

**Town of Lisbon Board Meeting Agenda**  
**Wednesday, October 14, 2020**  
**6:00 P.M.**

- A. Pledge of Allegiance
- B. Call to order
- C. Approval of previous meeting minutes – August 12 regular meeting minutes; Approval of September 9 meeting minutes
- D. Public hearings
- E. Reading of Correspondence / Communications:
  - Presentations
- F. Public Comment Period - Citizen Participation (5 minutes per person)
- G. Report from County Legislature – Legislator Forsythe
- H. Approval of Audited claims and Abstract of vouchers: Abstract number 009:  
- General Fund - \$56,343.64; - Highway Fund: \$277,810.86; - Sewer fund \$7,275.94; - Water fund \$1,512.21; **Total = \$ 342,942.65;**

(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 budget review: Operating statement
- Total cash balance on hand:
- Bank reconciliation reports:
- Positions hired/filled report: # of employees on payroll -
- Fund Balance report by account:

J. Reports of Departments

- Supervisor report

- Monthly update on Water and Sewer – September DANC report
- 2019 financial audit – general, highway, water, sewer fund, payroll update - PMHV
- Code Enforcement report:
  - Number of building permits issued month:      Value:      Issued YTD:      Value:
  - Number of new home permits issued:              Value:

- Highway Superintendent Report

- Staffing update
- Chapel Road Bridge

- Town Clerk Report – Town Clerk Hyde

- Campground Director report:

- Justice Court Report

**- Approval of Reports – Action required by the Board**

- Reports of Boards and Committees

- Planning Board Report
- Recreation Committee Report – request for basketball;
- Homecoming Committee –

- Library – Michelle Stottlemyer McLagan
- Museum/Historian – Nancy Lafaver

K. Action Items:

Items for Town Board Action

1. Resolution to contract to survey surplus property with Jacobs Surveyor BILL #: 2020-101 tabled at 9/9/20 meeting
2. Resolution to override the tax cap for the 2021 budget year – BILL# 2020-102
3. Resolution to transfer fund – BILL# 2020-103
4. Resolution Supporting the City of Ogdensburg County Sales Tax apportionment to local municipalities proposal - BILL #: 2020-94 - tabled at 8.12.2020 meeting

L. Appointments

M. New Business

N. Old/Unfinished Business

- School bus garage
- Disinfection system; sewer water study;
- Budget work session date

O. Items for discussion

P. Public Comment Period - Citizen Participation (3 minutes per person)

Q. – Executive Session – Personnel matter; Property acquisition; sale of property;

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.

# Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution to contract for surveying of surplus property to be offered for sale.  
FOR AGENDA OF: September 9, 2020  
BILL #: 2020-101  
DEPT. OF ORIGIN: Supervisor  
DATE SUBMITTED: September 9, 2020

APPROVED BY TOWN ATTORNEY – Yes \_\_\_\_\_ No \_\_\_\_\_ N/A

EXHIBITS: Resolution

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes  No \_\_\_\_\_

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$2,300	BUDGETED: -0-	REQUIRED: \$2300

## SUMMARY STATEMENT

Resolution to contract for surveying of surplus property

RECOMMENDED ACTION  
Passage of this resolution.

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

VOTE ON ROLL CALL:

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

Town Councilman Dailey \_\_\_\_\_ Town Councilman Bush \_\_\_\_\_

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

**WHEREAS**, The Town Board has deemed a 32 acre parcel of land, tax map ID 61.001-1-32.2 located on the Sand Road as surplus land, with no further need or use by the Town, and

WHEREAS, The Town Board wishes to offer this surplus property for sale to be placed back on the tax rolls, and

**WHEREAS**, it is the desire of the Town Board to contract with Jacobs land Survey to create a survey for said parcel of land, and

**NOW BE IT THEREFORE RESOLVED**, that the Town Board approves the Supervisor to sign an agreement with Jacobs Land Surveying in the amount of \$2,300, funded from the 5112.4 Permanent Improvements Highway fund.

