

The Regular Meeting of the Peru Town Board was held on October 10, 2024, at the Peru Town Hall. Those present were Mr. Craig Randall, Supervisor; Mr. James Douglass, Councilman; Mr. Eric Duquette, Councilman; Mr. Gregg Bruno, Councilman; Mr. Melvin Irwin, Councilman and Mrs. Dianne Miller, Town Clerk. Also present were Ms. Pamela Barber, Confidential Secretary to the Board and Deputy Town Clerk, Mr. Matthew Favro, Town Attorney; Mr. T'chaka Sikelianos, Dog Control Officer;(Excused); Highway Superintendent; Mr. Courtney Tetrault, Water/Sewer Superintendent ;(Excused) Mrs. Kristin Marino Sikelianos, Dog Control Officer;(Excused); Mr. Michael Farrell, Highway Superintendent; Mrs. Kristen Marino, Recreation Director;(Excused); Mrs. Helen Nerska, Town Historian and Mr. Bob Guynup, Zoning Officer Control Officer (Absent).

The meeting was called to order at 6:00 PM by Mr. Randall with the Pledge of Allegiance.

Motion by Mr. Bruno; seconded by Mr. Douglass to approve the reports from the following departments. (Water/Sewer/Valcour; Highway; Town Clerk; Dog Control; Youth Department; Code/Zoning; Supervisor's Report; Court; Website; JCEO and Banking Reports.

5 Ayes 0 Nays

Motion Carried

Motion by Mr. Duquette seconded by Mr. Bruno to accept Regular Meeting minutes held September 23, 2024.

5 Ayes 0 Noes

Motion Carried

Motion by Mr. Bruno seconded by Mr. Douglass to accept Special Meeting minutes held October 3, 2024.

5 Ayes 0 Noes

Motion Carried

Community Input

Ms. Karyn Langlais asked for an update on Telegraph Road culvert project. Mr. Farrell stated he project is on schedule.

Mr. Favro stated the following resolution will not be read. Written resolution approved.

RESOLUTION NUMBER: 24.10.10-1

RESOLUTION CONCERNING THE IMPACTS OF EFFORTS TO ELECTRIFY HIGHWAY DEPARTMENT VEHICLES BY ADOPTION OF THE ADVANCED CLEAN TRUCK RULE

MOTION: Mr. Bruno

SECOND: Mr. Duquette

WHEREAS, in 2019, the Climate Leadership and Community Protection Act (CLCPA) was signed into law to require New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels; and

WHEREAS, the CLCPA directs the development of performance-based standards for sources of greenhouse gas (GHG) emissions including for the transportation sector by reducing GHG emissions from motor vehicles; and

WHEREAS, New York State adopted California's Advanced Clean Trucks (ACT) Rule in December 2021 that requires applicable medium and heavy-duty (M/HD) vehicle manufacturers to sell a percentage of their total sales in New York as zero-emission vehicles (ZEVs) starting in model year 2025 with increasing ZEV sales through model year 2035; and

WHEREAS, the cost of transitioning the state and local highway departments' utility and construction vehicles, snowplows and equipment to run on battery power as mandated by ACT and other state strategies is at this juncture incalculable, but expected to exceed the ability to be financed without substantial sources of new revenues directed strictly for the retrofit or procurement of such ZEVs and equipment; and

WHEREAS, as commercial production of M/HD large-scale, electric construction vehicles is today a nascent industry, the ability of local highway departments to plan for this transition, with its concomitant mandates that fuel and electricity charging sources be carbon-free, is of tremendous concern considering that the transportation system at all levels of New York government is significantly underfunded; and

WHEREAS, while ACT regulations do not require M/HD fleets, owners, operators, or dealerships to purchase ZEVs, the sales mandates on vehicle manufacturers are expected to lead to shortages in supply of not only complying electric vehicles but of traditional gasoline and diesel vehicles as well; and

WHEREAS, alarmingly, some M/HD vehicle dealerships have notified highway departments that, due to manufacturers' need to plan for the sales mandates adopted by New York and some other states, many orders for trucks are being delayed or canceled; and

WHEREAS, notably, Maine, North Carolina and Connecticut among other states recently stepped back from adopting ACT regulations citing concerns over the availability of heavy-duty vehicle charging stations and the high cost of zero-emission trucks; and

WHEREAS, in July 2024, the New York State Comptroller released an audit on the State's progress in meeting Climate Act goals and noted several deficiencies including the need to increase communication with stakeholders and provide more accurate cost estimates. The audit goes on to add that the lack of cost estimates jeopardizes the chances of success in meeting climate goals. The comptroller urges the state to clarify for key stakeholders, especially energy ratepayers, the extent to which ratepayers will be responsible for Climate Act implementation costs; and

WHEREAS, New York's climate goals must be implemented in a way that is affordable while assuring adequate supplies of these specialized vehicles and functional highway construction equipment that meet state specifications, estimated to increase the cost of a new truck by about one-third; and

