

**Town of Lisbon Board Meeting
Wednesday March 8,2023
Lisbon Town Hall
6963 CR 10 Lisbon, NY 13658**

A. **Call to Order** by Supervisor Nelson at 5:08 PM

B. **Pledge of Allegiance**

C. **Roll Call:** Supervisor William Nelson Deputy Supervisor Nathanael Putney
Councilmember Ron Bush Councilmember Jeff Dumas
Absent Councilmember Robert McNeil
Also present: Highway Superintendent Michael Baldock, Town Clerk Alberta Hyde, Assessor Steve Teele, CEO Marc McDonell, Campground Director Todd Miller, Attorney Charles Nash, Legislator David Forsythe, Historian Nancy LaFaver, Librarian Michelle McLagan, several residents

D. **Presentation:** Ted Jones of Williamson Law books did a presentation remotely regarding how to read the monthly financial reports. Supervisor Nelson handed out a sample of the detailed revenue and expenditures sheets that the Town Board members should be getting every month. A lot of information was given in the almost hourlong presentation. Board members and Elected Officials were not prepared with questions due to the late notice of the presentation. Town Clerk Hyde requested some information be sent to her and will work with Williamson in the days to follow.

E. **Approval of previous meeting minutes:**

1-January 10,2023 Special Board Meeting

Moved by Councilmember Bush seconded by Deputy Supervisor Putney to approve the minutes of January 10,2023 Ayes 4 Nays 0 motion carried.

2- January 11,2023 Organizational Meeting

Moved by Deputy Supervisor Putney seconded by Councilmember Bush to approve the minutes of January 11,2023 Ayes 4 Nays 0 motion carried.

3-January 11,2023 Town Board Meeting

Moved by Deputy Supervisor Putney seconded by Councilmember Bush to approve the January 11,2023 Town Board Meeting minutes. Supervisor Nelson questioned the conversation regarding the payables during his absence. Since Supervisor Nelson was not at the January meeting Town Clerk Hyde asked Attorney Nash to look at the minutes to see if they interpreted what was discussed. Attorney Nash stated said minutes were acceptable. Ayes 4 Nays 0 Motion carried.

4- February 8,2023 Town Board Meeting

Moved by Councilmember Bush seconded by Councilmember Dumas to approve the minutes of February 8,2023 Ayes 4 Nays 0 motion carried.

F. **Public comment period:**

Cathy McDonell, resident of the Town of Lisbon and wife of the CEO for the Town of Lisbon, addressed the Town Board regarding a phone call between Town Supervisor Nelson and a Town Board member that was made after last month's Town Board meeting. It's alleged that Supervisor Nelson made a statement in the phone call that CEO McDonell made advances during a traffic stop to his now wife. Mrs. McDonell stated that Supervisor Nelson fabricated the story further by telling the Board Members he personally had to make a call to the State Police to get Mr. McDonell to stop. This incident apparently occurred 25 years ago when CEO McDonell was a NYS Trooper and Supervisor Nelson did not know his current wife. ~~Supervisor Nelson denied that this conversation took place and said he would never say that.~~ Supervisor Nelson stated "That's not what I said" Town Board members corrected Supervisor Nelson and stated that the conversation did take place. Mrs. McDonell pointed out that what Supervisor Nelson had done was slander with intent to cause harm, to which Attorney Nash responded that it was defamation of character if proven in court. Mrs. McDonell stated that just because Supervisor Nelson has a personal issue with her husband, he had no right to attack their marriage and family Lisbon is a small town and this rumor that Supervisor Nelson started is going around town. Councilmember Bush agreed that personal issues should not be spread around. Mrs. McDonell stated that she was owed an apology and asked Supervisor Nelson to resign. She feels that the Town Board needs to be held accountable for allowing the Supervisor to act in this manner. Councilmember Bush responded that the Town Board cannot remove the Supervisor. Mr. McDonell stated no, but you can censor him. Supervisor Nelson apologized to Mrs. McDonell saying it was a statement that he should not have said and just something his wife told him happened years ago and that he would not resign, and no one has the authority to make him resign.