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

SUBJECT: FOR AGENDA OF: October 14, 2020  
A Local Law to override the property tax cap. BILL #: 2020-102  
DEPT. OF ORIGIN: Supervisor  
DATE SUBMITTED: October 14, 2020

APPROVED AS TO FORM BY TOWN ATTORNEY – Yes \_\_\_\_ No \_\_\_\_

EXHIBITS: Local Law

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes \_\_\_\_ No \_\_\_\_

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: -0-	BUDGETED: -0-	REQUIRED: -0-

SUMMARY STATEMENT  
**(Requires three affirmative votes to approve.)**

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c.

RECOMMENDED ACTION  
Passage 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 \_\_\_\_\_

**A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c**

### Section 1. Legislative Intent

It is the intent of this local law to allow the Town of Lisbon to adopt a budget for the fiscal year commencing January 1, 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c, which for 2021 is 1.56 percent

### Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

**Section 3. Tax Levy Limit Override**

The Town Board of the Town of Lisbon, St. Lawrence County, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2021 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

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

SUBJECT:  
Resolution for budget amendments and to  
authorize the transfer of funds.

FOR AGENDA OF: October 14, 2020

BILL #: 2020-103

DEPT. OF ORIGIN: Supervisor

DATE SUBMITTED: October 14, 2020

APPROVED AS TO FORM BY TOWN ATTORNEY – Yes \_\_\_\_\_ No \_\_\_\_\_

EXHIBITS: Resolution

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes \_\_\_\_\_ No \_\_\_\_\_

EXPENDITURE  
REQUIRED: -0-

AMOUNT  
BUDGETED: -0-

APPROPRIATION  
REQUIRED: -0-

### SUMMARY STATEMENT

Resolution for budget amendments and to authorize the transfer of funds.

### RECOMMENDED ACTION

Passage 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 memorandum was received from the Supervisor, dated October 14, 2020 requesting authorization of budget transfers for the following overspent accounts, and for a budget amendment to the 2020 General Fund budget:

NOW, THEREFORE BE IT RESOLVED that the Town Board authorizes the Supervisor to fulfill the following Transfers and Budget Amendments:

**Budget Transfers-General, Highway, water and Sewer Fund**

Please authorize a budget transfer for the following overspent budgets:

<b>TRANSFERS</b>						
To Account	GENERAL FUND	AMOUNT		From Account	ITEM	AMOUNT
13204.01	Independent Auditing	\$1,248.55		14301.01	Bookkeeper PS	\$1,248.55
14204.01	Attorney CE	\$450.00		14301.01	Bookkeeper PS	\$450.00
36204.01	Building Codes CE	\$137.98		14301.01	Bookkeeper PS	\$137.98
75104.01	Historian CE	\$3,313.93		71102.01	Parks/Campground Eq	\$3,313.93
19104.01	Unallocated Insurance	\$759.09		13554.01	Assessor CE	\$759.09
<b>TOTAL</b>		<b>\$5,909.55</b>				<b>\$5,909.55</b>
To Account	HIGHWAY FUND	AMOUNT		From Account	ITEM	AMOUNT
51304.03	Machinery CE	\$6,698.74		51104.03	General Repairs CE	\$6,698.74
51404.03	Brush & Weeds CE	\$1,116.00		51104.03	General Repairs CE	\$1,116.00
<b>TOTAL</b>		<b>\$7,814.74</b>				<b>\$7,814.74</b>
To Account	WATER FUND	AMOUNT		From Account	ITEM	AMOUNT
83104.08	Administration CE	\$3,442.35			<b>Fund Balance</b>	<b>\$3,442.35</b>
83204.08	Power/Pump CE	\$252.69		90308.08	Social Security	\$252.69
83304.08	Purification CE	\$1,980.93			<b>Fund Balance</b>	<b>\$1,980.93</b>
<b>TOTAL</b>						<b>7,366.81</b>
To Account	SEWER FUND	AMOUNT		From Account	ITEM	AMOUNT
81101.09	Administration PS	\$2,436.75		81204.09	Sewage Collection CE	\$2,436.75
81104.09	Administration CE	\$6,690.25		81204.09	Sewage Collection CE	\$4,779.41
				81304.09	Treatment/Disposal CE	\$1,910.84
81302.09	Treatment/Disposal	\$689.40		90308.09	Social Security	\$689.40
<b>TOTAL</b>		<b>\$9,816.40</b>				<b>\$9,816.40</b>
<b>SIGNATURE</b>						

