

**VILLAGE OF COPENHAGEN BOARD OF TRUSTEES  
REGULAR MEETING MINUTES**

February 9, 2022 6:30 PM  
@Village Hall

Mayor Mark Souva  
Trustee Benjamin Snyder  
Trustee Gerald Shambo  
Trustee Kim Vogt  
Trustee Shareef Stokely

**Attendance**

In Attendance: **CLERK:** Lori Wheeler **Trustees:** Mayor Mark Souva, Trustee Gerald Snyder, Trustee Kim Vogt, Trustee Shareef Stokely and Trustee Ben Shambo

**DPW:** David Potocki and Rich Ross

**Audience:** Section 4 Legislature Ron Burns, Scott Alexander and Reporter Julie Abass

**Via Zoom:** Mickey Deitrich, CVFD Chief TJ Williams

**Meeting called To Order**

Pledge of Allegiance then Meeting was called to order at 6:30 p.m. by Mayor Mark Souva.

**Minutes**

A motion was made by Trustee Stokely and was seconded by Trustee Vogt to approve the January 12, 2022, Regular Meeting Minutes

Vote taken:

Trustee Stokely – Aye

Trustee Snyder – Aye

Trustee Vogt – Aye

Trustee Shambo – Aye

Mayor Souva – Aye

All Ayes- Motion Carried

A motion was made by Trustee Vogt and seconded by Trustee Stokely to approve the January 25, 2022 Special Meeting Minutes.

Vote taken:

Trustee Stokely – Aye

Trustee Snyder – Aye

Trustee Vogt – Aye

Trustee Shambo – Aye

Mayor Souva – Aye

All Ayes- Motion Carried

**DPW Report**

- we noticed a high usage at the water plant and did a leak check around village then brought in New York Rural water to do a more in depth search on the possible water leaks

- had New York Rural water come out and do a leak check on fire hydrants

- turned water off at William Lago's house 3001 cataract street for now

- 9882 maple ave. had a high flow in water at trailer come to find out hot water heater was leaking
- ran recyclables out for the week
- removed all snow from main drag with the help from Town of Denmark
- started working on water usage report for the year
- started snow blowing out fire hydrants
- changed out Tom Hovendon meter head at 9824 Maple Ave.
- the other 12 flowerpots arrived they are up to the waste plant
- snowblowed side walks around village
- Had TI sales up to talk about a new meter reader
- ran water and sewer samples to converse for the month
- read inside and outside meters for water billing
- stopped to peoples houses that had a high flow on there meter
- plowed the parking lot over at fire hall
- Woodbattle water plant is running for the day to exercise it
- cleaned out dry hydrant over on Maple Ave.

DPW also reported that the snowblower was out for repair and should be back by Friday. That is why sidewalks have not been cleaned.

Clerk Wheeler informed the Board that there were four water bills that she had to estimate because meters could not read remotely and DPW could not read manually.

Clerk Wheeler also informed the Board that she has a letter that she is putting in the estimated bills to let residents know that their water bills were estimated and that their next bill may be higher.

Clerk Wheeler also informed the Board that she mailed out notices for people to update their mailing addresses and phone numbers to help the communication incase there are leaks.

## **Resolution 70**

Trustee Vogt made a motion for a resolution and Trustee Shambo seconded the motion to have Clerk Wheeler estimate water bills for Virginia Hovendon, Thomas Hovendon, Clay Fleming and Jason Eisel.

Vote taken:

Trustee Stokely – Aye

Trustee Snyder – Aye

Trustee Vogt – Aye

Trustee Shambo – Aye

Mayor Souva – Aye

All Ayes- Motion Carried

## **Property Maintenance Report- Terry McKeever**

Trustee Vogt informed the Board that an apartment building next to the church on Route 12 was condemned and there were two cars that needed to be removed. The owners moved the cars to the Fire Department. Property Maintenance Officer McKeever was in process of removing them.

Trustee Vogt suggested that the Board does a temporary variance for Gaines Garage to be able to have four vehicles to be able to be left at his place of business.

## **Copenhagen Volunteer Fire Department**

- a. The Board was given a copy of CVFD minutes to review.
- b. Chief TJ Williams joined the meeting via zoom. He thanked the DPW for keeping the Fire Hall driveway cleaned out and thanked the Village for the new LED lights for the parking lot.
- c. Letter from John Swinyer about his suspension from the CVFD.  
Discussion was held about Mr. Swinyer's legal standing. He has not been sentenced yet.

Trustee Vogt made a motion and Trustee Stokely seconded the motion to stay the course until Mr. Swinyer's sentencing.

