

**TOWN OF LISBON
BOARD MEETING
JUNE 12, 2013
LISBON TOWN HALL**

Present:

Supervisor James Armstrong
Town Clerk Donna McBath
Attorney Charles Nash, Esq.,
Financial Advisor William Dashnaw

Councilmember Alan Dailey
Councilmember Susan Duffy
Councilmember Gary Jarvis
Councilmember Nathanael Putney

Absent: Highway Superintendent Timothy Dow

Guest: Stephen Teele, Sean Ewart, Mark Akins, Scott Wilhelm

1. Meeting Called to Order for the Town Board Meeting

Supervisor James Armstrong called the meeting to order at 6:30 PM.

2. Pledge Allegiance

3. Minutes Approvals

A. May 8, 16, 31 and June 7

Councilmember Duffy made a motion, seconded by Councilmember Jarvis to approve the meeting minutes of May 8, 16, 31 and June 7, 2013. Ayes – 3 Nays – 0

4. Town Clerk Report May

Councilmember Duffy made a motion, seconded by Councilmember Jarvis to approve the Town Clerk's Report for May 2013. Ayes – 3 Nays – 0

5. Approval of Town Justice Reports

Councilmember Jarvis made a motion, seconded by Councilmember Duffy to accept the Justice Reports for May 2013. Ayes – 3 Nays – 0

6. Approval of Abstracts

a. General	\$22,433.34
b. Highway	\$41,041.44
c. Water	\$116.05
d. Sewer	\$759.45

Total \$64,350.28

Councilmember Dailey made a motion, seconded by Councilmember Duffy to approve the abstracts. Ayes – 3 Nays – 0

7. Highway Superintendents Report

Highway Superintendent Dow was not in attendance.

8. Report from all Liaisons for committees

- A. Planning Board – Liaison Councilmember Duffy informed the board that not enough members attended so there was no quorum.
Councilmember Duffy stated that a SEQR application needed to be given to the applicant before it was presented to the Planning Board.
- B. Campground – Mike O’Neil
- Councilmember Dailey asked if a disabled member could leave his/her boat in the water while they are camping at the campground without paying the \$5.00 daily fee. It was stated that there were no reduced rates for disabled people.
 - Councilmember Dailey also inquired if a Lisbon resident rented the pavilion for a party would the guests still need to pay the \$3.00 entrance fee to enter on to the beach and campground. He was informed that if they were not a Lisbon resident or did not have a resident permit, then they would need to pay the \$3.00 entrance fee.
 - Councilmember Duffy stated that Mike O’Neil handed in a Proposals and Concerns for the beach and campground for 2013. Councilmember Duffy stated that she had a concern with item number 7: the need to purchase 3 more hand held radios. One for the beach area, so the lifeguards could contact of Mr. O’Neil and the office in case of an emergency. Currently the life guards use personal cell phones when they needed to contact Mr. O’Neil. At the beach, cell phone coverage was not good. Town Clerk McBath asked if the telephone was connected in the Life Guard Building. Councilmember Duffy did not know. Town Clerk McBath informed the board that she would look into getting the landline connected. Supervisor Armstrong asked for the cost for the hand radios. It was being investigated. Councilmember Dailey suggested that the town board table this until the next meeting.
 - Councilmember Duffy also stated that the town needed to purchase the ropes and floaters for the water at the beach. Town Clerk McBath stated that these items have been ordered.
 - Councilmember Dailey requested that the Campground vehicle be brought in once a week for inspection.
- C. Homecoming – Supervisor Armstrong stated he did not go to the last meeting, but he felt everything was going smoothly.
- D. Museum – No Comments
- E. Recreation – No Comments
- F. Animal Control – Sue Siedlecki – Report *See attachment # 1*

9. Report from Legislator Mark Akins

- Legislator Akins informed the board that there had been a reopening clause on the Power Authority relicensing. Discussion was held.

10. Old Business**A. Health Center**

- Supervisor Armstrong stated he and Town Clerk McBath inspected the carpets at the clinic. He decided to get a quote for carpet and tile from Murray’s Flooring and Garner’s Flooring and Furniture. A quote was received from Garner’s, but not Murray’s. It was suggested that Town Clerk McBath call Murray’s and

Con't Old Business – Health Center

inform them what the town needed and table this until a later date.

- Information was given to Attorney Nash for a six months contract with Ernie Cougler NP.
 1. Rent Free for 6 months.
 2. Mr. Cougler would pay all utilities:
 - electric, heat, water & sewer, cleaning, telephone. He would agree to be Health Officer and give free physicals for Highway Department men.
 3. It will be stated that the Town of Lisbon will be responsible for snow plowing and sanding and would provide the maintenance of the building
 4. It would also be stated that there would to be no smoking on the premises.

Ayes – 3 Nays – 0

B. Code Enforcement Vehicles

It was suggested not to purchase a vehicle for the Code Enforcement Officer as he when he was hire it was agreed that he would use his own vehicle.

11. New Business –**A. Exterior of Town Hall and rugs in the office**

Councilmember Dailey made a motion, seconded by Councilmember Duffy to clean the carpets in the Town Hall.

Ayes – 3 Nays – 0

Exterior of Building – It was suggested that the highway department, when not black topping, have a couple of men pressure wash the exterior of the building.

- B. Scott Wilhelm wanted to thank the Town Board Members for the use of the campground in December 2012. He informed the board that they collected \$16,000 and 3,700 lbs. of food that were distributed to local food pantries. Mr. Wilhelm stated they collected equal amount of food and money in December 2012 to the combined December of 2010 and 2011. Also there were about 5000 vehicles that had gone through.

Mr. Wilhelm asked if Lights on the River could use the campground again this year.