Adam Duvall, Town of Lisbon Highway Employee, questioned why he had not been reimbursed for his time that he had taken when he was off on Workers Compensation from August 6,2021 to September 17,2021. Supervisor Nelson responded that he had received the Wage Reimbursement for Adam Duvall two or three weeks ago but has not reconciled the bank statements. As soon as he does, he will reimburse Mr. Duvall's time. Mr. Duvall stated he just wanted to make sure it doesn't get forgotten about like a lot of other things in the Town.

G. Report from County Legislature: Chairman Forsythe

- 1-Congratulated Lisbon on being 222 years old
- 2-Had a good 1st meeting with NYSAC
- 3-St. Lawrence University Students attend a Legislative Meeting
- 4-Senator Stec will be opening an Office in the County Court Building
- 5- Still an ongoing issue with residents in St. Lawrence County obtaining Baby Formula
- 6-Working on restoring relationship with the City of Ogdensburg and their new City Manager

CEO McDonell questioned Gov. Hochul's plan to shut down natural gas line and if there is any way to encourage the Solar Farms to use local labor. Highway Superintendent spoke on the condition of State Highway 37 in the Town of Lisbon. Supervisor Nelson questioned how the charge backs were allocated.

H. Approval of Audited claims

General-\$89,829.51	Highway-\$79,735.41
Water-\$1264.40	Sewer-\$3,641.46
T&A-\$749.50	Total-\$175,220.28

Motion by Deputy Supervisor Putney seconded by Councilmember Dumas to make payments to bill # 87-135. Ayes 4 Nays 0 Motion Carried.

I. Budget review:

- 1-Reminder that the Justice Court Audit for 2022 is due by March 31,2023. Deputy Supervisor Putney asked if Councilmember McNeil was not recovered from his fall if he could participate by phone. The supervisor answered yes.
- 2-Payroll audit for 2022 will be done by Councilmember Dumas and Councilmember Bush
- 3-Financial records audit for 2022 will be done by Deputy Supervisor Putney and Councilmember McNeil.

J. Reports of Departments:

Supervisor-

- 1- AUD has been filed for 2022.
- 2- In the process of sending reports out
- 3- ARPA filing is due by the end of March first of April
- 4- The position for Bookkeeper was advertised, eight applications have been received.
- 5- NYMER inspection stated that the fire alarm at the Highway garage needs to be replaced.
- 6- The Town is required to seek bonding for the USDA RDA loan for the purchase of a 2023 International Snowplow/Dump Truck. Roger Linden of Canton has been recommended. Attorney Nash disclosed that his wife sometimes does work for Mr. Linden.

Highway Superintendent –

- 1- We have been busy with the storms and have made it through well. I am proud of the men. They did a great job.
- 2- We had a minor incident with our 2018 plow. The barrel of the plow got bent. The insurance company has been contacted and will be sending up an adjuster.
- 3- EGR valve was fixed on one of the cat loaders, cost was \$5,000.
- 4- A new roadside mower has been ordered and should be here around the end of May.
- 5- We went out to bid for the new pick up on the OGS site, will keep the Town Board updated.
- 6- Insurance inspection was done on the Town's Medical Center, and it was suggested that we increase the amount of coverage.
- 7- There was a meeting today regarding the Sewer project, everything is going well and phase one should be completed soon. Highway Supervisor Baldock presented Supervisor Nelson with paperwork from Charles Prior that needs to be signed for the ARPA funding by next week.
- 8- Verizon Wireless may be interested in mounting an antenna configuration on the Town's water silo or possibly constructing a tower on Town property. It would be a 5-year lease with 4–5-year renewals for \$800.00/month with a 2% escalation per year. Discussion followed with the town Board asking Supervisor Nelson to invite Ray Perry, Project Manager, to the next Town Board meeting along with someone from Tisdell Associates.
- 9- Highway Superintendent asked for an update on the USDA grant that the Town was awarded last year.

Town Clerk-

- 1-St. Lawrence Co. Treasurer's office is asking the Town to respond in writing if they will be sending second notices for County/ Town Tax's that are due and, if so, what, if any, fee will be added. Discussion followed with the Town Board deciding to do the same as last year. Town

Clerk Hyde will send the letter to the County and send out the notices to Taxpayers with a two-dollar fee added to their bill.