Vote taken:

Trustee Stokely – Aye

Trustee Snyder – Aye

Trustee Vogt – Aye

Trustee Shambo – Aye

Mayor Souva – Aye

All Ayes- Motion Carried

- d. The CVFD supplied rosters for the Board for Worker's Comp and Mayor Souva is concerned because there is a corporate member on the drill team. Chief Williams stated that she stays in the vehicle and does computer work and never leaves the vehicle because she is the secretary.

Trustee Vogt offered a motion and Trustee Stokely seconded the motion to table approving the Drill Team Roster until the Board receives more clarification.

Vote taken:

Trustee Stokely – Aye

Trustee Snyder – Aye

Trustee Vogt – Aye

Trustee Shambo – Aye

Mayor Souva – Aye

All Ayes- Motion Carried

## **Correspondence**

- a. Letter from Rev. C.N. Sam Lundy-Mayor Souva read this letter aloud.

**THE REV. C N. SAMUEL L UNDY**  
**1 0 2 2 9 W A S H I N G T O N S T R E E T, B o x 1**  
**C O P E N H A G E N, N Y 1 3 6 2 6**

28 JANUARY 2022

**VILLAGE BOARD  
VILLAGE OF COPENHAGEN  
Box 237  
COPENHAGEN, NEW YORK 13626**

DEAR SIR OR MADAM;

**I HAVE BEEN ADVISED THAT THE VILLAGE MUST ADMINISTER FIRE DEPARTMENT MATTERS IN CONJUNCTION WITH AN APPOINTED "COUNCIL OF THE FIRE DEPARTMENT". PLEASE ADVISE THE NAMES OF THOSE SERVING ON THE COUNCIL, DATES OF APPOINTMENT, TERMS OF SERVICE AND DATES WHEN THE COUNCIL MET WITH THE VILLAGE BOARD, IN THE LAST YEAR. ALSO, I NEED TO KNOW WHERE COPIES OF THE MINUTES OF THESE MEETINGS MAY BE FOUND.**

**AT THE PUBLIC MEETING OF 25 JANUARY, THE CHAIRPERSON, Ms. VOGT, ASK THAT ALL QUERIES TO THE VILLAGE BOARD BE SUBMITTED IN WRITING, I HAVE COMPLIED WITH THAT REQUEST, AND ASK THAT YOU GIVE ME THE COURTESY OF RESPONDING LIKEWISE.**

**MOST RESPECTFULLY,**

*17. +*

**REV. CN. SAMUEL P. LUNDY**

**Cc: J. SHOWALTER  
D. OPPENHIEMER**

In Response to Rev Lundy's letter, Mayor Souva looked into this and stated that a Council is for Fire Companies. The Copenhagen Volunteer Fire Department is not a company, therefore, does not have a council.

- b. Letter from Cindy Pridell about placing Veteran Banners on National Grid Poles throughout the Village:

2/2/22

Copenhagen Board Members and Mayor Souva,

National Grid asked that the Banner Project, {Copenhagen C.A.R.E.S.) needed to list the pole identification numbers for desired poles.

The pole numbers have been listed for Main Street as well as high trafficked streets Cataract and Mechanic.

Jennifer Edgeberg from National Grid {315-785-7331) also said all communication and approval must go through the Copenhagen Board.

At this point, the number of banners and what poles will be totally up to the village board and which poles National Grid will give their consent.

This is the first year for this Banner Project, and we anticipate that there will be lots of enthusiasm. However, before we can put the word out, via websites, word of mouth, we need to know how many banners we will be allowed to be put up. Is 25-30 too many? 20? We certainly understand that there might be limits. The Veteran's Flag Committee has already decided that deceased veterans will take precedent. We may find that we will have to use a rotation system if there is a tremendous interest.

The next meeting for Copenhagen CARES is the day after your monthly meeting. I will be in Florida, but you can text me any updates, decisions you have on the matter and I will forward to the Veteran Banner sub- committee of Copenhagen CARES. Our goal is to have some flags flying in our Veterans Honor for the Memorial Day Parade. Hopefully, that is possible.

Thank you,

Cyndy Pridell

The Veteran Banner sub committee ( Members of the American Legion)

Ms. Pridell also provided all pole numbers and where they were located.

In Response to Ms. Pridell's letter, DPW Superintendent Rich Ross stated that National Grid has to check the poles to see which can be used.

