

Regular Monthly Town of Pierrepont Board Meeting, August 27, 2024
County of St. Lawrence, State of New York, 864 State Highway 68, Canton, NY 13617

Present:

Jane Powers, Supervisor
Julian “Olla” Filiatrault, Town Clerk
Robert Moulton, Highway Superintendent
Laurie Hance, Assist. to Supervisor

Councilpersons: John Glasgow

Shawn Spellacy
Chad VanBrocklin

Absent: Roger Murray

Meeting attendees/Public: Rick Perkins – Legislator.

Mercy Spellacy; Fred Green; Jamie VanBrocklin; Brian & Amanda Deckert; Ellen Glasgow; Simona Liguori; Cheryl Guyette; Rebecca Evans; Charlie & Susan Dean; Lauren Dean; Steve & Denyse Russell

PUBLIC HEARING FOR LOCAL LAW #I-2024 6:30PM

- A public hearing was held regarding Local Law #I-2024, New Code of the Town of Pierrepont.
- Legal Notice was published in Watertown Daily Times on August 17, 2024.
- The floor was opened to the public for comment.
- No comment from the public.
- Supervisor Powers closed the public hearing at 6:33PM.

Regular Meeting: 6:33PM Called to order.

Pledge of Allegiance

Minutes Approved:

- Minutes of Last Board Meeting July 30, 2024. **Motion** to approve by John Glasgow, second by Shawn Spellacy. No discussion. All voted to approve. None opposed. Motion carried unanimously.
- Minutes of Bid Opening Meeting August 22, 2024. **Motion** to approve by Shawn Spellacy, second by Chad VanBrocklin. No discussion. All voted to approve. None opposed. Motion carried unanimously.

County Legislator

Legislator, Rick Perkins submitted a report of August 5, 2024, County Legislature Board Meeting. It is available upon request.

DEPARTMENT REPORTS:

Supervisor, Jane Powers:

- Supervisor Powers stated that all looks good and stable.
- **Motion** to approve Supervisor’s report made by John Glasgow, second by Shawn Spellacy. No discussion. All voted to approve. None opposed. Motion carried unanimously.

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Highway, Bob Moulton:

- Bob Moulton submitted a written report of recent Highway's activities. The report is available on request.
- Highway Superintendent, Moulton stated that: things were moving along nicely with paving certain roads and then came the massive rain and flooding that really caused about a dozen roads to be closed. There were many washed out culverts, the same as many other towns. That put everything else back and we are still working on repairing that damage. We have at least one lane opened on all roads for emergency services. There's a lot of damage out there and there are going to be a lot of costs that come with that at some point.

I give our crew a lot of credit. We opened up the Hanson Rd. yesterday and that was probably our most damaged. There's a lot to be done yet, but we are getting there. We want to get blacktop on them before winter.

- **Motion** to approve Highway Superintendent's report made by Chad VanBrocklin, second by Shawn Spellacy. No discussion. All voted to approve. None opposed. Motion carried unanimously.

Town Clerk, Olla Filiatrault:

- Written report submitted. Available for review.
Revenue paid to Supervisor \$510.00
Ag & Markets (spay/neuter program) \$23.00
TOTAL REVENUE DISPERSED \$ \$533.00
- **Motion** to approve report for the month of July 2024 made by John Glasgow, second by Shawn Spellacy. No discussion. All voted to approve. None opposed. Motion carried unanimously.

Assessor, Amy Hunt:

- Amy Hunt submitted a written report of recent Assessor's activities. The report is available on request.

Code Enforcement, Darren Richards:

- 6 Building permit issued with the **total** \$150.00 collected.
- Code Enforcement Officer, Darren Richards was not able to attend the meeting.
- **Motion** to approve Code Enforcement Officer's report made by John Glasgow, seconded by Shawn Spellacy. No discussion. All voted to approve. None opposed. Motion carried unanimously.

Planning Board Report,

No report. Planning Board Chairman, Pete Pomainville was not able to attend the meeting. The next meeting will be held on September 4, 2024.

Jane Powers stated there is no update on the Dollar General at this time. The company still needs to acquire the build site.

Courtesy of The Floor:

- Susan Dean, Pierrepont resident, spoke.

We are here tonight to speak on behalf of the Pierrepont Free Association Church. The Church has been an iconic beacon in our community, a place of worship and gathering, a claim to fame, and a source of pride. The previous

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generation, Lit Atiyeyah, Betty Vebber, Hazel Tupper and others worked tirelessly to have the Church entered into the Historical Landmark Registry and achieved this goal.

At the beginning of May we heard that there was a possibility that the tax status of the Church was under consideration. On May 22, 2024 Cheryl Guyette spoke to the Town Assessor, Amy Hunt, asking for confirmation or denial that the Church was going to be placed on the tax rolls. Amy confirmed that it was. On June 12, 2024, Cheryl and I both met with Amy. I asked Amy for guidelines for the Church tax exemption. Amy indicated that Jane Powers stated at the May 2024 Town Board meeting that the Church had not been used in over ten years. We admit that in recent years the Church has been underutilized, however, I told Amy this ten years timeline was erroneous. It had indeed been used for religious purposes and could offer proof. Amy told us that if a mistake had been made it could be rectified. In order to do this, we would need to offer proof the Church had been used in the last 10 years. Cheryl and I attempted to submit this in person to Amy, but finding her unavailable on 2 occasions, finally submitted our documents to Laurie Hance on June 26th.

On July 10th Amy sent an email stating her decision to remove tax exempt status stands for this year. She stated per the guidelines, "the church needs to be used on a regular basis". As I previously stated, I requested these guidelines June 12th. I requested them again at the end of June, twice in July and requested them again in August. I still have not received them. We were told that Ms. Hunt makes recommendations to the Town Council and that ultimately the final decision is yours. Please do not let it be on your watch that the death of the Pierrepont Church occurs. I know you are people of integrity. I trust your honesty and concern for the community. I know each one of you personally or through your wives, children, relatives or community connections. I believe it is a responsibility and an obligation to preserve our community heritage. I believe we need to provide connections to the past for future generations.

I thank you for your work on the Town Council and allowing me to speak to you. I hope you are willing to help us resolve this issue.

I have a petition from over 100 people of Pierrepont to submit to the Board. I would request the statement to be recorded into the minutes.

We the people of Pierrepont request that the tax-exempt status on the Pierrepont Free Association Church be reinstated. We believe not to do so would create an unjust tax burden, involve cumbersome paperwork, and inhibit the ability to make improvements and maintenance on a Historical Landmark and Town icon. Therefore, reinstate tax exempt status to the Pierrepont Free Association Church.

*Susan Dean provided the Board a petition with 110 signatures of the Pierrepont residents.

Supervisor Powers stated that the Town Board has no jurisdiction over telling the assessor what to do with their legal duties.

Susan Dean replied that she has yet to receive the set of requirements for exempt status from Amy Hunt.

Jane Powers replied that it has to do with real property tax law. Susan Dean questioned where does it say what constitutes regular use as a church? Where does it say ten years?

Jane Powers suggested to Susan Dean that the group consult with an attorney.

Laurie Hance added that they are going to require an EIN number, a legal address, and a bank account. You don't have any of that at this time.

Susan Dean replied it takes time to get all of that together and we ask that you give us a one year pause for that purpose. Jane Powers replied that we don't have any control over that. Sue Dean replied that Amy said that you did.

Jane Powers replied, no, we don't. Now, it needs to be solved in the courts.

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Councilman Glasow added that if you get your EIN number there is a way forward possibly for you. Laurie Hance explained the process to get an EIN number and that they need to get a legal address and bank account, etc. Sue Dean added the issue that we have is there are no funds for paying taxes. There is a trust fund, but that is for repairs, etc. It is not to be used for paying taxes. Paying taxes on the church from that fund is not going to happen. I'm not sure how this is going to benefit anyone. If the church ends up without taxes paid for three years and it ends up at tax sale, I don't know if the town has plans for the church for whatever reason, more parking or Amy even joked that it might be her new office.

Jane Powers stated the town board has nothing to do with the decision to put it on the tax rolls, I'm not sure what Amy is talking about and if you want more information about that I can direct you to the St. Law. Co. Real Property tax office. Jane asked, "have you done that yet?". Sue Dean replied, "no, I have not".

John Glasgow asked, "do you know how much the taxes are?" Sue Dean replied, "No, it was assessed for \$63,000, I can't imagine! It doesn't have a furnace, it needs a new roof, it doesn't have any electricity. We're guessing around \$1500 for school taxes, \$1200 for January taxes. I don't know where we're going to get that kind of money. We'd like to see it kept up and remain. We can no longer apply for a grant we wanted, because we are no longer tax exempt. John Glasgow commented that if you start with the EIN number, in three years, you should be tax exempt. Shawn Spellacy questioned that if it goes for taxes, can the town acquire it in some make way? Jane Powers stated that is not for sure. More discussion continued as to what constitutes a church service and the guidelines for tax exempt status. Cheryl Guyette added her experience with the church and her discussions with the assessor. Jane Powers suggested that the group should consult their own attorney for information.

- Simona Liguori, Hannawa Falls resident, questioned if there is any update on the Underhill Drive case. Jane Powers replied that she does not have an update because it's in the courts.
- Amanda and Brian Deckert questioned why there could not be conversation between them and the town even with their lawsuit being in place. They stated their attorney had talked with the town's attorney. Brian Deckert added that they told the town the lawsuit was coming, but they had to do that at the time, but they still want to work with the town on it. The Deckerts stated that their attorney, the town's attorney, the town's insurance attorney had all talked and that there was confusion as to why they (Deckert's and the Town Board) could both continue to talk even with the lawsuit against the town in place. Amanda Deckert asked "Where's the confusion coming from?". Deckert said the issue was a part of the public record.

Laurie Hance said there's just no discussion about funding at this time. There's no funding for it at this time. Amanda Deckert stated you paid for a study. Laurie Hance said you were able to see that. Amanda Deckert commented that you're about to go into executive session again and hide!

Bob Moulton responded that normally when a lawsuit is filed the parties' attorneys only talk to each other. But, if the town's attorney and the NYMIR insurance attorney say it's ok, he has always been willing to work together. Laurie Hance commented that they had only heard from the town attorney regarding the issue.

Amanda Deckert continued to comment regarding how they would communicate with the town officials; do you want it in writing? Bob Moulton said he wants to wait to hear from the NYMIR attorney and receive guidance from them before communicating further on the issue.

Brian Deckert questioned how the Underhill issue became an issue for executive session. Amanda Deckert commented that it didn't seem like that was a standard practice as it's a public issue. Laurie Hance addressed the issue stating because she was the only one who had talked to Mr. Linden, that she needed to inform the Board of that discussion in executive session. But, now that it's been brought out, it's not

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necessary.

Brian Deckert said his next question was about the 2025 budget and was Underhill included in that? Laurie Hance explained how the budget process works for the highway dept. budget.

- The Deckerts said gratitude to the Highway Department and Fire Department regarding the recent storm.
- Simona Ligouri commented that her basement flooded, and everything damaged in her basement. Bob Moulton replied that they had the study done and now she wants it not on her property at all. Simona L. questioned how long it's taking to resolve and mentioned the lay of the land in her yard, etc. She said she's just asking for her problem to be solved on her property. Bob Moulton said he is looking at possible solutions.
- Daniel Manor congratulated Superintendent Moulton and Highway Department crews on their storm response. Manor also commented on issues related to Hannawa and the flooding issues. He stated Hannawa residents put a lot of taxes into the town and that he wants the town to get behind fixing those issues, etc.

CORRESPONDENCE:

- Wastewater statistics diagram provided.
- National Grid upgrades between Colton, Pierrepont, and Nicholville.
- SLIC Network Solution assessment complaint to the Town of Pierrepont; SLIC has filed a case on their assessments in Pierrepont.

NEW BUSINESS:

- Town Clerk was asked to provide the 2025 Budget calendar to the Town Board. The department estimates are to be submitted to the Admin Laurie by Tuesday, September 24, 2024.
- **Motion** made to purchase The Freedom of Information and Open Meeting Laws book to help us understand and comply with the Law by Chad VanBrocklin, second by John Glasgow. No discussion. All voted to approve. None opposed. Motion carried unanimously.
- DAR (Daughters of the American Revolution) Resolution #V-2024 made to proclaim the week of September 17 through 23 to be designated as Constitution Week. To approve the proclamation:

Roll Call Votes:

Shawn Spellacy	Yes
Chad VanBrocklin	Yes
John Glasgow	Yes
Jane Powers	Yes

Yes: 4

No: 0

UNFINISHED/OLD BUSINESS:

- **Motion** to approve the Local Law #1-2024 to provide for the codification of the Local Laws, ordinances, and certain resolutions of the Town of Pierrepont into a Municipal Code to be designated the "Code of the Town of Pierrepont" made by John Glasgow, second by Shawn Spellacy. No discussion. All voted to approve. None opposed. Motion carried unanimously.

Yes: 4

No: 0

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- LaBella “Punch List’ for town Hall project. Laurie Hance stated that Corey Mousaw went over this with Sparx. There is a problem that the curtains purchased by the court grant for the court windows that no longer fit because Sparx trimmed out the window differently. It’s still up in the air.
- Highway Building update; access ramp; Laurie Hance discussed that Sparx should be able to do the ramp when doing the bathrooms. We signed with Sparx just yesterday to do the bathrooms and the ramp.
- Clerk of work for Highway building project. No project yet.
- Holiday Lighting update by Laurie; I did connect with people from Hannawa Falls regarding that. Time is running short. We will talk with Roger about it.

GENERAL FUND VOUCHERS:

- **Motion** by Chad VanBrocklin, seconded by Shawn Spellacy. No discussion. None opposed. All in favor to authorize payment of the **General Fund Abstract #8, Vouchers #236-260, Total of \$69,293.34**

HIGHWAY FUND VOUCHERS:

- **Motion** by John Glasgow, seconded by Shawn Spellacy. No discussion. None opposed. All in favor to authorize payment of the **Highway Fund Abstract # 8, Vouchers #179-204, Total of \$145,072.88**
- Laurie Hance added the reason that is up, us because of the flood disaster emergency spending. I’m earmarking all the storm related bills as flood disaster.
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Additional: Lee Van de Water asked the Town Board a permission to allow him to forage the apple around Pierrepont Town Hall and Town property for his own apple cider business.

EXECUTIVE SESSION:

Motion made by Chad VanBrocklin, seconded by John Glasgow, with all in favor to go into **Executive Session for the purpose of the discussion of a USDA discussion; update on Underhill Drive; Emergency Funds; Clerk of works for Highway Building. All approved. No discussion.**

The Board adjourned the regular meeting to move to executive session at 7:55p.m.
Invited to executive session: Laurie Hance; Bob Moulton, Highway Superintendent.

The Board returned from executive session at 8:21p.m. The regular meeting was reconvened at 8:21p.m.
NO Action taken in executive session.

****A record of the executive session was made and provided to the Town Clerk by Jane Powers, Supervisor.***

Motion made by Chad VanBrocklin, seconded by John Glasgow, all in favor to go back into the regular meeting.
Action taken in executive session.

ADJOURNMENT:

- **Motion** to adjourn meeting at 8:22pm. Motion made by John Glasgow, second by Chad VanBrocklin. No discussion. All voted to approve. None opposed. Motion carried unanimously.

Meeting minutes prepared by Town Clerk, Julian “Olla” Filiatrault.

Respectfully Submitted, Julian “Olla” Filiatrault, Town Clerk

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