

Town of Lisbon Board Meeting Agenda

Wednesday, June 9, 2021

6:00 P.M.

- A. Pledge of Allegiance
- B. Call to order
- C. Approval of previous meeting minutes
- D. Public hearings - **Public hearing for a local law for prior written notice BILL # 2021-64**
- 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>	\$ 72,168.89
<i>Claims to be paid from the DA-Highway Fund</i>	\$ 37,393.64
<i>Claims to be paid from the SS – Lisbon Sewer District Fund</i>	\$ 4,088.58
<i>Claims to be paid from the SW – Lisbon Water District Fund</i>	\$ 2,785.25
<i>Claims to be paid from the TA – Trust and Agency Fund -</i>	\$ 834.74
<u>Total Claims Abstract 005:</u>	<u>\$ 117,451.32</u>

Payroll 10 - \$27,788.68; Payroll 11 - \$34,377.05; = \$62,165.73 paid

(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:

- Supervisor Financial reports

J. Reports of Departments

Supervisor Report

- SLC Risk Manager Inspection report
- USDA Program application
- Town Board Payroll audit - 2020
- Town Board Financial records audit – 2020

- Highway Superintendent Report

- Chapel Road Bridge – update
- Town Clerk Report – Town Clerk Hyde
- Beach and Campground Report – Todd Miller
- Code Enforcement Officer Report - Marc McDonell
- Approval of Reports – Action required by the Board

- Reports of Boards and Committees

- Planning Board
- Recreation Report
- Homecoming Committee – Jordan Putney
- Library – Michelle Stottlemyer McLagan

K. Action Items:

Items for Town Board Action

1. Resolution to purchase a lawn mower BILL # 2021-63
2. Resolution to establish a local law regarding public notice BILL # 2021-64
3. Resolution to amend the Highway agreement to spend BILL # 2021-65
4. Resolution in support of a 2021 Local Government Efficiency Grant DANC BILL # 2021-66
5. Resolution in support of a 2021 Local Government Efficiency Grant Application for a North Country Regional Shared Geographic Information System Project BILL#2021-67

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)

R. Adjournment.

Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution to purchase a John Deere Zero Turn Lawnmower off NYS contract for the Highway Dept FOR AGENDA OF: June 9, 2021
BILL #: 2021-63

DEPT. OF ORIGIN: Highway Superintendent

DATE SUBMITTED: June 9, 2021

APPROVED BY TOWN ATTORNEY – Yes No

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes No

EXHIBITS: **Resolution and contract**

EXPENDITURE
REQUIRED: \$7,749.28

AMOUNT
BUDGETED: \$7,749.28

APPROPRIATION
REQUIRED: \$

RECOMMENDED ACTION

Approval of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

Supervisor Nelson _____ Deputy Supervisor Dailey _____

Town Councilman Putney _____ Town Councilman Bush _____

Town Councilman McNeil _____

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 purchase a John Deere Zero Turn Lawnmower through an authorized John Deere dealer, Cazenovia Equipment, by entering into the NYS Contract #PC68131, for Equipment Purchase in the amount of \$7,749.28; 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 Highway Superintendent Baldock is authorized, directed and empowered, on behalf of the Town of Lisbon, to purchase the budgeted zero turn lawnmower 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;

Business of the Town Board of the Town of Lisbon

SUBJECT: FOR AGENDA OF: June 9, 2021
Resolution to establish a local law regarding Prior Written Notice. BILL #: 2021-64
DEPT. OF ORIGIN: Supervisor
DATE SUBMITTED: June 9, 2021

APPROVED BY TOWN ATTORNEY – Yes _____ No _____ N/A X

EXHIBITS: Resolution

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes X No _____

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

SUMMARY STATEMENT

Resolution for adoption of a local law for prior written notice.

RECOMMENDED ACTION

Passage of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

Supervisor Nelson _____ Deputy Supervisor Dailey _____

Town Councilman Putney _____ Town Councilman Bush _____

Town Councilman McNeil _____

WHEREAS, the New York State Court of Appeals has held that municipalities are entitled to prior written notice of defects located with municipally owned property to include buildings, roads, bridges, infrastructure, parking lots, etc.; and

WHEREAS, Prior Written notice laws have been enacted by virtually every municipality in the State of New York's, and

WHEREAS, the law provides that a municipality cannot be held liable for injuries caused by a hazard located on a "street, highway, bridge, culvert, sidewalk or crosswalk" unless the municipality has been notified in writing of the hazardous condition and has a reasonable time to cure the condition, and

WHEREAS, the Court of Appeals has long recognized that prior written notice laws are 'a valid exercise of legislative authority' and that such laws "comport" with the reality that municipal officials are not aware of every dangerous condition on its streets, roads, public walkaways, bridges, culverts, yet impose responsibility for repair once the municipality has been serviced with written notice of an obstruction or other defect, or liability for the consequences of its nonfeasance, as the case may be; and

NOW THEREFORE BE IT RESOLVED that the Town Board enacts this local law and This local law shall take effect immediately upon its filing in the office of the Secretary of State.

