

The regular meeting of the Peru Town Board was held on Monday, March 28, 2022, at the Peru Town Hall. Those present were Mr. Brandy McDonald, Supervisor; (Excused); Mr. James Douglass, Deputy Supervisor; Mr. Richard Barber, Councilman; Mr. Kregg Bruno, Councilman; Mr. Mel Irwin, Councilman and Mrs. Dianne Miller, Town Clerk. Also present were Mr. Courtney Tetrault, Water/Sewer Superintendent; Mr. Michael Farrell, Highway Superintendent; Ms. Pamela Barber, Confidential Secretary to the Board; Mr. Matt Favro, Town Attorney and Mr. Robert Guynup, Zoning Officer.

The meeting was called to order at 6:03 PM by Mr. Douglass, with the Pledge of Allegiance.

**Motion** by Mr. Barber; seconded by Mr. Bruno to accept the minutes from the March 14, 2022 Regular Meeting.

Ayes 4 Nays 0

**Motion Carried**

**Community Input**

Tom Lavin, representative for Adirondack Theatre explained and answered questions about his request for the use of Heyworth Mason Park for a musical production July 16<sup>th</sup> 2022. He stated perimeters would be set up for admission to the production and crowd control. The board recommended Mr. Lavin to attend the use of parks workshop April 11, 2022 as a criteria for the use is going to be discussed.

**Sewer Project Update**

Mr. Tetrault stated wet test for the pump stations for Maiden Lane and Sanborn Ave/Elm Street were being done to go online for the transfer of the sewer.

A discussion was had as to which sewer laterals would be done if the Elm St. Project was awarded.

**RESOLUTION NUMBER: 22.03.28-1**

A RESOLUTION APPROVING THE AES AMENDMENT #2 TO OWNER-ENGINEER AGREEMENT PROJECT #4805 FOR WASTEWATER TREATMENT PLANT UPGRADES CONTRACT DATED JULY 13, 2020 AND AUTHORIZING THE SUPERVISOR TO EXECUTE THE SAME.

**MOTION:** Mr. Bruno

**SECOND:** Mr. Irwin

WHEREAS, the Town Board has the AES Amendment No. 2, to Owner-Engineer Agreement #4805 for Wastewater Treatment Plant Upgrades Project dated July 13, 2020 and related items before it

THEREFORE, BE IT

RESOLVED, said proposed Amendment to the Owner-Engineer Agreement is approved for modification to services and modification of payment to the Engineer and the Town Supervisor is authorized to execute said agreement.

AND, BE IT

RESOLVED, that this Resolution shall take effect immediately.

| <b>Roll Call:</b> |                           | <b><u>YES</u></b> | <b><u>NO</u></b> |
|-------------------|---------------------------|-------------------|------------------|
|                   | <b>Richard Barber Jr.</b> | x                 |                  |
|                   | <b>Kregg Bruno</b>        | x                 |                  |
|                   | <b>James Douglass</b>     | x                 |                  |
|                   | <b>Mel Irwin</b>          | x                 |                  |
|                   | <b>Brandy McDonald</b>    | <b>Excused</b>    |                  |

**Carried: 4 Ayes 0 Noes**

**Resolution to Modify Form E Interest & Contingency for the Peru Sewer Upgrade Project**

Mr. Irwin asked for explanation for this resolution. Ms. Barber simply stated that it was a transfer from one line item to another required by the USDA and no cost increase to the contract.

**RESOLUTION NUMBER: 22.03.28-2**

**A RESOLUTION TO AUTHORIZE AN AMENDMENT TO RD FORM E – BUDGET DOCUMENT FOR EFC INTEREST ON SHORT-TERM FINANCING.**

Mr. Irwin asked why this being done. Ms. Barber explained a formality transferring from one line item to another.

**MOTION:** Mr. Barber

**SECOND:** Mr. Bruno

**WHEREAS**, the Town of Peru’s Sewer Collection System Upgrade Project is funded in part by USDA Rural Development (RD), and

**WHEREAS**, RD requires a Board Resolution to amend any Administrative items set forth in a Form E-Project Budget document, and

**WHEREAS**, the Environmental Facilities Corporation (EFC) is providing short-term financing for the Project, and

**WHEREAS**, the Town has received an Invoice from EFC for Interest on the short-term financing in the amount of \$28,259.05, and

**WHEREAS**, the current Form E line A.3, Net Interest, does not have adequate funds for to cover the Interest payment;

**THEREFORE**, BE IT RESOLVED that Form E line A.3, Net Interest, be increase by \$22,000 and Form E Line D.1, Contingency, be reduced by \$22,000, with no change project costs.