Councilmember Dailey made a motion, seconded by Councilmember Duffy for the Lights on the River to use the campground again in December 2013.

Ayes – 3 Nays – 0

Councilmember Putney arrived at 7:30 PM

C. Procurement Policy – Attorney Nash explained the changes to the Procurement Policy

Councilmember Jarvis made a motion, seconded by Councilmember Duffy to approve the Procurement Policy with changes.

Ayes – 4 Nays – 0

- D. Appointing an Assessor – State of New York, Department of Taxation and Finance, Office of Real Property Tax Services requested a decision whether or not the Town would reappoint Stephen Teele for Assessor for the Town of Lisbon Assessor.

Councilmember Jarvis made a motion, seconded by Councilmember Duffy to reappoint Stephen Teele for a six (6) year term starting October 1, 2013 until September 30, 2019.

Ayes – 4 Nays – 0

- E. Dogs – Town Clerk McBath informed the board members that one renewal, 2 reminders, and 1 letter for unlicensed dogs were sent out before the person received a ticket for unlicensed dog. She asked if the board members wanted her to continue with this method.

Councilmember Putney made a motion, seconded by Councilmember Duffy to have Town Clerk McBath send out the renewal. Then a letter would be mailed stating there if the dog (s) were not licensed by a certain date the owner would receive a ticket for the unlicensed dog(s).

Ayes – 4 Nays – 0

- F. Resolution #12 – Relicensing Settlement Agreement – *See Attachment # 2*

Councilmember Duffy made a motion, seconded by Councilmember Jarvis to approve the Resolution # 12 – Relicensing Settlement Agreement.

Ayes – 4 Nays – 0

- G. Resolution # 13 - To file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim. – *See Attachment # 3*

Councilmember Duffy made a motion, seconded by Councilmember Jarvis to approve the Resolution # 13 to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim.

Ayes – 4 Nays - 0

13. William Dashnaw Financial Advisor:

No comments.

19. Recognition of Guest

A. Sean Ewart had no comments

20. Executive Session –

Councilmember Putney made a motion seconded Councilmember Dailey for executive session, concerning Real Estate at 8:12 PM.

Ayes – 4 Nays – 0

Councilmember Jarvis made a motion seconded by Councilmember Dailey to return to the regular meeting at 8:55 PM.

Ayes – 4 Nays - 0

21. Adjournment

Councilmember Putney made a motion, seconded by Councilmember Dailey to adjourn the meeting at 8:58 PM.

Ayes – 4 Nays – 0

Respectfully Submitted,
Donna McBath,
Town Clerk

Dog Control Report May 2013

5/1 - picked up small white dog belonging to
Christy Papineau per request from Traoper
Craig Marshall - (34 miles)

5/2 one of Papineau's cats scratched Beth
White - Checked with public health -
Cat either needs to be confined for
10 days or smitted

5/18 Complaint of black dog harbored
at Cathy French's 6599 running at large
threatening people. No one home - left
note to call - (31 miles)

Spoke with French on phone - said
the dog belonged to John Reese, Ogdensburg -
will tell him not to bring dog when
he visits.

5/22. Picked up dog on 37 North Road
(39 miles)

Phone calls - people missing dogs etc

Duron Sclafani D.C.O.

**TOWN OF LISBON
TOWN HALL
BOX 98
LISBON, NEW YORK 13658**

315-393-0410 Town Supervisor
315-393-5988 Town Clerk
Website – www.lisbonny.net

Town Supervisor – James Armstrong
Town Clerk - Donna McBath
Highway Superintendent – Timothy Dow
Attorney – Charles Nash, Esq.

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June 12, 2013

RESOLUTION NO. 12

RELICENSING SETTLEMENT AGREEMENT

WHEREAS, The Town of Lisbon is a member of the St. Lawrence Local Government Task Force for Issues with NYPA and the St. Lawrence River (Task Force); and

WHEREAS, in 2002, the Task Force entered into a Relicensing Settlement Agreement with the New York Power Authority regarding the St. Lawrence-FDR Power Project, No. 2000 (the “Agreement”); and

WHEREAS, the Agreement provides that the Task Force and NYPA shall conduct a review of the Agreement every ten years commencing in the year 2013; and

WHEREAS, it is in the best interest of The Town of Lisbon and the Task Force for the Task Force to retain legal counsel to represent it in the review process.

NOW THEREFORE, be it resolved that The Town of Lisbon agrees with and consents to the Task Force retaining outside counsel pursuant to the terms of a negotiated engagement letter; and

BE IT FURHTER RESOLVED, The Town of Lisbon is willing to pay their equitable share of legal fees out of any settlement received by the town.

I Donna D. McBath, Town Clerk of the Town of Lisbon, do declare that the above resolution is a true and exact copy of the original resolution as it appears in the official minute book of the Lisbon Town Board Meetings.

Donna D. McBath, Town Clerk of Lisbon, NY

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RESOLUTION NO. 13

**TO FILE A CERTIFICATE WITH THE SECRETARY OF
STATE DESIGNATING THE SECRETARY OF STATE
AS AN AGENT FOR SERVICE OF THE NOTICE OF CLAIM**

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, person, for the transmittal of notices of claim served upon the Secretary 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 notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate; Now therefore Be It

RESOLVED, that the Town Board of the Town of Lisbon, County of St. Lawrence designates James W. Armstrong, in his capacity as Town of Lisbon Supervisor, to receive notices of claims served upon the Secretary of State by mail at PO Box 98, Lisbon, New York 13658 and email at lisbontownclerk@nny.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 him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

(Please note that applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate General Municipal Law, §50-e(1)(a))