10/14/2020	Supervisor				
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**Business of the Town Board of the Town of Lisbon**

SUBJECT: Resolution Supporting the City of Ogdensburg FOR AGENDA OF: August 12, 2020  
 County Sales Tax apportionment to local municipalities BILL #: **2020-94**  
 proposal.

DEPT. OF ORIGIN: Supervisor DATE SUBMITTED: August 12, 2020

APPROVED BY TOWN ATTORNEY – Yes  No

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes  No

EXHIBITS: **Resolution**

EXPENDITURE REQUIRED: \$	AMOUNT BUDGETED: \$0.00	APPROPRIATION REQUIRED: \$
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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 SUPPORT THE CITY OF OGDENSBURG PROPOSED 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**, sales taxes represents an important source of revenue that many towns, villages, and the City use to help defray the rising costs of providing services or mitigate property tax increases at the town or county level; and

**WHEREAS**, counties are authorized by Article 29 of the New York State Tax Law to impose a tax on the sale of certain goods; and

**WHEREAS**, a county legislature has the option of using all or a portion of its sales tax revenues solely for county or education purposes, or it may apportion some between its towns and cities (Tax Law, §1262), which has been the case in St Lawrence County since 1965; and

**WHEREAS**, the county legislature is additionally authorized to make an agreement with any city in the county to allocate a specific portion of these revenues to such city; and

**WHEREAS**, cities have the right to pre-empt application of the county sales tax and impose their own local sales tax; and

**WHEREAS**, towns do not yet enjoy the right to levy their own local sales tax, pre-empt the in town application of the county sales tax, or require the county to negotiate a sales tax allocation Agreement, so we rely on the County and City of Ogdensburg to negotiate on our behalf; and

**WHEREAS**, local sales taxes are levied at the county level, and sales tax proceeds are distributed to the other units of government within the county boundaries in accordance with the longstanding local sharing agreements entered into with the county; and

**WHEREAS**, the state has imposed a real property tax levy cap on all municipalities, effectively limiting the ability of the cities, towns and villages to keep pace with the rising costs of employee health insurance, retirement system costs and other expenses and increasing the need for towns to rely on alternative revenue sources such as sales taxes; and

**WHEREAS**, due to the 10-year agreement being renegotiated 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; and

**WHEREAS**, sales tax revenue is an important revenue source for all municipalities in St Lawrence County, which enables the municipalities to be able to maintain stable tax rates and provide essential services to its citizens, and,

**WHEREAS**, the City has proposed a sales tax distribution plan that will have a positive benefit to all municipalities in the County, Towns, the City, and Villages, thereby having a positive impact on all County residents, including the citizens of the Town of Lisbon, and

**NOW, THEREFORE, BE IT RESOLVED**, the Town of Lisbon, supports the City of Ogdensburg and the proposed change to the current negotiated sales tax formula between the City of Ogdensburg and St Lawrence County; and

**BE IT FURTHER RESOLVED**, a copy of this resolution will be sent to the members of the St Lawrence County Legislature, the members of the St Lawrence County Association of Town Supervisors, the St Lawrence Country Association of Mayors, the City of Ogdensburg, NY State Senator Patricia Ritchie, and Assemblyman Mark Walczyk.