WHEREAS, the rush to introduce electric vehicles in New York can be counterproductive to the environment as the bulk of the power generation used to charge new vehicle batteries is produced by fossil fuels, and is a reason to move more slowly to sync with the pace of the transition to a zero-emission electric grid by 2040; and

WHEREAS, recognizing these potential impacts on the ability of local governments to continue to deliver necessary transportation services and facilities to the traveling public it is vital that state elected representatives and agencies assist county highway departments in developing strategies, funding sources and realistic timelines for achieving these aggressive GHG emissions reduction goals in the face of market and fiscal barriers to the transition; and

WHEREAS, all levels of government need to work together throughout the regulatory process to assure strategies and mandates put in place to meet the CLCPA goals for the transportation sector are realistic and achievable and will benefit the environment.

THEREFORE, BE IT RESOLVED, that the **Town of Peru** of New York State calls on the Governor, the NYS Department of Transportation (NYSDOT) and NYS Department of Environmental Conservation (NYSDEC), NYSERDA, PSC, Commissioners and legislative leaders to commit to providing support for addressing these concerns in the regulatory and implementation process and to dedicate the funding necessary to fully cover the counties' costs of complying with the state mandates under the CLCPA; and

BE IT FURTHER RESOLVED, that the Governor consider a pause or suspension of the implementation of ACT until there is strong evidence that the state has in place the necessary direct financial assistance and incentives and charging infrastructure necessary, and can definitively determine that vehicle manufacturers are prepared to effectively supply the New York market without disruption to the critical work needed to maintain the state's vast and aging infrastructure; and

BE IT FURTHER RESOLVED, that the state recognize that highway construction,

maintenance vehicles, and equipment are critical to governments’ mission to maintain a safe and functional transportation system by designating these municipally owned vehicle and equipment as a category among “transit buses, motor coaches, and emergency vehicles,” and thus exempt from ACT regulation.

BE IT FURTHER RESOLVED, that the **Town of Peru** shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature; and the commissioners of NYSDOT, NYSDEC, NYSERDA, PSC and all others deemed necessary and proper.

RESOLVED, that this Resolution shall take effect immediately.

Roll Call:		<u>YES</u>	<u>NO</u>
	Kregg Bruno	x	
	James Douglass	x	
	Eric Duquette	x	
	Mel Irwin	x	
	Craig Randall	x	

Carried: 5 Ayes 0 Noes

Motion by Mr. Bruno second by Mr. Duquette to table the following resolution
5 Ayes 0 Noes

A RESOLUTION APPROVING THE AMENDED SNOW AND ICE SERVICES AGREEMENT BETWEEN THE TOWN OF PERU AND THE CLINTON COUNTY HIGHWAY DEPARTMENT AND AUTHORIZING THE SUPERVISOR TO EXECUTE THE SAME.

WHEREAS, the Town Board members have the Agreement between the Clinton County Highway Department and the Town of Peru before them

WHEREAS, the three-year contract for snow and ice services between the County and the Town for the 2024-2025, 2025-2026, and 2026-2027 snow and ice seasons. This agreement includes rate increases of 2.5%, 2.5% and 3.0% over the 3-year period for Regular and Snowbelt Roads plus a fuel adjustment based on applicable increases/decreases in the market price of diesel fuel for Clinton County, **THEREFORE, BE IT**

RESOLVED, said proposed Agreement is approved and the Supervisor be and hereby is authorized to execute said contract, **AND, BE IT**

RESOLVED, that this Resolution shall take effect immediately.

Roll Call:		<u>YES</u>	<u>NO</u>
	Kregg Bruno		
	James Douglass		
	Eric Duquette		
	Mel Irwin		
	Craig Randall		

Carried:

RESOLUTION NUMBER: 24.10-2

A RESOLUTION ACCEPTING THE PROPOSAL OF MACHABEE LAND SURVEYING FOR THE FULLER AND LYONS ROAD CULVERT PROJECTS FOR TOPOGRAPHICAL SURVEY SERVICES.

MOTION: Mr. Douglass

SECOND: Mr. Bruno

WHEREAS, the Town Board has deemed it necessary for the Town of Peru to hire Marc Machabee of Machabee Land Surveying for the Fuller and Lyons Road Culvert Projects for Topographical Survey Services.

WHEREAS, the Town Board has decided that the proposal of Machabee Land Surveying to perform topographical Surveying those portions of Fuller and Lyons Road; **NOW THEREFORE, BE IT**

RESOLVED, that the Town of Peru accepts the proposal of Machabee Land Surveying at a cost not to exceed Three Thousand Five Hundred Dollars and No Cents (\$3,500.00) per crossing for a total of Seven thousand dollars and no cents (\$7,000.00).

BE IT RESOLVED, that this Resolution shall take effect immediately.

