

September 15, 2021

REGULAR MEETING

The regular meeting of the Martinsburg Town Board was held Wednesday, September 15, 2021 at the municipal offices and called to order at 7:00 PM. Present were: Supervisor Terrence Thisse; Councilmen Darren Jantzi, Brad Allen and Janusz Karelus; Highway Superintendent Tyler Jones; Attorney Mark Gebo; Town Clerk Mary Kelley; Lewis County Legislator Greg Kulzer; CTHC Circuit Rider Beth Steria; Matt Cooper, Barton and Loguidice; Aaron Jantzi; Miller Engineering Representatives, Casandra Buell, Director of Lewis County Planning and Gordon Yancey. Absent: Councilman Michael McGrath.

MINUTES

The minutes of the August meeting were emailed to the board prior to the meeting. Councilman Jantzi made a motion, seconded by Councilman Karelus to accept of the minutes as presented. All were in favor. Motion carried.

BILLS - Abstract 08-2021

General:	Voucher #186-204	\$10,680.14
Highway:	Voucher #156-171	\$32,005.38
Glenfield Water:	Voucher #56-61	\$10,673.74
Glenfield Sewer:	Voucher #35-38	\$ 247.73
Martinsburg Water #1:	Voucher #51-54	\$ 698.97
Street Lighting:	Voucher #16-17	\$ 706.41
Whitaker Park:	Voucher #56-66	\$ 1,748.21

After some discussion and questions on the bills, Councilman Karelus made a motion, seconded by Councilman Jantzi to approve payment of the bills as presented. All were in favor. Motion carried.

PRIVILEGE OF THE FLOOR

Aaron Jantzi was present to discuss the \$1000 connection fee he was billed for in Martinsburg Water District #1. He owns the line that he put in and had all the expense to install it. After more discussion, Councilman Allen made a motion, seconded by Councilman Karelus to reduce the charge to \$200.00 to cover town expenses. Roll call vote: Supervisor Thisse, aye; Councilman Karelus, aye; Councilman Allen – aye; Councilman Jantzi, abstained; Councilman McGrath, absent. Motion carried.

TOWN CLERK REPORT

The August Town Clerk report was presented. Councilman Karelus made a motion, seconded by Councilman Jantzi to approve the report. Total State and Local revenues collected totaled \$18,044.50. All were in favor. Motion carried.

COOPERATIVE TUG HILL COMMISSION

Ms. Steria gave an update on training/grants:

- Lewis County Planning workshop
- NYSDOT funding for multi-use path and non-motorized transportation related projects
- JCAP grants are available
- Technical Assistance Grants from Preservation League of NY
- Reference materials are available on the Tug Hill website
- Jefferson County Planning workshop

LEWIS COUNTY LEGISLATOR

Mr. Kulzer discussed a proposal for broadband hotspots that would be paid by the county for three years. Mr. Jones discussed the need for improved cell phone service, especially in Glenfield for our water meters. Supervisor Thisse mentioned he had heard 5G wireless facilities were coming to the community. Towns have to show necessity to put them up where they do.

Representatives from Miller Engineers - Doug Miller, Terry Brown and Dr. Neil Murphy were present to discuss the Regional Water Study being done in the Towns of Denmark, Lowville, Martinsburg, Watson and Village of Copenhagen.

7:30 Casandra Buell arrived.

Water study topics discuss by Miller Engineers:

- What do you see for the future?
- Problems – disinfection by products; radio isotopes in groundwater
- Favorable zones for future groundwater resources
- Economic development benefits
- What can the county do to help
- Training programs for all the districts
- Creation of a regional water resource agency

Cyber security of systems discussed. Ms. Buell asked what the County could do to help

Ms. Buell reported on the County façade and streetscape improvement project grant. The county is using stimulus funds for this program. A project would be paid for – 75% by Lewis County and 25% by town. Applications can be made online.

AMERICAN RESCUE PLAN ACT (ARPA)

The town has received its first ARPA payment and possible uses for it were discussed. Need to show a loss due to the COVID pandemic and then you can use it for any project.

HIGHWAY BONDING FOR PLOW TRUCK

Councilman Karelus made a motion, seconded by Councilman Jantzi authorizing Supervisor Thisse sign an agreement with Barclay Damon to offer bond counsel services to the Town of Martinsburg regarding its Plow Truck Purchase Project. It is understood that services as bond counsel will include working with our funding services and the maximum amount to be expended is currently estimated not to exceed \$250,000. All were in favor. Motion carried.

BOND RESOLUTION

The following resolution was offered by Councilmember Jantzi who moved its adoption, seconded by Councilmember Allen, to wit:

BOND RESOLUTION DATED SEPTEMBER 15, 2021

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS, A STATUTORY INSTALLMENT BOND OR INSTALLMENT PURCHASE AGREEMENT FOR THE PURCHASE OF A NEW FULLY OUTFITTED WESTERN STAR TANDEM AXLE PLOW TRUCK FOR AN AMOUNT NOT TO EXCEED \$250,000.

BE IT RESOLVED, by the Town Board of the Town of Martinsburg, Lewis County, New York, as follows:

Section 1. The purchase of a New Fully Outfitted Western Star Tandem Axle Plow Truck, for the Town of Martinsburg is in the interest of its residents of the Town of Martinsburg. The maximum cost of such specific objects or purposes is \$250,000.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid Tandem Axle Plow Truck is fifteen (15) years; pursuant to Section 11.00 (a)(28) of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107 of the Local Finance Law.