Attorney Candace Randall entered the meeting at 6:45pm

c. Letter from Attorney Joseph Russell:

## *BARCLAY DAMON LLP*

Joseph W. Russell

*Partner*

**January 12, 2022**

Village of Copenhagen  
PO Box 237  
Copenhagen, NY 13626

Re: Client Transition

I am pleased to announce that effective February 1, 2022, I will be opening my own law firm called Joseph W. Russell, P.C.. My separation from Barclay Damon LLP is amicable and both firms anticipate retaining a strong business relationship and providing continuing sources of referral to each other. My address and contact information will be as follows:

120 Washington Street  
Suite 500  
Watertown, NY 13601  
[jrussell@jwrusselllaw.com](mailto:jrussell@jwrusselllaw.com)  
Telephone: (315) 965-1717

Under applicable law, the choice whether to have your files remain under my control at my new firm, stay with Barclay Damon or go to you directly or to another law firm is yours and yours alone. Given that I have been your principal point of contact, I am happy to advise that we have worked out a simple transition plan from Barclay Damon to my new firm. Namely, that I will retain physical control of your physical and electronic files unless you direct otherwise. If you are in agreement that I should retain your files, you need do nothing further.

If, on the other hand, you wish to do something otherwise with your file, please let me know by email, facsimile or regular mail and we will make the appropriate arrangements.

I look forward to working with you in the future at my new firm.

Very truly yours,

Joseph W. Russell

JWR

120 Was hington Street – Suite 500 – Watertown, New York 13601 barclaydamon.com [jrussell@barclaydamon.com](mailto:jrussell@barclaydamon.com) Direct:  
(315) 413-7116 Fax: (315) 703-7350

## **New Business**

a. Neptune Water Reading System:

The DPW and Clerk Wheeler asked the Board if the Village could upgrade their water reading system, ARPA monies can be used for this so there would be no cost to taxpayers. The current handheld water reader is outdated and cannot get upgrades anymore, it is approximately 11 years old. The software that is being used can no longer get upgrades either.

Clerk Wheeler explained that the new system would be web based so it could be accessed from any computer. It would help with identifying leaks faster and better.

Trustee Shambo questioned why we did not get 3 quotes and Trustee Vogt explained that the Village was locked in to using Neptune systems because all the water meters were Neptune meters.

## **Resolution 71**

Trustee Shambo made a motion for a resolution and Trustee Vogt seconded the motion to purchase the new Neptune Water Reading System per the quote from Ti Sales.

Vote taken:

Trustee Stokely – Aye

Trustee Snyder – Aye

Trustee Vogt – Aye

Trustee Shambo – Aye

Mayor Souva – Aye

All Ayes- Motion Carried

See following page.



800-225-4616  
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Fax: 978-443-7600  
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|                  |            |
|------------------|------------|
| <b>Quote</b>     | QTE0053138 |
| <b>Quoted To</b> | Dave       |
| <b>Date</b>      | 01/21/2022 |

**Sold To:** Copenhagen Village Water Dept.  
9916 Main St.  
Copenhagen NY 13626

**Ship To:** Copenhagen Village Water Dept.  
9916 Main St.  
Copenhagen NY 13626

| Customer Number | Telephone  | Fax            | Job Location  | Job Name         | Territory Manager |                    |
|-----------------|--|----------------|---------------|------------------|-------------------|--------------------|
| COPE7           | (315) 628-4229   | (315) 688-2216 | Copenhagen NY | N360/MRX         | Jim Pierce        |                    |
| Expires         | Estimated Delivery   | Freight        |               | Terms            | Master Number     |                    |
| 03/22/2022      | 4-6 Weeks  |                |               | NET 30           | 337240            |                    |
| Item Number     | Description  |                |               | Quantity         | Price             | Extension          |
| N360AAMRSETUP   | Neptune 360 Advanced AMR Set-up Fee (One-Time Fee)<br>Shipping direct from vendor  |                |               | 1                | \$4,527.00        | \$4,527.00         |
| N360AAMR250     | Neptune 360 Advanced Module Annual SaaS Subscription for AMR (1 - 250 Cust) Per Endpoint Per Year<br>Shipping direct from vendor |                |               | 1                | \$1,249.95        | \$1,249.95         |
| MRX920V4        | Neptune MRX920 Mobile Data Collector V4 With RF Data Logging Feature   |                |               | 1                | \$10,832.90       | \$10,832.90        |
| Quoted By:      |  | Ryan Hourihan  |               |                  |                   |                    |
|                 |  |                |               | Subtotal         |                   | \$16,609.85        |
|                 |  |                |               | Other Charges    |                   | \$0.00             |
|                 |  |                |               | Tax              |                   | \$0.00             |
|                 |  |                |               | <b>TOTAL DUE</b> |                   | <b>\$16,609.85</b> |

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- a. Mayor Souva explained that the Village of Copenhagen was still trying to work with the Carthage/West Carthage Joint Water Commission about the Village of Copenhagen's water situation and to keep working with them the Board would need to do a resolution to be able to move forward.