Roll Call:		<u>YES</u>	<u>NO</u>
	Kregg Bruno	x	
	Eric Duquette	x	
	James Douglass	x	
	Mel Irwin	x	
	Craig Randall	x	

Carried: 5 Ayes 0 Noes

RESOLUTION NUMBER: 24.10.10-3

A RESOLUTION ACCEPTING THE CONTRACT FROM TEDFORD CONSULTING TO FURTHER THE SEWER SYSTEM FISCAL COORDINATION WORK FOR THE WASTEWATER TREATMENT PLANT UPGRADE PROJECT.

MOTION BY: Mr. Bruno

SECOND BY: Mr. Duquette

WHEREAS, the Town of Peru has determined that the Peru Sewer District WWTP System Upgrade Project needs to move forward and the Town seeks to obtain grant and low interest loan funds to assist in the reducing the cost of the project to the sewer district; and

WHEREAS, the Town recognizes that work, generally including preparations of funding applications and documentation, will move the project forward while the town secures said grants and low interest loans is required; and

WHEREAS, Liz Tedford Consulting has proposed to complete portions of the above work for a rate of \$100.00 per hour, not to exceed cost of \$24,500.00 as set forth in the Project Budget for Fiscal Coordination; now therefore,

BE IT RESOLVED, that the Town Board accepts the contract from Liz Tedford, of Tedford Consulting for the above referenced work.

AND, BE IT

RESOLVED, that this Resolution shall take effect immediately.

Roll Call:		<u>YES</u>	<u>NO</u>
	Kregg Bruno	x	
	James Douglass	x	
	Eric Duquette	x	
	Mel Irwin	x	
	Craig Randall	x	

Carried: 5 Ayes 0 Noes

RESOLUTION NUMBER: 24.10.10-4

A RESOLUTION REJECTING THE BID FROM AUCTIONS INTERNATIONAL BIDDER FOR THE BLAWKNOX PAVER.

MOTION: Mr. Bruno

SECOND: Mr. Duquette

WHEREAS, the Town Board has deemed it necessary for monetary purposes to reject the bid from the current online bidder for the Blawknnox Paver.

WHEREAS, the Town Board, in consultation with the Town Highway Superintendent, has decided that the online bid is under the expected price; **NOW THEREFORE, BE IT**

RESOLVED, that the Town of Peru rejects the current bid, And

BE IT RESOLVED, that this Resolution shall take effect immediately.

Roll Call:		<u>YES</u>	<u>NO</u>
	Kregg Bruno	x	
	James Douglass	x	
	Eric Duquette	x	
	Mel Irwin	x	
	Craig Randall	x	

Carried: 5 Ayes 0 Noes

A RESOLUTION REJECTING THE BID FROM AUCTIONS INTERNATIONAL BIDDER FOR THE DYNAPAK ROLLER.

RESOLUTION NUMBER: 24.10.10-5

MOTION: Mr. Bruno

SECOND: Mr. Douglass

WHEREAS, the Town Board has deemed it necessary for monetary purposes to reject the bid from the current online bidder for the Dynapac Roller.

WHEREAS, the Town Board, in consultation with the Town Highway Superintendent, has decided that the online bid is under the expected price; **NOW THEREFORE, BE IT**

RESOLVED, that the Town of Peru rejects the current bid for the Dynapac Roller, And

BE IT RESOLVED, that this Resolution shall take effect immediately.

Roll Call:		<u>YES</u>	<u>NO</u>
	Kregg Bruno	x	
	James Douglass	x	
	Eric Duquette	x	
	Mel Irwin	x	
	Craig Randall	x	

Carried: 5 Ayes 0 Noes

Other Business

Mr. Randall stated a budget review workshop will be held October 16, 2024, at 5:30 PM. The budget at this time is exceeding the 2 % tax cap

Public Comments on Agenda Items Only
NONE

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

MOTION: Mr. Bruno

SECOND: Mr. Douglass

WHEREAS, the Town Board has reviewed and audited the following claims, bills and invoices for services rendered and goods provided to the Town in October 2024:

From Town of Peru Vouchers for October 2024 #202401343 through and including #202401459

Abstract dated 10/8/24.

For the dollar amount totaling: \$88,618.35 of that, \$15,706.02 was wired, credit cards and prepaid; and \$72,912.33 is remaining to be paid for October 2024.

WHEREAS, the Town Board finds said claims, bills, and invoices to be acceptable in form and reasonable in amount.

NOW, THEREFORE, BE IT

RESOLVED, that payment of the aforementioned claims, bills and invoices is approved, and the Supervisor be and hereby is authorized to make such payment; and be it further,

RESOLVED, that this Resolution shall take effect immediately.

Roll Call:		<u>YES</u>	<u>NO</u>
	Kregg Bruno	x	
	James Douglass	x	
	Eric Duquette	x	
	Mel Irwin	x	
	Craig Randall	x	

Carried: 5 Ayes 0 Noes

Motion by Mr. Irwin; seconded by Mr. Duquette to adjourn the regular meeting at 6:29 PM.

Ayes 5 Noes 0

Motion Carried