

Town of Lisbon Board Meeting Agenda
Wednesday, November 9, 2022
6:00 P.M.

- A. Pledge of Allegiance
- B. Call to order
- C. C. Approval of previous meeting minutes
- D. Public hearings – Public hearing for a law to exceed to Tax Cap
- 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

<i>Claims to be paid from the A-General Fund</i>	\$30,286.89
<i>Claims to be paid from the DA-Highway Fund</i>	\$109,077.94
<i>Claims to be paid from the SS – Lisbon Sewer District Fund</i>	\$ 12962.91
<i>Claims to be paid from the SW – Lisbon Water District Fund</i>	\$ 49.29
<i>Claims to be paid from the TA – Trust and Agency Fund -</i>	\$ 809.54
<u>Total Claims Abstract 010:</u>	<u>\$153,186.57</u>

Payroll 22 - \$30,258.14; Payroll 23 - \$26,175.23; - Total Payroll paid= \$56,433.37

(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 – 2023 preliminary; set public hearing date
- J. Reports of Departments
 - Supervisor Report
 - Highway Superintendent Report
 - Town Clerk Report
 - Justice Court Report
 - Assessor Report
 - Code Enforcement Officer Report
 - Campground Director Report
 - Approval of Reports – Action required by the Board

- Reports of Boards and Committees
 - Planning Board Report
 - Recreation Report
 - Homecoming Committee – Jordan Putney
 - Library – Michelle Stottlemeyer McLagan
 - Museum

K. Action Items:

Items for Town Board Action

- Resolution to authorize the purchase of a 4 wheel drive truck off Auctions International for the Highway Dept – BILL# 2022-53
- A Local Law to override the property tax cap - BILL #: 2022-54

- Resolution authorizing the Supervisor to sign a snow removal contract with Lisbon Central School -
BILL #: 2022-55
- Resolution calling for a public hearing and notice for adoption of the 2023 budget - BILL #: 2022-56
- Resolution declaring and authorizing the sale of surplus personal property, equipment, or vehicles
BILL #: 2022-57
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- 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 – 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)
– **Confer with Town Attorney to discuss property acquisition, labor negotiations**
- R. Adjournment.

Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution to authorize the purchase of a 4 wheel Drive truck off Auctions International for the Highway Dept
FOR AGENDA OF: November 9, 2022
BILL #: 2022-53
DEPT. OF ORIGIN: Highway
DATE SUBMITTED: November 9, 2022

APPROVED BY TOWN ATTORNEY – Yes No

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes No

EXHIBITS: **Resolution and contract**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$33,000	BUDGETED: \$33,000	REQUIRED: \$

RECOMMENDED ACTION
Approval of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

Supervisor Nelson _____ Deputy Supervisor Putney _____

Town Councilman Dumas _____ 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 through an Auctions International, a used 2004 International 7600 Dump Truck with an 11” wing plow and slide in sander, VIN 1HTWZAHR24J022562 from the Town of Montezuma New York, and

WHEREAS, the purchase agreement form and bid of \$33,000 has been presented to the Town Board at this meeting; and

NOW THEREFOR BE IT RESOLVED, that Town Highway Superintendent Baldock is authorized, directed and empowered, on behalf of the Town of Lisbon, to purchase the budgeted dump 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 the Town Supervisor is authorized to pay for said purchase.