**Resolution 72-2022**

Trustee Vogt offered a motion for resolution and Trustee Stokely seconded the motion for the Village of Copenhagen Board of Trustees to meet and discuss/negotiate with the Carthage/West Carthage Joint Water Commission for the Village of Copenhagen to connect to their water system with the help of the Lewis County Planning Department and their engineers.

Vote taken:

Trustee Stokely – Aye

Trustee Snyder – Aye

Trustee Vogt – Aye

Trustee Shambo – Aye

Mayor Souva – Aye

All Ayes- Motion Carried

**Old Business**

- a. Sewer/Water updates-moving on to bidding process with the Wastewater Disinfection Project.
- b. Carthage/West Carthage Joint Water Commission-previously covered.
- c. Clerk Accounting/Payroll Software-Williamson Law-still inputting data.
- d. Repair F250-Dave's Body Shop-Bumper was ordered, waiting for it to come in.
- e. Letter from North Country CPA's:

**NORTH COUNTRY CPAS**

*Lawrence & Philippe*

CERTIFIED PUBLIC ACCOUNTANTS. P.I.L.C

5564 Woodlawn Avenue

Lowville NY 13367

Scott A Lawrence CPA Emily J  
Philippe CPAAFC

(315) 376-6518 Office (315) 376-5961 Fax

Scott@NorthCountryCPAs.com  
Emily@NorthCountryCPA.com



Village of Copenhagen  
Attn: Mayor  
PO Box 237  
Copenhagen NY 13626

Dear Kim:

This letter is to confirm and specify the terms of our engagement with you and to clarify the nature and extent of services we will provide.

We will perform the following services for you. These services are for one year beginning February 10, 2022.

Assistance with setting up and using Williamson software for financial recording.  
Assistance with preparation of Annual Update Documents (AUDs) for the years ending 5/31/21 and 5/31/22.

Our engagement is limited to the accounting services indicated above. We will not audit or review your financial statements as those terms are defined in generally accepted auditing standards or any other accounting documents and information you provide. We will not verify the data you submit for accuracy or completeness. Rather, we will rely on the accuracy and completeness of the documents and information you provide to us.

You are responsible for designing and implementing controls to prevent and detect fraud and informing us about all known or suspected fraud impacting the company. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations.

Our engagement cannot be relied on to disclose errors, irregularities, or illegal acts, including fraud or embezzlements, that may exist. However, we will inform the appropriate level of management specifically designated by you, of any material errors that come to our attention and any irregularities or illegal acts that come to our attention, unless they are clearly inconsequential.

In order for us to complete this engagement in a timely and efficient manner we require unrestricted access to all documents concerning your financial transactions including but not limited to bank statements, canceled checks, summaries of deposits and income, a listing of accounts payable and accounts receivable, leases, loans and any other financial information necessary that impacts your accounting records.

Our fee for these services will be based upon the amount of time required at our standard billing rates as shown below, plus out-of-pocket expenses. All invoices are due and payable upon presentation.

Staff accountant billing rates: \$65-\$70/hr  
Partner billing rate: \$100/hr  
Admin billing rates: \$45-\$50/hr

Our maximum liability to you arising for any reason relating to services rendered under this letter shall be limited to the amount of fees you paid for these services . In the event of a claim by a third party relating to services under this letter, you will indemnify us

from all such claims, liabilities, costs and expenses, except to the extent determined to have resulted from our intentional or deliberate misconduct.

If any dispute arises (between/among) the parties hereto, the parties agree first to try in good faith to settle the dispute through non-binding mediation. The costs of mediation shall be shared equally by the parties.

The parties agree that, if any dispute cannot be settled through mediation, the dispute may then be brought before a court of competent jurisdiction , but the matter will ultimately be decided by the court, sitting without a jury. The parties recognize they have knowingly and voluntarily agreed to waive all rights to have any such dispute determined by a jury, but otherwise retain all rights afforded under the applicable civil justice system.

This Agreement, and the rights and obligations of the Parties hereunder, shall be governed by and construed in accordance with the laws of the State of New York (without giving effect to its provisions on conflict of laws).