Section 3. The plan for the financing of such estimated cost for such objects or purposes is by the issuance of Serial Bonds, a Statutory Installment Bond or Installment Purchase Agreement not to exceed \$250,000 for such objects or purposes of said Town, hereby authorized to be issued therefor pursuant to the Local Finance Law. Such financing shall be repaid over a period of less than five (5) years.

Section 4. The faith and credit of the Town of Martinsburg, Lewis County, New York is hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable.

Section 5. Subject to the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes of the issuance and the sale of Serial Bonds, a Statutory Installment Bond or a Statutory Installment Bond herein authorized, including renewal of

such notes, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer. Such Bonds shall be of such terms, form and contents and shall be sold in such a manner as may be prescribed by said Town Supervisor consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether to manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bond are to be executed in the name of the Town by the facsimile signature of its Town Supervisor), including the consolidation with other issues, shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Town Supervisor shall determine.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object of purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit of proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. Upon this resolution taking effect, a summary of the same shall be published in the Lowville Journal and Republican, the official newspaper of said Town, for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 9. This resolution is not subject to permissive referendum, pursuant to Section 35.00 of the Local Finance Law.

Section 10. This resolution shall constitute a statement of official intent for the purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Terrence Thisse	yes
Daren Jantzi	yes
Michael McGrath	absent
Janusz Karelus	yes
Brad Allen	yes

The resolution was thereupon declared duly adopted.

Councilman Allen made a motion, seconded by Councilman Karelus to declare the 2007 International tandem dump truck as surplus and selling it to the Village of Lowville for \$65,000. All were in favor. Motion carried.

Councilman Jantzi made a motion, seconded by Councilman Allen to declare the 2019 F250 extended cab short box surplus and to advertise for sale. All were in favor. Motion carried.

GLENFIELD SEWER

Mr. Cooper gave an update on the Glenfield Sewer Improvement Project.

GLENFIELD WATER

Mr. Cooper gave an update on the Glenfield Water Improvement Project. Treatment plant location was discussed. Discussion was held on water softening alternatives – ion exchange (adding sodium) or reverse osmosis. Timeline of the project was discussed.

JUNKYARD LAW

Supervisor Thisse discussed amending the Town of Martinsburg Junkyard Law(s) by combining them and to add Lewis County as enforcement officer. Mr. Gebo will talk to Lewis County Building Codes.

WHITAKER PARK

Discussion was held on a grant to develop a walking trail at the park. The Park Superintendent has requested buying a stump grinder, for \$2,800, to be used at the park. Supervisor Thisse asked to see a brochure of the grinder for more details.

REAL PROPERTY TAX QUESTIONNAIRE/SENIOR EXEMPTIONS

Discussion was held on a real property tax questionnaire received from Lewis County Real Property. Councilman McGrath made a motion, seconded by Councilman Allen authorizing the Clerk to sign the Tax Exemption Questionnaire stating there would be no changes for the next year. All were in favor. Motion carried.

JCAP RESOLUTION

RESOLUTION WITH REFERENCE TO THE JUSTICE COURT ASSISTANCE GRANT PROGRAM

The following resolution was introduced by Councilman Allen:

This Town Board is aware of the 2022 Justice Court Assistance Program Grant that is available to the Courts and we wish to give authority to our Justice to submit such grant.

Now, therefore, BE IT RESOLVED as follows:

- Section 1. The Town Board of the Town of Martinsburg hereby authorizes Lacey Northrup, Justice of Town of Martinsburg to submit an application for the 2022 Justice Court Assistance Program Grant for the respective items he deems necessary for his Court. The Town Board is authorizing the Court to apply up to the maximum amount of \$30,000.
- Section 2. That the Supervisor of the Town be and hereby is authorized to sign the Certification of such grant once the form has been properly completed.
- Section 3. The within resolution shall take effect immediately.

Such resolution was seconded by Councilman Karelus and unanimously carried by members of the Town Board present.

More discussion was held on a quote received to upgrade the telephone system within the municipal building.

Councilman Jantzi made a motion, seconded by Councilman Karelus declaring an unused Justice desk as surplus property. All were in favor. Motion carried.

Discussion was held on a proposed 10 lot subdivision on Corrigan Hill that borders Town of Martinsburg property.

Discussion was held on David Hosler property adjacent to the Municipal Building. Steven Houck is under contract to purchase the property. Councilman Karelus made a motion, seconded by Councilman Jantzi to extend an existing contract between Mr. Hosler and the Town of Martinsburg, to purchase land, until June 15, 2022. All were in favor. Motion carried.

BOARD OF ASSESSMENT REVIEW

Councilman Jantzi made a motion, seconded by Councilman Allen to re-appoint Susan Gyore to the Board of Assessment Review – term will be October 1, 2021 to September 30, 2026. All were in favor. Motion carried.

Discussion was held on a fence around the property of Gordon Yancey on Centerville/Flat Rock Road. Since the fence is close to the road, it was suggested an agreement should be made to protect the town and Mr. Yancey. Mr. Yancey will give Attorney Gebo a “map” showing where the proposed fence will be located and distance from blacktop road. Mr. Gebo will draw up an agreement.

Supervisor Thisse gave the board his proposed 2022 budget for their review.

There being no further business, Councilman Allen made a motion, seconded by Councilman Karelus to adjourn at 9:40 PM. All were in favor. Motion carried.

Respectfully submitted,

Mary Kelley, Town Clerk