Business of the Town Board of the Town of Lisbon

SUBJECT: FOR AGENDA OF: November 9, 2022
A Local Law to override the property tax cap. BILL #: 2022-54
DEPT. OF ORIGIN: Supervisor
DATE SUBMITTED: November 9, 2022

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 Dumas _____ 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, 2023 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

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, 2023 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: FOR AGENDA OF: November 9, 2022
Resolution authorizing the Supervisor to sign a BILL #: 2022-55
Snow removal contract with Lisbon Central School
DEPT. OF ORIGIN: Supervisor
DATE SUBMITTED: November 9, 2022

APPROVED BY TOWN ATTORNEY – Yes No N/A

EXHIBITS: Resolution and contract

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes No

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

SUMMARY STATEMENT

Resolution to renew snow removal contract

RECOMMENDED ACTION

Passage of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

Supervisor Nelson _____ Deputy Supervisor Putney _____

Town Councilman Dumas _____ Town Councilman Bush _____

Town Councilman McNeil _____

RESOLUTION AUTHORIZING THE TOWN OF LISBON TO SIGN A CONTRACT FOR SNOW REMOVAL SERVICES WITH LISBON CENTRAL SCHOOL

WHEREAS, Article 5-G of the General Municipal Law (Sections 119-m through 119-oo) provides broad authority for “municipal corporations” and “districts” to cooperate with each other in carrying out their respective responsibilities. The term “municipal corporation” is defined in Article 5-G to include any county outside the City of New York, a city, town, village, board of cooperative educational services (BOCES), fire district, or school district. A “district” refers to a county or town improvement district for which the county or town in which the district is located is required to pledge its faith and credit for indebtedness contracted for purposes of the district. Subject to the statutory requirements of Article 5-G, any combination of these entities is authorized to enter into shared services agreements. In addition, other sections of law may provide authority for cooperative projects in specific areas (e.g., General Municipal Law, Article 5-B, relating to the provision of common water supplies).

WHEREAS, all municipalities and school districts, including the Town of Lisbon, have the power and authority of contract for the purpose of renting, leasing, exchanging, borrowing or maintaining of machinery and equipment, with or without operators, or providing snow removal services to other municipalities and school districts, and;

WHEREAS, the Town and the School have in place a shared service agreement that provides services and mutual benefit to the residents and taxpayers of both entities, and

WHEREAS, it is the intent of the Town of Lisbon to give the Highway Superintendent the authority to provide snow removal services for the Lisbon Central School for years 2022-23 - \$19,500; 2023-24; - \$20,000 and 2024-25 - \$20,000, and

WHEREAS, it is hereby determined that it is in the best interest of the Town of Lisbon and Lisbon Central School taxpayers to be party to such arrangements, and

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Lisbon is hereby authorized to sign on behalf of the Town, the snow removal contract with Lisbon Central School for years 2022-2025.

Business of the Town Board of the Town of Lisbon

SUBJECT:
Resolution calling for a public hearing and
Notice for the adoption of the 2023 budget

FOR AGENDA OF: November 9, 2022
BILL #: 2022-56
DEPT. OF ORIGIN: Supervisor
DATE SUBMITTED: November 9, 2022

APPROVED BY TOWN ATTORNEY – Yes No N/A

EXHIBITS: Resolution

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes No

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

SUMMARY STATEMENT

Resolution to call for public hearing and notice

RECOMMENDED ACTION

Passage of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

Supervisor Nelson _____ Deputy Supervisor Putney _____

Town Councilman Dumas _____ Town Councilman Bush _____

Town Councilman McNeil _____

WHEREAS, the Town Board of the Town of Lisbon hereby establishes a public hearing on the 2023 Preliminary Budget of the Town of Lisbon, and

WHEREAS, said public hearing to be held at 6:00 pm on November 15, 2022 in the Town Hall Court Room at which time all persons interested in the subject matter thereof will be heard, and

BE IT FURTHER RESOLVED, that the Town Clerk give notice of such public hearing by publication, in the newspaper so designated for the publication of legal notices, at least five days before the hearing date, of a notice setting forth the time and place and describing the proposed resolution in summary form.

