

**FEBRUARY 28, 2012  
TOWN OF PIERREPONT  
REGULAR MEETING**

The Town Board of the Town of Pierrepont held their Regular Meeting on Tuesday, February 28, 2012 at the Pierrepont Town Hall, commencing at 7:30 PM.

|                 |                               |                       |
|-----------------|-------------------------------|-----------------------|
| <b>Present:</b> | <b>Supervisor</b>             | <b>Thomas Latimer</b> |
|                 | <b>Councilman</b>             | <b>John McIntosh</b>  |
|                 |                               | <b>Neil Thomas</b>    |
|                 | <b>Town Clerk</b>             | <b>Melanie Thomas</b> |
|                 | <b>Town Attorney</b>          | <b>Charles Nash</b>   |
|                 | <b>Highway Superintendent</b> | <b>Shawn Spellacy</b> |

**Residents & Public:**

|                                    |   |
|------------------------------------|---|
| <b>Bill Mein</b>                   | <b>PO Box 428 Hannawa Falls, NY 13647</b> |
| <b>Dawn Amo</b>                    | <b>750 Howardville Rd., Canton, NY</b>    |
| <b>Dahl McCormick</b>              | <b>Hannawa Falls</b>                      |
| <b>Roger Murray</b>                | <b>Hannawa Falls</b>                      |
| <b>Scott Smalling</b>              | <b>Hannawa Falls</b>                      |
| <b>Mary Jane Smalling</b>          | <b>Hannawa Falls</b>                      |
| <b>Raymond J. Whalen</b>           | <b>South Colton</b>                       |
| <b>Ernest Walt Paul</b>            | <b>6636 CR 24, Colton, NY</b>             |
| <b>Mercy Spellacy</b>              | <b>275 CR 29, Canton, NY</b>              |
| <b>Barb Daniels</b>                | <b>872 SH 68, Canton, NY</b>              |
| <b>Joanne Degagne</b>              | <b>22 Noyes Rd., Potsdam, NY</b>          |
| <b>Carson McCuen</b>               | <b>22 Noyes Rd., Potsdam, NY</b>          |
| <b>Ike Guyette (until 7:55 PM)</b> | <b>Town Assessor/Code Enf. Officer</b>    |
| <b>Dale Vaughn(until 7:55 PM)</b>  | <b>Zoning Board of Appeals Chairman</b>   |

Supervisor Latimer called the meeting to order at 7:30 PM.

**Motion** by John McIntosh, seconded by Neil Thomas, all in favor, to adjourn to executive session to discuss pending litigation. Invited to executive session: Dale Vaughn, Ike Guyette, Melanie Thomas. Time: 7:30 PM. At 7:40 PM, Charles Nash and Rick Brewer invited to executive session.

7:55 PM: reconvened regular meeting - no action taken in executive session.

**Motion** by Neil Thomas, seconded by John McIntosh, to accept the minutes of the December 27, 2011 Regular Meeting as submitted, all in favor.

**Motion** by John McIntosh, seconded by Neil Thomas, to accept the minutes of the January 3, 2012 Organizational Meeting as submitted, all in favor.

**Motion** by Neil Thomas, seconded by John McIntosh, to accept the Supervisor's Report for the month of December 2011 as submitted, all in favor.

**Motion** by Neil Thomas, seconded by John McIntosh, to accept the Supervisor's Report for the month of January 2012 as submitted, all in favor.

**Motion** by John McIntosh, seconded by Neil Thomas, to accept the Town Clerk's Report for the month of December 2011 as submitted, all in favor.

**Motion** by Thomas Latimer, seconded by Neil Thomas, to accept the Town Clerk's Report for the month of January 2012 as submitted, all in favor.

**Motion** by John McIntosh, seconded by Neil Thomas, to accept the Justice's Report for the months of December 2011 and January 2012 as submitted, all in favor.

**Motion** by Neil Thomas, seconded by John McIntosh, to accept the Code Enforcement Officer's Report for the months of January and February 2012 as submitted, all in favor.

**Motion** by Neil Thomas, seconded by John McIntosh, to accept the Assessor's Report for the months of January and February 2012 as submitted, all in favor.

## **CORRESPONDENCE**

**Letter** to Town Supervisors and Clerks from Kindra Cousineau, St. Lawrence County Public Health Department, regarding rabies clinics held by towns.

**Letter** to Supervisor Thomas Latimer, from Karen E. Mousaw, Potsdam Volunteer Rescue Squad, regarding certificate of need.

**Letter** to Town Clerk Melanie Thomas, from Dale Vaughn, Zoning Board of Appeals, regarding actions taken by Zoning Board of Appeals on January 19, 2012 (Daniel Bronson to divide building lots: no formal action taken, Steven and Nancy Greene to construct a residence at 58E T. Alexander Drive: approved, Steven and Nancy Greene to redraw lot line between 58E and 58ID: denied)..

**Letter** to Supervisor Thomas Latimer, from Connie Ayers Basham, regarding the decreasing operating budget of the Riverside Cemetery.

**Letter** to Town Supervisor, from Gary C. Beasley, North Country Affordable Housing, Inc., regarding the Tri-County Mobile Home Replacement Program.

**Letter** to Towns/Villages/Legislators, from Bob Santamoor, Deputy County Treasurer, regarding sales tax disbursement for 1<sup>st</sup> quarter, 2012.

**Letter** to Supervisor Thomas Latimer, from Town Attorney Charles B. Nash, regarding Collins vs. Town of Pierrepont, et al.

**Letter** to Drug and Alcohol Program Participants, from Charity Gregory, Health and Safety Trainer, BOCES, regarding annual reports and information.