**RESOLVED**, said proposed authorization is approved as per requirements.

**AND, BE IT**

**RESOLVED**, that this Resolution shall take effect immediately.

| <b>Roll Call:</b> |                            | <b><u>YES</u></b> | <b><u>NO</u></b> |
|-------------------|----------------------------|-------------------|------------------|
|                   | <b>Richard Barber, Jr.</b> | <b>x</b>          |                  |
|                   | <b>Kregg Bruno</b>         | <b>x</b>          |                  |
|                   | <b>James Douglass</b>      | <b>x</b>          |                  |
|                   | <b>Mel Irwin</b>           | <b>x</b>          |                  |
|                   | <b>Brandy McDonald</b>     | <b>Excused</b>    |                  |

**Carried: 4 Ayes 0 Noes**

**RESOLUTION NUMBER: 22.03.28-3**

**A RESOLUTION TO APPROVE OF THE APPLICATION FOR THE CLINTON COUNTY TOBACCO SETTLEMENT FUNDED GRANTS DISTRIBUTION FOR COMMUNITY PROJECTS.**

**MOTION:** Mr. Bruno

**SECOND:** Mr. Irwin

**WHEREAS**, the Clinton County Legislature has announced that in 2022 there will be \$100,000 of Tobacco Settlement Funding distributed for Community Projects, with applications for up to \$15,000 being accepted until April, 1 2022, and

**WHEREAS**, Liz Tedford of Tedford Consulting has proposed submitting an application to this funding program for the Town of Peru to install a Pollinator Garden in the Town’s Heyworth-Mason Park and a Shade Structure/Pavilion for the Park’s Dog Park; and

**WHEREAS**, Tedford Consulting will prepare and submit the application at no cost to the Town;

**THEREFORE**, be it resolved that the Town of Peru hereby approves submitting an application to the Clinton County Legislature for funds to install the Pollinator Garden and Shade Structure.

**AND, BE IT**

**RESOLVED**, that this Resolution shall take effect immediately.

| <b>Roll Call:</b> |                              | <b><u>YES</u></b> | <b><u>NO</u></b> |
|-------------------|------------------------------|-------------------|------------------|
|                   | <b>Richard H. Barber, Jr</b> | <b>x</b>          |                  |
|                   | <b>Kregg Bruno</b>           | <b>x</b>          |                  |
|                   | <b>James Douglass</b>        | <b>x</b>          |                  |
|                   | <b>Mel Irwin</b>             | <b>x</b>          |                  |
|                   | <b>Brandy McDonald</b>       | <b>Excused</b>    |                  |

**Carried: 4 Ayes 0 Noes**

**RESOLUTION NUMBER: 22.03.28-4**

**A RESOLUTION ACCEPTING THE RESULTS OF INTERNAL CONTROL AUDIT FOR PROCEDURES AND RECORDKEEPING FOR THE TOWN OF PERU TOWN COURT.**

**MOTION: Mr. Barber**

**SECOND: Mr. Bruno**

**WHEREAS**, the Town Board has before it the report of Internal Audit for the Peru Town Court conducted by Councilman Richard Barber, Jr. on March 18, 2022, and

**WHEREAS**, the Town Board agrees with the overall findings of this report of audit;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town of Peru Board approves and accepts the Internal Controls Audit of the Town of Peru Town Court with the record of this audit to be included in the official record of this Board Meeting,

**AND, BE IT**

**RESOLVED**, that this Resolution shall take effect immediately.

| <b>Roll Call:</b> |                              | <b><u>YES</u></b> | <b><u>NO</u></b> |
|-------------------|------------------------------|-------------------|------------------|
|                   | <b>Richard H. Barber, Jr</b> | <b>x</b>          |                  |
|                   | <b>Kregg Bruno</b>           | <b>x</b>          |                  |
|                   | <b>James Douglass</b>        | <b>x</b>          |                  |
|                   | <b>Mel Irwin</b>             | <b>x</b>          |                  |
|                   | <b>Brandy McDonald</b>       | <b>Excused</b>    |                  |

**Carried: 4 Ayes 0 Noes**

Mr. Barber stated Ms. Stone (court clerk) had all information readily available.

Ms. Barber stated Mr. Barber also audited the Town Clerk/ Tax Collector records with no issues.