**TOWN OF LISBON SCHEDULE OF SALARIES OF ELECTED AND APPOINTED
OFFICERS AND EMPLOYEES
2023**

Supervisor	\$ 15,450.00
Town Clerk	\$ 43,260.00
Town Board Members (4)	\$ 3,120.00 (each)
Justice (each)	\$ 11,709.50
Highway Superintendent	\$ 60,770.00
Assessor	\$ 32,172.00
Code Enforcement Officer	\$ 32,960.00
Campground Director	\$24,205.00
Court Clerk (hourly)	\$ 20.00/hr
Bookkeeper	\$ 10,500.00
Attorney	\$ 8,750.00
Dog Control Officer	\$ 5,150.00
Historian	\$ 2,300.00
Deputy Highway Superintendent	\$ 2,100.00
Water System Maintenance Supervisor	\$ 1,500.00
Sewer System Maintenance Supervisor	\$ 1,500.00

Please take further notice that the information on the proposed 2023 Preliminary Budget is available for inspection at the Town Hall in the Town Clerk's office Monday through Friday 8:30 A.M. through 4:00 P.M.

Business of the Town Board of the Town of Lisbon

SUBJECT: FOR AGENDA OF: November 9, 2022
Resolution declaring and authorizing the sale of BILL #: 2022-57
surplus personal property, equipment or vehicles. DEPT. OF ORIGIN: Supervisor
DATE SUBMITTED: November 9, 2022

APPROVED BY TOWN ATTORNEY – Yes No N/A

EXHIBITS: Resolution

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes No

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

SUMMARY STATEMENT

Resolution to sell surplus equipment

RECOMMENDED ACTION

Passage of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

Supervisor Nelson _____ Deputy Supervisor Putney _____

Town Councilman Dumas _____ Town Councilman Bush _____

Town Councilman McNeil _____

RESOLUTION to AUTHORIZATION TO SELL SURPLUS TOWN HIGHWAY DEPARTMENT EQUIPMENT

WHEREAS, the Town has personal property which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, and the Town Board has determined that surplus property, including motor vehicles acquired for the use of municipal departments, and road machinery, equipment, tools or supplies which are not needed for public use, or are obsolete or unfit for the use for which they were acquired, are appropriate to be sold by internet auction, and

WHEREAS, the Town Board hereby declares its intent to sell such property through internet auction, and

WHEREAS, Highway Superintendent, Michael Baldock advised the Town Board September 9, 2022 meeting of his intent to sell the identified surplus Town Highway Department equipment and vehicles pursuant to New York

State Highway Law § 142(5); and

WHEREAS, Superintendent Baldock had proposed to sell the surplus equipment at auction with Auction International, Inc., an international online auction service the Town has used before that has substantial experience selling surplus municipal vehicles and equipment and which does not charge sellers commission and the Town, as seller, has the right to reject all bids; and

WHEREAS, there are vehicles and equipment that the Highway Superintendent identified to sell as surplus equipment as follows:

WHEREAS, all surplus property to be auctioned shall be offered for sale “AS-IS, WHERE IS”, and the Town shall make no warranty, guarantee or representation, express or implied, as to the merchantability or fitness for any purpose of the property offered for sale. No Buyer of property shall be entitled to any payment for loss of profit or any other money damages, special, direct, indirect or consequential. All sales of property shall be final upon removal of the property by Buyer. The Town shall reserve the right to reject any and all bids and to withdraw from sale any property it may choose and,

WHEREAS, The Highway Superintendent may establish a minimum price that will be accepted for specific items and may establish any other terms and conditions for the particular sale, including requirements for pick-up or delivery, method of payment, and sales tax, and

NOW THEREFORE BE IT RESOLVED that Highway Superintendent Baldock is authorized to sell the surplus Town Highway Department equipment in accordance with Highway Law § 142(5) with Auctions International, Inc. 11167 Big Tree Road, East Aurora, New York 14052 and to execute the “Online Auction Contract – Agreement for Sale of Government Assets” by Online Auction International, Inc. and

BE IT FURTHER RESOLVED, that the Highway Superintendent and Town Supervisor are hereby authorized to execute any and all documents, including Department of Motor Vehicle forms and Bills of Sale necessary to transfer the above vehicles to the successful bidder.