2-St Lawrence Co has recently adopted the updated Hazard Mitigation Plan and would like a resolution from the Town of Lisbon showing they have adopted the plan

3-Town Clerk Hyde asked that no one take the Vouchers out of the Town Hall. After last month's Town Board meeting the February Vouchers were taken home with someone. Town Clerk Hyde offered to leave the Vouchers in the Board Room for anyone that cannot come to the Town Clerk's Office during regular business hours. Supervisor Nelson apologized stating it was him that had taken them home to review, and he usually does not do that.

Assessor

1-Steve Teele advised the Town Board that the deadline for the Star Exemption for the 2023-2024 School year had ended on March 1, 2023, but NYS will still be accepting applications for Enhanced Star exemption for the 2023-2024 School year with good cause.

2- The Town had three property owners qualify under the Local Law no. 1 for a partial exemption from taxation.

CEO-

1- Training in Lake Placid was very informative. There is a lot of frustration about the possibility of going all electric.

2- I received a lot of support from other CEOs at training regarding the Digester being a commercial project.

3- Two different companies are looking at Solar projects in Lisbon.

4- The current Solar project is offering a Neighborhood agreement regarding the Vegetation. Residents have asked if Attorney Nash would review this agreement before they sign.

5- The stop work order was issued for the Woodcrest digester. CEO has not had any contact with anyone. Supervisor Nelson was asked if he had any contact with any of the principles regarding the digester, response was no.

Campground-

1-Campground will start hiring in April, Campground Director Miller will be doing interviews

2- Campground is going to need a new Lawn Mower this year, Campground Director Miller will get three written bids

3-Casella presented a written quote for garbage pickup at the Campground. Discussion followed regarding the difference between Casella's and the Town continuing to take the trash to the County Transfer Station themselves. It was decided that it was more cost effective to have the Town continue to take the trash themselves.

4-Campground Director Miller is suggesting a 5 % increase in camp site rates for the 2023 season

Historian-

1- 2022 Historian report was e-mailed to everyone, hard copies are available.

2- Town of Lisbon is 222 years old.

3- St. Lawrence County Court house has a display for Women in History Month. Three Women from Lisbon have been placed on the wall in the hallway of the County Building.

Moved by Deputy Supervisor Putney seconded by Councilmember Dumas to accept the reports from all departments Ayes 4 Nays 0 Motion carried.

CEO Marc McDonell requested that the Town Board go into Executive session to discuss Personnel matters regarding Supervisor Nelson. Attorney Nash advised the Town Board that they legally could not go into Executive Session to discuss an Elected Official, it would have to be done in the public meeting. Attorney Nash read the eight items that may be discussed in the executive session. Mr. McDonell agreed to express his concerns with Supervisor Nelson present. Mr. McDonell has worked for the Town of Lisbon for nine years and has never worked in such a hostile environment as Supervisor Nelson has created. He alleged that Supervisor Nelson sees nothing wrong with sharing personal issues whether true or not true. Supervisor Nelson denied this statement, but Mr. McDonell pointed out that it has not only been himself, but that Supervisor Nelson has attacked two other victims in the Town: Highway Superintendent Baldock and Town Clerk Hyde, and there are e-mails from the Supervisor to prove this. Mr. McDonell asked the Town Board to address and put a stop to the unprofessionalism and conversations that should not be had. He questioned how their spouses would feel. Mr. McDonell added that he was disappointed in Supervisor Nelson and demanded he treat employees with respect. Councilmember Dumas commented that the behavior, e-mails, texts regarding personal issues that Supervisor Nelson has with individuals needs to stop. Town Board members have been elected to do a job and cannot/ should not have to continue spending time on childish issues. Mr. McDonell previously asked if Supervisor Nelson had any conversations with the principals regarding the Digester. Supervisor Nelson stated no but then he sent out an e-mail stating he had a complaint against Marc regarding the Digester, and he was going to take discipline actions. Supervisor Nelson even went as far as accusing the CEO of Insurance Fraud from years ago regarding the pistol range. Mr. Dumas reviewed the Town Board Minutes, and there was nothing in them regarding this. Mr. Dumas stated that he has no respect for this behavior.