**Resolution and Discussion: Possible Award of Elm Street Sewer Project**

**Motion** by Mr. Bruno; second by Mr. Irwin to table the discussion and resolution.

4 Ayes 0 Noes

**RESOLUTION NUMBER: 22.03.28-5**

**A RESOLUTION APPROVING THE SALE OF THE TOWN WATER DEPARTMENT 2002 FORD F450 PICKUP TRUCK IN “AS IS” CONDITION**

**MOTION: Mr. Barber**

**SECOND: Mr. Bruno**

**WHEREAS**, Joe Nixon of J.J. Diggers Landscape & Nursery has offered to buy the Town Water Department’s 2002 Ford F450 Pickup Truck on March 28, 2022, in “As Is” condition for the price of Ten Thousand Five Hundred Dollars (\$10,500.00); and

**WHEREAS**, the Town Board finds that this offer is above the minimum bid price of Eight Thousand and is reasonable and proper,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the proposed sale of the Town Water Department 2002 Ford F450 Pickup Truck, In “As Is” Condition, to Joe Nixon is hereby approved for the amount of Ten Thousand Five Hundred Dollars (\$10,500.00)

**AND BE IT RESOLVED**, that this resolution shall take effect immediately.

| <b>Roll Call:</b> |                            | <b>YES</b>     | <b>NO</b> |
|-------------------|----------------------------|----------------|-----------|
|                   | <b>Richard Barber, Jr.</b> | <b>x</b>       |           |
|                   | <b>Kregg Bruno</b>         | <b>x</b>       |           |
|                   | <b>James Douglass</b>      | <b>x</b>       |           |
|                   | <b>Mel Irwin</b>           | <b>x</b>       |           |
|                   | <b>Brandy McDonald</b>     | <b>Excused</b> |           |

**Carried: 4 Ayes 0 Noes**

Mr. Barber stated he would like the money to go toward a possible trailer for the excavator next year. Ms. Barber stated the money would need to be deposited in a reserve account if that were to be done. She stated that it was her recollection at budget time the sale proceeds were supposed to go back to the expenditure funds. More discussion will follow.

#### **Building Permit Fees for Commercial Solar Farms**

Mr. Guynup stated he had not considered building permit fees for commercial solar farms. After He inquired with several towns for their fee schedule the board agreed to \$ 2000.00 per megawatt which is what the villages of Potsdam and Canton charge. Town of Plattsburgh charges per panel. Mr. Guynup will be following up with Ms. Barber for a resolution to be approved at the April 11, 2022 Regular meeting.

#### **Heyworth Mason Park Stage Cover**

Mr. Barber stated Otter Creek will not be affordable for stage cover. Curtis Lumber has given quotes for the material. Mr. Barber stated a specific design and final quote is needed. Construction of the stage cover may be performed by volunteers.

#### **Other Business**

Mr. Tetrault stated tanks are being cleaned in wastewater plants.

Mr. Guynup stated the codes vehicle has rust issues. The issue is covered under warranty and being resolved.

Mr. Guynup stated the zoning code update manual committee has started to make changes. He stated the update is a lot of work.

Mr. Farrell stated bid opening for Telegraph culvert is April 1, 2021 at 10 am. Mr. Farrell is contacting NYSEG for poles to be moved or wires covered for safety reasons.

New York State has new license requirements requiring 160 classroom hours and the cost between \$3,000.00 and \$ 5,000.00. This will impact any individuals that are applying for a position that require the new requirements.

Ms. Barber stated the Routes to Better Health grant has purchased two bike racks, water fountain/water bottle filling station, a 9-hole disc golf set and bench for Heyworth Mason park

Mr. Tetrault has asked to put a limit on bench purchases as space is becoming limited.

Mr. Douglass spoke with Scott Matthews at Billy Jones office, the purchase of the property for the walking trail extension scope has changed according DASNY and needs a letter to clarify what has been changed and then needs to be resubmitted to DASNY.

#### **Public Comments on Agenda Items Only**

**NONE**

**RESOLUTION NUMBER: 22.03.28-6**

### **A RESOLUTION AUTHORIZING THE POST-AUDIT PAYMENT OF CERTAIN CLAIMS, BILLS AND INVOICES OF THE TOWN**

**MOTION: Mr. Barber**

**SECOND: Mr. Bruno**

**WHEREAS**, the Town Board has reviewed and audited the following claims, bills and invoices for services rendered and goods provided to the Town in March 2022:

