for whom travel and access to other facilities outside of this region would be a hardship, and

WHEREAS, the St. Lawrence Psychiatric Center employees approximately 500 people,

WHEREAS, these employees reside in the North Country, make purchases here, and support our local business, thereby contributing to the local economy and making our region a better place to live and raise a family, and

WHEREAS, in the past few years the General Motors plant in Massena, New York closed, putting over 500 people out of work; the Newton Falls Fine Paper Mill closed, leaving 100 people without jobs; the zinc and talc mines in the Gouverneur area have greatly reduced their operations, costing over 200 job losses; and numerous cutbacks and layoffs at local hospitals and schools have further strained the North Country economy, placing an unprecedented demand on human, health, and social services in our region, and

WHEREAS, the loss of jobs and payroll at the St. Lawrence Psychiatric Center would create an economic climate that will contribute even further to the need for the services that would be taken out of this area by the Center's closure or reduction of services, and

WHEREAS, the current condition of the over 500,000 square feet of vacant and deteriorating buildings that were formerly used by the St. Lawrence Psychiatric Center is a clear indication that there is no market or reasonable expectation for the adaptive reuse of any additional buildings currently being used by the St. Lawrence Psychiatric Center should they be closed, and

NOW, THEREFORE, BE IT RESOLVED that the Town of Hopkinton urges our regional elected to oppose any plan that would involve the closure or reduction in services of the St. Lawrence Psychiatric Center, and

BE IT FURTHER RESOLVED that the Town of Hopkinton urges the New York State Office of Mental Health to designate the St. Lawrence Psychiatric Center as a "Center for Regional Excellence" should the Office of

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Mental Health and State Officials implement the closure or reduction in services, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to New York Governor Andrew Cuomo, United States Congressman Owens, New York Senators Little, Griffo, Skelos, and Ritchie, New York Assembly Members Duprey, Russell, Butler, Silver, and Blankenbush and the New York State Office of Mental Health Acting Commissioner Kristin Woodlock.

VOTE: Supv. Wood Aye, Councilpersons Lyon Aye, Sochia Aye, Potter Aye, Crump Aye.

Appreciation Plaque: On behalf of the Town Supv. Wood presented Mr. Streeter with a plaque of appreciation and gift card for his many years of service to the Town of Hopkinton as an elected official.

Ms Lyon made a motion, seconded by Mr. Sochia to adjourn the meeting.

Meeting was adjourned at 7:50 p.m.

Respectfully Submitted

Vickie French

RMC