**E-mail** to St. Lawrence County Policy Makers, from Donald L. Hassig, Cancer Action NY, regarding resolution authorizing supervisor to write to Dr. Susan Hathaway, Director of the St. Lawrence County Public Health Department in an effort to move forward with persistent organic pollutants exposure minimization education.

**Letter** to Keith Zimmerman, St. Lawrence County Planning Department, from Scott a. Docteur, NYS Department of Transportation, regarding the accelerated Bridge Rehabilitation Project (Rte 68 over Grannis Brook).

**Letter** to Hon. Robert Camp, from Vito C. Caruso, Fourth District Administrative Judge, Unified Court System, regarding notification of being awarded a grant under the 2011-12 cycle of the Justice Court Assistance Program.

**Notice** of NYS Government Finance Officers' Association Annual Conference on April 3-5 in Albany, NY.

**Letter** to Pierrepont Supervisor, from Lori Arsenault, North Country Housing Council, regarding proposed HOME Buyer Project.

**Letter** to Charles Nash, Esq., from Timothy D. Boldt, Ernstrom & Dreeste, regarding Collins vs. Town of Pierrepont, et al.

**E-mail** to Town and Village Clerks, from Myrna Barney, St. Lawrence County Public Health Department, regarding training event on March 5, 2012, "How to run an effective Rabies Clinic in your municipality". (Since the Town Clerk will be out of town, Laurie Hance will attend this training.).

**E-mail** to Local Government Officials, from Ann Heidenreich, L&S Energy Services, Inc., Consultant, Independent Contractor to NYSERDA, regarding Local Government efficiency grants.

**Letter** to Melanie Thomas, Town Clerk, from Mary Stepanian, Animal Health Inspector, NYS Department of Agriculture and Markets, regarding municipal shelter inspection report.

**Letter** to town officials, from Matthew Dawson.

**Minutes** of Zoning Board of Appeals meeting on October 6, 2011.

**Chart** of overtime hours worked (highway department).

**Notice** of 23<sup>rd</sup> Local Government Conference at Jefferson Community College on March

29, 2012.

**NYMIR Handbook**, December 2011

**Thank-you note** from Hospice & the family of Cedric Phillips.

**Thank-you note** from Norma Casolara.

## **NEW BUSINESS**

**Motion** by John McIntosh, seconded by Neil Thomas, to appoint Laurie Hance as Budget Officer for 2012, all in favor.

With the election of Thomas Latimer as supervisor, we need to appoint someone to fill his position as councilman.

**Motion** by Neil Thomas, seconded by John McIntosh, to appoint Dahl McCormick to replace Thomas Latimer as councilman, term ending December 31, 2012, all in favor.

Also, with the resignation of Peter Hoyt, we must appoint someone to fill his position as councilman.

**Motion** by John McIntosh, seconded by Neil Thomas, to appoint Roger Murray to replace Peter Hoyt as councilman, term ending December 31, 2012, all in favor.

Oaths of office were administered to Mr. McCormick and Mr. Murray by Town Clerk Melanie Thomas. Mr. McCormick and Mr. Murray took their place up front with the Town Board.

## **OLD BUSINESS**

Supervisor Latimer stated that he would like to discuss the possibility of opening up 3 short sections of roads to ATVs. They are all roads that connect with trail systems of other towns. They are the Keener Rd.(connects with Parishville), the Fifield Rd.(connects with Russell), and the Davis Rd.(connects with Clare). The Davis Rd. is qualified abandoned. All board members were in agreement of doing this, however, Attorney Charles Nash stated that we would need to pass a local law to do this. There will be a public hearing at next month's meeting (March 27<sup>th</sup>) at 7:00 PM. Highway Superintendent Shawn Spellacy will get the distance of each section of road to be opened to Mr. Nash so that he can draw up the local law.

**Motion** by Dahl McCormick, seconded by John McIntosh, to authorize payment of **General Fund Abstract #2, Vouchers #29-41, Total \$3,551.81**, all in favor.

**Motion** by John McIntosh, seconded by Neil Thomas, to authorize payment of **Highway Fund Abstract #2, Vouchers #57-98, Total \$29,095.22**, all in favor.

### **COURTESY OF THE FLOOR**

Resident Mary Jane Smalling stood and stated that she and her brother own land next to Phillip Collins. Mr. Collins built a garage, but she believes did not follow the town's zoning laws. Since the building is over 500 square feet, it needed a site plan review, which Mr. Collins did not get. She also had a long list of complaints pertaining to Mr. Collins. She respectfully requests that the town follows the guidelines give by Judge Demerest concerning Mr. Collins' garage.

Supervisor Latimer stated that he could not comment other than to say that we hope to have a public hearing soon with the planning board.

Resident Scott Smalling stated that it seems like selective enforcement to him. He said that there are no checks and balances and that the town is not following its own code. He feels that they are getting sued because the town did not do its job.

Mr. Bill Mein stood and introduced himself as someone who was interested in being appointed as councilman. He stated that he was the 3<sup>rd</sup> highest vote getter at the November election and that 3 people have been appointed since then who did not even run.

Supervisor Latimer stated that our highway department usually picks up leaves in the spring and the fall in Hannawa Falls. In the past, people rake them to the roadside and the crew picks them up. We would like to require that people put the leaves in biodegradable bags to make it easier for the highway crew. Also, he asked if Mr. McCormick and Mr. Murray would look into setting the boundaries for pick-up. Mr. Murray suggested that maybe it would be easier to have a certain pick-up point that people could bring the leaves to themselves.

Highway Superintendent Shawn Spellacy said that it would be nice to advertise a certain week that pick-up would take place. Everyone agreed that it was a good idea.

**Motion** by John McIntosh, seconded by Dahl McCormick, all in favor, to adjourn.  
The meeting was adjourned at 8:36 PM.

Respectfully Submitted,  
Melanie J. Thomas  
Town Clerk

