

# Town of Lisbon Board Meeting Agenda

Thursday, January 9, 2020  
7:00 P.M.

- A. Pledge of Allegiance
  - B. Call to order
  - C. Approval of previous meeting minutes
  - D. Public hearings
  - E. Reading of Correspondence / Communications
  - F. Public Comment Period - Citizen participation (5 minutes per person)
  - G. Report from County Legislature – Legislator Forsythe
  - H. Approval of Voucher Abstract and Audited Claims
- (All Matters listed under this item are considered to be routine and will be enacted by one motion without separate discussion. If discussion is desired, the item may be removed from the consent agenda and considered separately.)

## I. Budget review:

- 2020 approved budget review
- Monthly Financial Statement to Town Board
- Dept Budget revenue and expenses MTD and YTD
- Budget Transfers
- Bank reconciliation reports
- Positions hired/filled report
- Encumbered expenses
- Cash on hand, less encumbered expenses
- AUD report 2019

## J. Reports of Departments

### - Supervisor report

- Technology assessment – Tom Manley
- Internet service at the beach and campground
- Connectivity of all departments
- Website and portal
- Voice over Internet/Phone coverage
- Email address for Town Board members
- Municipal Financial Software System demo – 1/22 at 12 noon
- RFP for Services to Audit Town Financial records
- Office moves
- Weekly Update
- REDI Grant
- Town, School, County discussions

### - Highway Superintendent Report

- Highway Agreement
- School Snow removal update

- Chapel Road Bridge – update, plan
  - Town barn separator tank system – agenda bill 202041
  - Storage container – agenda bill 202042
  - Gas pump repairs
- Equipment discussion:
- 2020 Plow Truck update
  - Vibrating Impact roller – agenda bill 202043
  - Compact Track Loader (Skid Steer) – agenda bill 202044
  - 2020 Pick up truck – agenda bill 202045
  - Diagnostic system for maintenance of trucks
  - 2008 F250 4 wheel drive pickup repair
- Town Clerk Report – Town Clerk Hyde
- Justice Court Report
- Docket review - Number of cases heard - December, Annual
  - Revenue, December, Annual
- Approval of Reports – Action required by the Board
- Reports of Boards and Committees
- Planning Board Report
  - Recreation Report
  - Homecoming Committee
  - Library – Michelle Stottlemyer McLagan
  - Museum
- K. Action Items:
- Items for Town Board Action
1. Resolution to oppose the change in the sales tax distribution for St Lawrence County – agenda bill 202047
  2. Resolution to enter into a professional services agreement with DANC – agenda bill 202046.
- L. Appointments
- M. New Business
- N. Old/Unfinished Business
- O. Items for discussion
- P. Public Comment Period - Citizen participation (3 minutes per person)
- Q. – Executive Session – discussions regarding proposed, pending or current litigation;  
 Upon a majority vote upon a motion that identifies the subject to be considered, the Town Board may conduct an executive session to discuss any of the 8 items identified as proper in accordance with Public Officers law 105(1)
- R. Adjournment.

RESOLUTION

WHEREAS, the laws of the State of New York (the "State") authorize the Town of Lisbon (the "Government Entity"), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Town of Lisbon and its inhabitants and to enter into any necessary contracts; and

WHEREAS, the Town of Lisbon wants to lease, purchase and/or finance equipment ("Equipment") from Sun Financial Services and/or an authorized Caterpillar dealer ("CAT") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with CAT; and

WHEREAS, the form of the Agreement has been presented to the governing body of the Town of Lisbon at this meeting; and

BE IT RESOLVED, that (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the Town of Lisbon enter into the Agreement with Sun Financial and (iii) the Agreement is adopted as a binding obligation of the Town of Lisbon; and

BE IT RESOLVED, that changes may later be made to the Agreement if the changes are approved by the Town of Lisbon Town Board, members of the governing body of the Town of Lisbon signing the Agreement (the "approved Changes") and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and

BE IT RESOLVED, that the person listed below, who is the incumbent officer of the Town of Lisbon (the "Authorized Persons"):

William D Nelson, Town Supervisor

BE IT RESOLVED, that Town Supervisor Nelson is authorized, directed and empowered, on behalf of the Town of Lisbon, to (i) sign and deliver to Sun Financial, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

WHEREAS, the Town Clerk of the Town of Lisbon is authorized to attest to these resolutions and affix the seal of the Town of Lisbon to the Agreement, these resolutions, and any other related documents; and

WHEREAS, that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Town of Lisbon or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Town of Lisbon as provided in the Agreement; and

WHEREAS, that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the Town of Lisbon or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Town of Lisbon as provided in the Agreement; and

BE IT FURTHER RESOLVED, that the authority granted by this resolution will apply equally and with the same effect to the successors in the Office of the Town of Lisbon Supervisor.

## Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution Authorizing the Town Supervisor to enter into a Professional Consulting Agreement with the Development Authority of the North Country for Operation and Maintenance and Management services for the Town of Lisbon Wastewater Treatment Facilities and the Town of Lisbon Water Treatment Facilities. FOR AGENDA OF: January 9, 2020 BILL #: 202046

DEPT. OF ORIGIN: Supervisor

DATE SUBMITTED: January 9, 2020

APPROVED BY TOWN ATTORNEY – Yes  No

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes  No

EXHIBITS: Resolution and contract

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$12,075 Sewer fund; \$5,425 Water fund	BUDGETED: -0-	REQUIRED: -0-

### RECOMMENDED ACTION

### Approval of this resolution.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

### VOTE ON ROLL CALL:

Supervisor Nelson \_\_\_\_\_ Deputy Supervisor Putney \_\_\_\_\_

Town Councilman Daily \_\_\_\_\_ Town Councilman Bush \_\_\_\_\_

Town Councilman McNeil \_\_\_\_\_

**WHEREAS**, a management services agreement for the Operation and Maintenance of the Town of Lisbon Wastewater Treatment Facilities and Water Treatment Facilities has been negotiated by the Town Supervisor between the Town of Lisbon and the Development Authority of the North Country (DANC) and

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board authorizes the Town Supervisor to enter into said 6 month agreement with DANC to provide professional services and management for the Waste Water Treatment Plant and the Water Treatment facility, and

**BE IT FURTHER RESOLVED** that funding for this service will come from the Water Fund and the Sewer fund as appropriated in said contract.

This resolution was added to the agenda with consent of a majority of the Board for action.

# Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution to purchase a tank separator for the Highway Dept floor drain system FOR AGENDA OF: January 9, 2020  
BILL #: 202041

DEPT. OF ORIGIN: Highway Superintendent

DATE SUBMITTED: January 9, 2020

APPROVED BY TOWN ATTORNEY – Yes  No

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes  No

EXHIBITS: Resolution and contract

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$2,235.40	BUDGETED: \$2,235.40	REQUIRED: -0-

## RECOMMENDED ACTION

### Approval of this resolution.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

### VOTE ON ROLL CALL:

Supervisor Nelson \_\_\_\_\_ Deputy Supervisor Putney \_\_\_\_\_

Town Councilman Daily \_\_\_\_\_ Town Councilman Bush \_\_\_\_\_

Town Councilman McNeil \_\_\_\_\_ RESOLUTION

WHEREAS, a need for a new tank separator for the highway dept garage is needed to separate debris washed down from the floor of the Town garage, and

WHEREAS, the Highway Superintendent has had a new separator system designed by a Licensed Engineer,

Now therefore be it resolved that the Highway Superintendent is authorized to purchase the separator tank and associated systems from Witherbee & Whalen at cost of \$2035.40 and to pay the Engineer, Steven Blevins, PE, for professional design services fee of \$200.

This resolution was added to the agenda with consent of a majority of the Board for action.

# Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution to purchase a 40 foot storage unit to store parts for the Highway Dept FOR AGENDA OF: January 9, 2020  
BILL #: 202042

DEPT. OF ORIGIN: Highway Superintendent DATE SUBMITTED: January 9, 2020

APPROVED BY TOWN ATTORNEY – Yes  No

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes  No

EXHIBITS: Resolution and contract

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$4,140	BUDGETED: \$2,235.40	REQUIRED: -0-

## RECOMMENDED ACTION

### Approval of this resolution.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

### VOTE ON ROLL CALL:

Supervisor Nelson \_\_\_\_\_ Deputy Supervisor Putney \_\_\_\_\_

Town Councilman Daily \_\_\_\_\_ Town Councilman Bush \_\_\_\_\_

Town Councilman McNeil \_\_\_\_\_

## RESOLUTION

WHEREAS, a need for a metal storage unit to store surplus parts and equipment used by the Highway Dept as well as the Water and Sewer Plants is needed to adequately, and safely, and securely store these surplus parts at the Town garage, and

WHEREAS, the Highway Superintendent has explained the need and reasons for such cold storage,

Now therefore be it resolved that the Highway Superintendent is authorized to purchase the 40 foot metal shipping container from the low quote, A-Verdi at a fee of \$4140 delivered.

This resolution was added to the agenda with consent of a majority of the Board for action.

## Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution to purchase a Tandem Axle Caterpillar FOR AGENDA OF: January 9, 2020  
compactor roller off NYS contract for the Highway Dept BILL #: 202043

DEPT. OF ORIGIN: Highway Superintendent

DATE SUBMITTED: January 9, 2020

APPROVED BY TOWN ATTORNEY – Yes  No

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes  No

EXHIBITS: Resolution and contract

EXPENDITURE  
REQUIRED: \$42,835

AMOUNT  
BUDGETED: \$0.00

APPROPRIATION  
REQUIRED: \$42,835

### RECOMMENDED ACTION

#### Approval of this resolution.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE ON ROLL CALL:

Supervisor Nelson \_\_\_\_\_ Deputy Supervisor Putney \_\_\_\_\_

Town Councilman Daily \_\_\_\_\_ Town Councilman Bush \_\_\_\_\_

Town Councilman McNeil \_\_\_\_\_ RESOLUTION

WHEREAS, the laws of the State of New York (the “State”) authorize the Town of Lisbon (the “Government Entity”), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Town of Lisbon and its inhabitants and to enter into any necessary contracts; and

WHEREAS, the Town of Lisbon wants to lease, purchase and/or finance equipment (“Equipment”) Caterpillar through an authorized Caterpillar dealer (“CAT”) by entering into that NYS Contract, PC66988 for Equipment Purchase Agreement (the “Agreement”) with CAT; and

WHEREAS, the form of the Agreement has been presented to the governing body of the Town of Lisbon at this meeting; and



WHEREAS, this purchase will result in savings on the annual rental of equipment estimated to be approximately \$12,000 per year, and

WHEREAS, that (i) the Purchase Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, (ii) the Town of Lisbon enter into the Agreement with Sun Financial or other firm to finance the purchase, and (iii) the Agreement is adopted as a binding obligation of the Town of Lisbon; and

BE IT RESOLVED, that Town Supervisor Nelson is authorized, directed and empowered, on behalf of the Town of Lisbon, to (i) sign and deliver to Sun Financial or another firm to finance this purchase, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

Now therefore be it resolved that the Highway Superintendent is authorized to purchase the CAT CB24B Roller off the New York State contract OGS PC66988 and the Town Supervisor is authorized to sign a financing agreement for said purchase.

This resolution was added to the agenda with consent of a majority of the Board for action.

## Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution to purchase a multi terrain Caterpillar FOR AGENDA OF: January 9, 2020  
tracked skid steer loader off NYS contract for the Highway Dept BILL #: 202044

DEPT. OF ORIGIN: Highway Superintendent

DATE SUBMITTED: January 9, 2020

APPROVED BY TOWN ATTORNEY – Yes  No

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes  No

EXHIBITS: Resolution and contract

EXPENDITURE  
REQUIRED: \$75,727

AMOUNT  
BUDGETED: \$0.00

APPROPRIATION  
REQUIRED: \$75,727

### RECOMMENDED ACTION

#### Approval of this resolution.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE ON ROLL CALL:

Supervisor Nelson \_\_\_\_\_ Deputy Supervisor Putney \_\_\_\_\_

Town Councilman Daily \_\_\_\_\_ Town Councilman Bush \_\_\_\_\_

Town Councilman McNeil \_\_\_\_\_ RESOLUTION

WHEREAS, the laws of the State of New York (the “State”) authorize the Town of Lisbon (the “Government Entity”), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Town of Lisbon and its inhabitants and to enter into any necessary contracts; and

WHEREAS, the Town of Lisbon wants to lease, purchase and/or finance equipment (“Equipment”) Caterpillar through an authorized Caterpillar dealer (“CAT”) by entering into that NYS Contract, PC66988 for Equipment Purchase Agreement (the “Agreement”) with CAT; and

WHEREAS, the form of the Agreement has been presented to the governing body of the Town of Lisbon at this meeting; and

WHEREAS, this purchase will result in savings on the annual rental of equipment estimated to be approximately \$13,000 per year, and

WHEREAS, that (i) the Purchase Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, (ii) the Town of Lisbon enter into the Agreement with Sun Financial or other firm to finance the purchase, and (iii) the Agreement is adopted as a binding obligation of the Town of Lisbon; and

BE IT RESOLVED, that Town Supervisor Nelson is authorized, directed and empowered, on behalf of the Town of Lisbon, to (i) sign and deliver to Sun Financial or another firm to finance this purchase, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

Now therefore be it resolved that the Highway Superintendent is authorized to purchase the CAT 299D3 Tracked Multi Terrain Skid Steer Loader off the New York State contract OGS PC66988 and the Town Supervisor is authorized to sign a financing agreement for said purchase.