K. Reports of Committees:

Planning Board-no meeting this month

Recreation-The committee is working on creating new bylaws.

Homecoming-Activities have been booked for Homecoming. The date for Homecoming this year is August 18-20th,2023.

Library-

- 1- Lisbon Library has been hosting all the Libraries in St. Lawrence County for a new software training.
- 2- The library has not received to date the amount budgeted for 2023. Supervisor Nelson stated he would do a Voucher and add it to the March 2023 General Abstract and issue a check to the library.

Museum

- 1--A meeting was had with Councilmember McNeil to begin writing the SLC RVRDA grant for the heating/air conditioning and security cameras for the freight room at the museum.
- 2-E-mails have been sent to Town Supervisor/ Board members regarding the repairs of the deck at the museum. Supervisor Nelson advised that there would need to be three quotes before the work could be done.

L. Action Items:

1. Resolution approving the submission of the 2022 OSC AUD Bill # 2023-34 Moved by Deputy Supervisor Putney seconded by Councilmember Bush Ayes 4 Nays 0 Motion carried.
2. Resolution to contract with Peggy Mousaw to do the mandatory reporting and tracking for the ARPA money Bill # 2023-35 Moved by Councilmember Dumas seconded by Council Member Bush Ayes 4 Nays 0 Motion carried.
3. Resolution to hire Roger Linden of the Linden Law firm for issuance of bonds for purchase of the 2023 International Snowplow/Dump truck Bill # 2023-36 Moved by Deputy Supervisor Putney seconded by Council Member Dumas Ayes 4 Nays 0 Motion carried.
4. Resolution to issue requests for proposals for legal representation in litigation Bill # 2023-37 Moved by Deputy Supervisor Putney seconded by Council Member Bush Ayes 4 Nays 0 Motion carried.
5. Resolution to adjust the budget and encumber \$25,000.00 in the Attorney's contractual account for legal fees for future legal needs Bill #2023-38 Moved by Councilmember Bush seconded Councilmember Dumas Ayes 4 Nays 0 Motion carried.
6. Resolution to sign an agreement for ARPA Funds Bill # 2023-39 Moved by Supervisor Nelson seconded by Deputy Supervisor Putney Ayes 4 Nays 0 Motion carried.
7. Resolution to spend Highway Funds Bill # 2023-40 Moved by Council Member Bush seconded by Councilmember Dumas Ayes 4 Nays 0 Motion carried.
8. Resolution to authorize the acceptance and adoption of the multijurisdictional hazard mitigation plan update for St. Lawrence Co. NY Bill # 2023-41 Moved by Councilmember Dumas seconded by Council Member Bush Ayes 4 Nays 0 Motion carried.

M. Old Business-

- 1- Lisbon Medical Center: The Town may have someone interested in running the Lisbon Medical Center. Councilmember Dumas stated they could contact him directly, send a letter of interest to the Town or attend a Town Board meeting.
- 2- Highway Generator Project: At the Town Board Meeting on February 8, 2023 Supervisor Nelson reported that the low bidder for the project was Sparx Construction, but they did not meet the qualifications regarding the Insurance needed to be carried. Lisbon Town Board agreed to reject this bid for the said reason and go with the seconded lowest bid Watson Electric, Inc in Norwood, NY. Attorney Nash informed the Town Board that since the meeting on February 8, 2023 Sparx Construction has been able to obtain the Insurance. Discussion followed regarding which company the Town should award the bid. Attorney Nash will contact Tisdell Associates and get back to the Town Board with information.

- N. Executive Session-** Motion made by Councilmember Bush seconded by Councilmember Dumas at 8:15 pm to enter executive session regarding the purpose of land purchase. Motion made by Councilmember Bush seconded by Councilmember Dumas to come out of executive session at 8: 40 pm Ayes 4 Nays 0 Motion carried.

- O. Adjournment-** Motion by Councilmember Bush seconded Councilmember Dumas to adjourn the meeting at 8:40 pm Ayes 4 Nays 0 Motion carried.