

REGULAR MEETING

JUNE 17, 2013

At the Regular Meeting held on Monday, June 17, 2013 at the Hopkinton Town Hall at 6:30 p.m.

PRESENT: Supervisor Wood, Councilpersons Lyon, Sochia, Jock.

OTHERS PRESENT: Ronald Streeter Hwy Supt., Clerk French, Assessor & Code Officer Alan Fukes, Richard Schrader, Brenda Nicholson, Frank Barney, Ernest Wood, Benny Fairchild Courier-Observer, Greg Crump.

Supervisor Wood called the Regular Meeting to order at 6:30 on p.m.

ABSENT: Councilperson Potter.

Mr. Jock made a motion, seconded by Mr. Sochia to approve minutes of May 20, 2013 as presented. Adopted unanimously.

Ms. Lyon made a motion, seconded by Mr. Jock to accept Supervisors Financial Report for May 2013 as presented. Adopted unanimously.

Voucher Nos. 160 to 187 General Fund Abstract 6 in the amount of \$23,858.83 were audited and approved by the Board.

Voucher Nos. 103 to 122 Highway Fund Abstract 6 in the amount of \$118,357.89 were audited and approved by the Board.

Voucher No. 12 to 14 BHLS Health Center Fund Abstract 6 in the amount of \$1,659.70 were audited and approved by the Board.

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

CORRESPONDENCE:

Town of Parishville: submitted a copy of the adopted Land Use and Development Code to be put on file.

ADK Action: regarding effort to preserve the monarch butterfly migration. Requesting that roadside mowing be curtailed from the end of June until mid-September.

Association of Towns: regarding training for Planning Members.

Congressman Bill Owens: regarding the use of Natural Gas.

Time Warner Cable: regarding the changes to service forthcoming.

SLC Treasurer: regarding Mortgage Tax. The town received \$3,580.33 in the first check for 2013.

Leberge Group: Round III of the Consolidated Funding Application will open on June 17, 2013. Supv. Wood will check into this and see if there are funds available for Ft. Jackson Park and the proposed Town Office.

OLD BUSINESS:

Water Test Town Hall: Board approved testing the water for calcium and lime.

Truck Purchase: Mr. Streeter told the Board that there is still not State Contract it should be ready by next meeting.

Town Hall Keys: Supv. Wood reported that she has not had any reports of there being problems with the door being left unlocked; therefore she recommends we wait on changing the lock.

Proposed Local Law on Garbage: Supv. Wood asked the Board if they had any additions or amendments to the proposed Local Law on regulating Trash, Debris and garbage they were presented with last month. The Board accepted the proposed law as written and Mr. Jock made a motion, seconded by Mr. Sochia to hold a Public Hearing on Proposed Local Law No. 1 of 2013 to regulate rubbish, trash, debris and garbage at 6:30 p.m. on July 15, 2013. Adopted unanimously.

Port-a-potties: Ms Lyon reported she had contacted Brockway Sanitation and they will put one unit at the park and clean it once per week for \$190.00/month.

Mr. Jock made a motion, seconded by Mr. Sochia to approve Brockway Sanitation installing one port-a-pottie unit at the Ft. Jackson Park in the amount of \$190.00 per month. Adopted unanimously.

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Credit Card Policy: Tabled.

COMMITTEE REPORTS:

Supervisors Report: Supv. Wood reported that she has three questionnaires that have to be filled out by three highway employees and three Board members to continue with the application with the USDA. Request for Proposals for new Town Office/Court has been advertised. Submittal date is July 12.

She established the new account for depositing moneys for the Town Office/Court.

Negotiations are continuing.

She will be attending a grant funding workshop.

Code: Mr. Fukes presented a written report. He contacted the owner of the garage on Converse Rd he was not aware the garage was partially taken down. He was not aware the garage was being taken down will check into and get back to Code Officer.

Assessor: Mr. Fukes presented a written report. Grievance Day was held. Attended NY State Ethics class.

Museum: Local History night was held at the Town Hall. Good attendance.

Library: Mrs. Nicholson reported Summer Reading Program will start July 1.

Highway & Safety: Mr. Streeter presented a written report. He also informed the Board that we need to have a written "Violence in the Workplace" policy. Also, he asked the board to write a letter of support to keep the Cornell Local Road Program going. Three employees attended the MSHA class.

Fire and Rescue: Mr. Streeter reported they are still working on truck replacement. Accepted two new members. Planning for chicken barbeque for Summer Fest.

Town Facilities: Mr. Jock reported he talked with Mr. Burnett about repairing the steps at the Town Hall and they are beyond repair. He suggested framing them with pressure treated lumber. Mr. Jock will also frame and insulate the side entrance of the Town Hall.

Ms. Lyon reported that she contacted Coakley Hardware in regards to the floor and they will not be able to do it until September.

Supv. Wood reported that she had a complaint that the kitchen in the town hall was not clean and there were no dish clothes or towels to use. Dish towels and cloths are not available due to the fact it is against the Department of Health Regulations.

Food Pantry: Mr. Schrader reported the numbers were up this month.

BHLS: Mr. Sochia reported they repaired the ramp. The maintenance man requested a raise from \$350.00 per month to \$425.00 per month. The Health Center Board approved the raise. Town Board had concerns that they did this midyear instead of at budget time. The dentist wants a sign put on the front of the building and the furnace is in need of repair.