Business of the Town Board of the Town of Lisbon

SUBJECT: Resolution amending Highway 284 agreement for the Town of Lisbon for 2021.
FOR AGENDA OF: June 9, 2021
BILL #: 2021-65
DEPT. OF ORIGIN: Supervisor
DATE SUBMITTED: June 9, 2021

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 agreeing to expenditures for repair and improvement of highways

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 moneys levied and collected for the repair and improvement of highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof, the moneys received from the state, as provided by sections two hundred seventy-nine and two hundred eighty-two, and such other moneys as the town board, by resolution, shall have transferred pursuant to section one hundred thirteen of the town law or pursuant to section two hundred eighty-five-a of this chapter shall be expended for the repair and improvement of such highways, sluices, culverts, and bridges and walks, at such places and in such manner as may be agreed upon by the town board and the town superintendent of highways.

NOW THEREFORE BE IT RESOLVED that the amended agreement shall be written and signed in duplicate by a majority of the members of the town board, and by the town highway superintendent, before the same shall take effect. One of such duplicates shall be filed in the office of the town clerk and one in the office of the county superintendent. Such moneys shall be paid out by the supervisor on vouchers approved by the Highway Superintendent in accordance with such written agreement.

Business of the Town Board of the Town of Lisbon

SUBJECT: FOR AGENDA OF: June 9, 2021
Resolution authorizing application and support BILL #: 2021-66
for a Local Government Efficiency Program Grant
for the GIS system project DEPT. OF ORIGIN: Supervisor

DATE SUBMITTED: June 9, 2021

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

Application for a Local Government Efficiency Program Grant

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 _____

Town of Lisbon Resolution in support of a 2021 Local Government Efficiency Grant Application for a North Country Regional Shared Geographic Information System Project

Whereas, the Town of Lisbon (Town) has an existing agreement with the Development Authority of the North Country to be part of the Authority’s regional shared services Geographic Information Services (GIS) platform, and

Whereas, the Town will act as a participating municipality for a shared services project, involving multiple local governments in the North Country continue to develop GIS datasets for municipally owned assets, bridges and culverts, road signs, county road centerline striping, sidewalks and curbs, water/wastewater infrastructure, highway, public works, and cemeteries, and

Whereas, the project partners will submit an application to the Department of State Local Government Efficiency (LGE) Implementation Grant Program, anticipated to be part of the 2020 Consolidated Funding Application, and

Whereas, the Town understands that they will be required to contribute a 10% match for the Town's portion of the overall project budget, up to \$1,600 which will be paid to the lead agency.

Now, Therefore Be It Resolved, that the Town of Lisbon will participate as a municipal partner as required for the LGE grant application to be filed with the NYS Department of State, and

Be It Further Resolved, that the Town authorizes the Supervisor to execute all financial and/or administrative processes relating to the implementation of the grant program project as a participating applicant, and

Be It Further Resolved, that the Town will provide the required documentation and the support of its staff (as necessary) to the Development Authority of the North Country in performance of the North Country Regional Shared GIS Implementation Project.

Business of the Town Board of the Town of Lisbon

SUBJECT: FOR AGENDA OF: June 9, 2021
Resolution authorizing the Supervisor to BILL #: 2021-67
approve and process payments for reimbursement
from NYS CHIPS Program for paving materials DEPT. OF ORIGIN: Highway
Superintendent /Supervisor

DATE SUBMITTED: June 9, 2021

APPROVED BY TOWN ATTORNEY – Yes No N/A

EXHIBITS: Resolution

APPROVED BY SUPERVISOR FOR SUBMITTAL– Yes No

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$623,763.32	BUDGETED: \$623,763.32	REQUIRED: 0

SUMMARY STATEMENT

Approval to spend and pay in advance of meeting paving invoices in an amount not to exceed \$623,763.32

RECOMMENDED ACTION
Passage of this resolution.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

Supervisor Nelson _____ Deputy Supervisor Dailey _____

Town Councilman Putney _____ Town Councilman Bush _____

Town Councilman McNeil _____

WHEREAS, the Town of Lisbon has been awarded CHIPS funding in the amount of \$421,938.27, (\$362,086.08 in 2021 funding and \$59,852.19 in roll over funds); \$108,434.88 in PAVENY funding, (\$95,677.41 in 2021 funding and \$12,757.47 in roll over funds); \$93,390.17 in EWR (Extended Weather Recovery) funds, (\$82,646.17 in 2021 funding and \$10,744 in roll over funds); for a total of \$623,763.32, and

WHEREAS, the Town Board has authorized the Highway Superintendent to spend up to 100% of the approved fund in paving projects for 2021 and has entered into an agreement with the Highway Superintendent for roads to be paved and improved in fiscal year 2021, and

WHEREAS, the Highway Superintendent has begun the paving process for the 2021 fiscal year, and has incurred approved expenditures for such paving materials, and

WHEREAS, the Town Board wishes to recapture the awarded funds as soon as possible, and

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Town Supervisor to pay vouchers for expenditures incurred for paving materials and equipment under the CHIPS, PAVENY, EWR, and carry over funds in advance of the next Town Board meeting which will be held on July 14, 2021, and

BE IT FURTHER RESOLVED that such invoices shall be audited and approved by a second Town Board member for advance payment, and

BE IT FURTHER RESOLVED that the Highway Superintendent is requested to submit to the State for reimbursement of said expenditures as soon as possible to replenish the Town Highway accounts for expenditure for the Paving project, and that such budget accounts will be adjusted reflect the actual awards and carry over funds to be received in these accounts.