This resolution was added to the agenda with consent of a majority of the Board for action.

## Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution to purchase 4 wheel drive Truck  
off NYS contract for the Highway Dept

FOR AGENDA OF: January 9, 2020  
BILL #: 202045

DEPT. OF ORIGIN: Highway Superintendent

DATE SUBMITTED: January 9, 2020

APPROVED BY TOWN ATTORNEY – Yes  No

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes  No

EXHIBITS: Resolution and contract

EXPENDITURE  
REQUIRED: \$

AMOUNT  
BUDGETED: \$0.00

APPROPRIATION  
REQUIRED: \$

### RECOMMENDED ACTION

#### Approval of this resolution.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE ON ROLL CALL:

Supervisor Nelson \_\_\_\_\_ Deputy Supervisor Putney \_\_\_\_\_

Town Councilman Daily \_\_\_\_\_ Town Councilman Bush \_\_\_\_\_

Town Councilman McNeil \_\_\_\_\_

### RESOLUTION

WHEREAS, the laws of the State of New York (the “State”) authorize the Town of Lisbon (the “Government Entity”), a duly organized political subdivision or municipal corporation of the State, to purchase, acquire and lease personal property for the benefit of the Town of Lisbon and its inhabitants and to enter into any necessary contracts; and

WHEREAS, the Town of Lisbon wants to lease, purchase and/or finance equipment (“Equipment”) through an authorized General Motors dealer by entering into the NYS Contract, for Equipment Purchase Agreement (the “Agreement”); and

WHEREAS, the form of the Agreement has been presented to the governing body of the Town of Lisbon at this meeting; and

BE IT RESOLVED, that Town Supervisor Nelson is authorized, directed and empowered, on behalf of the Town of Lisbon, to purchase the budgeted four wheel drive truck for use by the Highway Dept and to take all actions he deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

Now therefore be it resolved that the Highway Superintendent is authorized to purchase the four wheel drive pick up truck off the New York State contract OGS 23166, group 40440, and the Town Supervisor is authorized to pay for said purchase.

This resolution was added to the agenda with consent of a majority of the Board for actio

## Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution opposing any change in the      FOR AGENDA OF: January 9, 2020  
County Sales Tax apportionment to local municipalities      BILL #: 202047

DEPT. OF ORIGIN: Supervisor

DATE SUBMITTED: January 9, 2020

APPROVED BY TOWN ATTORNEY – Yes  No

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes  No

EXHIBITS: Resolution and contract

EXPENDITURE  
REQUIRED: \$

AMOUNT  
BUDGETED: \$0.00

APPROPRIATION  
REQUIRED: \$

### RECOMMENDED ACTION

#### **Approval of this resolution.**

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE ON ROLL CALL:

Supervisor Nelson \_\_\_\_\_ Deputy Supervisor Putney \_\_\_\_\_

Town Councilman Daily \_\_\_\_\_ Town Councilman Bush \_\_\_\_\_

Town Councilman McNeil \_\_\_\_\_

### **RESOLUTION TO OPPOSE ANY CHANGE IN THE COUNTY SALES TAX APPORTIONMENT TO LOCAL MUNICIPALITIES**

**WHEREAS**, IN 1965, New York State enabled counties to collect sales tax because Medicaid expenses became a shared expense between counties and the state; and

**WHEREAS**, the St Lawrence County Board of Supervisors, at that time in 1965, decided to share 50% of realized sales tax revenues with local governments, including the City of Ogdensburg, and an additional 1 percent sales tax was added in 2012, and they agreed to share that additional one percent with local governments including the City of Ogdensburg;  
and

**WHEREAS**, due to the 10-year agreement being up for renegotiation between St Lawrence County and the City of Ogdensburg, a county committee has been appointed to study and re-

negotiate the existing sales tax distribution formula with the City of Ogdensburg in closed-door sessions; and

**WHEREAS**, the position of the county needing more funding to meet Medicaid costs, in addition to the need to re-negotiate the sales tax agreement with the City of Ogdensburg may result in the County benefiting from additional sales tax revenues and the local governments, including the City of Ogdensburg, receiving decreased revenues; and

**NOW, THEREFORE, BE IT RESOLVED**, the Town of Lisbon, opposes any change to the current negotiated sales tax formula between the City of Ogdensburg and St Lawrence County. Any change will devastate local municipal budgets, resulting in significant local tax increases and possible personnel layoffs; and

**BE IT FURTHER RESOLVED**, the St Lawrence County Association of Town Supervisors and the St Lawrence Country Association of Mayors, on behalf of all Towns and Villages, and the City, passed this resolution opposing a change to the current negotiated sales tax distribution formula.