Groundskeeper: Mr. Wood reported that he has mowed the Catherinesville Cemetery. The fence has weathered he will put some preservative on it. He is also going to move the Ft. Jackson Park entrance sign to the new entrance. The bathrooms at Ft. Jackson Park have been cleaned. They are in need of painting. Lights in Hopkinton Park still are not working. Mr. Jock will talk with Ed Carr to see if he will give us a recommendation on the problem with them.

NEW BUSINESS:

Proposed Local Law # 2 Authorizing the Award of Purchase Contracts on the Basis of Best Value: Supv. Wood presented all Board Members with a copy of the proposed Law. Mr. Jock made a motion, seconded by Ms Lyon to hold a Public Hearing on the Proposed Law immediately following the Public Hearing on the Proposed Local Law #1 on July 15, 2013. Adopted unanimously.

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Safe Act: Mr. Jock introduced the following Resolution, seconded by Ms Lyon:

WHEREAS, the Bill of Rights of the Constitution of the United States, specifically the Second Amendment to the Constitution, guarantees the right of the people to keep and bear arms and states further that that right “shall not be infringed,” and

WHEREAS, all individuals, elected or appointed to an office of honor or profit in the civil or uniform services, than an oath to support and defend the Constitution of the United States, and

WHEREAS, many of the residents of the Town of Hopkinton have expressed their displeasure not only with the provisions of the NY SAFE ACT itself, but also the manner and method used to bring it to the floor and vote it into law, and

WHEREAS, using a message of necessity to bring forth and enact a law that has dozens of sections and changes in current laws, but only three of which take effect immediately, negates the argument that the speed with which this bill was brought forward was necessary, and

WHEREAS, the sheer size of the bill, the extent of the many changes it brings and the very short time that the bill was made available to New York State Senate and Assembly for review, effectively precluded discussion and debate on the provisions set forth in the bill, preventing the mature development of arguments, both for and against, and

WHEREAS, in an attempt to bring forth meaningful solutions for dealing with or preventing gun violence, this legislation and the majority of its provisions affect law abiding gun owners in a negative and unnecessary ways and they were not given the opportunity to express their views or otherwise comment on the bill, and

WHEREAS, while there are provisions of the bill that have merit; for example, increased penalty for killing emergency responders, NICS checks for private sales of firearms, safe storage provisions, mental health record review, and increased penalties for the illegal use of a weapon, other provisions of the law, which run roughshod over second amendment rights, must be reconsidered and a new law should be introduced in a transparent manner, and it must be given the time necessary to review its provisions, engage in meaningful and constructive debate and allow public review, comment and input relative to the content of the bill, and

WHEREAS, the New York Save Act, as passed, will require County Clerks to carry out several provisions of the law but fails to address the responsibility for funding those additional duties, thus inflicting another unfunded mandate on already cash strapped counties.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Hopkinton joins with other municipalities in opposing those portions of the NY SAFE ACT which infringe upon the rights of lawful gun owners and does little to address the underlying issues that confront our society as a whole, and

BE IT FURTHER RESOLVED that the Hopkinton Town Board strongly encourages the members of the New York State Legislature to bring forth a bill that addresses the real problems confronted by today’s society and not jeopardize the rights of law abiding citizens, and allow time for public comment, and

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor Andrew Cuomo, Senator Patty Ritchie, Senator Joseph Griffo, Senator Elizabeth O’C Little, Assemblyman Kenneth Blankenbush, Assemblywoman Addie Russell, Assemblyman Marc Butler, Assemblywoman Janet Duprey, and the Board of each County of the State of New York.

VOTE: Supervisor Wood Aye, Councilpersons Jock Aye, Lyon Aye, Sochia Aye, Potter Absent.

Notice of Claims Resolution:

WHEREAS General Municipal Law §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS General Municipal Law §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer or person for the transmittal of notices of claim served upon the Secretary of State as the town's agent; and

WHEREAS, pursuant to General Municipal Law §50-e(1)(a), the applicable time limit for the filing of a

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notice of claim upon a town is ninety (90) days after the claim arises, or in the case of a wrongful death

action, ninety (90) days from the appointment of a representative of the decedent's estate; and NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hopkinton, County of St. Lawrence, designates Vickie L. French, in her capacity as Town Clerk, to receive notices of claim served upon the Secretary of State by mail at 7 Church Street, Hopkinton, New York 12965 and electronically at vfrench@nnyemail.com.

BE IT FURTHER RESOLVED that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing same of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 15, 2013.

VOTE: Supv. Wood Aye, Councilpersons Lyon Aye, Sochia Aye, Jock Aye, Potter absent.

Resignation: Mr. Jock informed the Board that he was going to resign his position on the Town Council and he would like to recommend they appoint Greg Crump to fill his vacancy.

Mr. Sochia made a motion, seconded by Ms Lyon to accept Mr. Jock's resignation effective immediately and to appoint Greg Crump to fill the vacancy until December 31, 2013. Adopted unanimously.

The Board thanked Mr. Jock for his years of service on the Town Board.

Mr. Streeter also informed the Board that he will be resigning his position of Highway Superintendant on June 29th. He thanked the Board, past and present, for working with him accomplishing many things.

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