This Agreement is fully and voluntarily entered into by the Parties. Each Party states that he, she, or it has read this Agreement, has obtained advice of counsel if he, she, or **it so desired, understands all of this Agreement, and executes this Agreement voluntarily and of his, her, or its own free will and accord with full knowledge of the legal significance and consequences of this Agreement.**

To confirm that you agree with the services and terms of this engagement, please sign where indicated at the bottom of this letter and return a signed copy to us. Should you have any questions regarding these requirements or provisions, please feel free to contact us.

Sincerely,

Signed on behalf of  
North Country CPAs

ACCEPTED AND AGREED TO BY:  
Village of Copenhagen

By: \_\_\_\_\_

Date: \_\_\_\_\_

Mayor

## Resolution 72-2022

Trustee Vogt offered a Motion that Trustee Stokely seconded to accept North Country CPA's letter of intent to assist Clerk Wheeler set up and utilize the Williamson Law Book software.

Vote taken:

Trustee Stokely – Aye

Trustee Snyder – Aye

Trustee Vogt – Aye

Trustee Shambo – Aye

Mayor Souva – Aye

All Ayes- Motion Carried

- f. Smart Tv for Zoom – no updates
- g. Village Air Conditioning-Tabled until Spring when Hyde Stone can charge air conditioner.
- h. Paving Loud and Grove Streets-Tabled until Spring when County can bring edger for sides of streets
- i. ANCA audit of Village energy usage-waiting for online National Grid accounts
- j. Mill Street Culvert-Tabled until Spring
- k. LED Lighting-  
One light was missed by St. Mary's Church and one light is not working in the Fire Department's parking lot. Trustee Vogt informed the Board that there is one extra light that can be placed anywhere the Board thinks would be beneficial.
- l. Façade Street Scapes Grant-Planters are in
- m. Walk Audit Grant through the Tughill Commission-  
Principal from Bolen Technical Center called Trustee Vogt and informed her that they are working on the Kiosk and benches. The benches will be wood now instead of metal because the prices went up substantially.
- n. Gazebo Repair and handicap access-Tabled until Spring
- o. Band Wagon Building-waiting for the garage door to be installed
- p. Maple Ave Drainage-Tabled until Spring
- q. Washington Street Drainage-Tabled until Spring
- r. Board of Elections is all set- Moving Village Elections is on the ballot.
- s. Bus Stop-is on its way. Plan on placing it where the old phone booth was next to the Post Office. Village needs to put platform down for it.
- t. Fire Department-Attorney Candace Randall was present.  
Discussion held pertaining to the Copenhagen Volunteer Fire Department's incorporation. Attorney Randall presented a letter to send to the CVFD's attorney to get more information. Mayor Souva read the letter out loud to the Board.

### **Resolution 73-2022**

Trustee Stokely offered a motion and Trustee Vogt seconded to send the CVFD's Attorney the letter from the Village's Attorney, Candace Randall.

Vote taken:

Trustee Stokely – Aye  
Trustee Snyder – Aye  
Trustee Vogt – Aye  
Trustee Shambo – Aye  
Mayor Souva – Aye  
All Ayes- Motion Carried

Discussion was held about the Village making the Copenhagen Volunteer Fire Department's monies to be part of the Village of Copenhagen's budget and manage the CVFD funds.

### **Resolution 74-2022**

Trustee Vogt offered a motion for resolution then that with contract monies, starting this budgeting year, we take in that money on the revenue side of our budget, and we expense them out in items in our budget specifically for the fire department.

Vote Taken:

Trustee Vogt - Aye  
Trustee Stokely -Aye  
Trustee Shambo-No

Mayor Souva and Trustee Snyder recused themselves from the vote because they belong to the fire department.

Because there was no second to the motion for resolution, the vote did not pass.

More discussion was held about what the Village needs from the CVFD. Attorney Randall suggested that the Village get an inventory of everything the CVFD has (land, trucks, equipment, etc.) for insurance purposes.

Kevin Townsend from Eastern Shore Association Insurance. Discussion was held on what policies and how much the policies held that the CVFD holds.

### **Open Forum**

Mayor Souva made the decision to not have Open Forum. Mayor Souva explained that if anyone would like to discuss anything that they would like to be part of the minutes to write a

letter to the Board, it will have to go under correspondence. Open forum does not have to be recorded in the minutes.

### **The Open Meetings Law, Article 7 of the Public Officers Law (§§ 100-111):**

#### **PUBLIC PARTICIPATION**

Although the OML requires that the public be allowed to attend meetings, it is silent with respect to public participation at meetings. Therefore, the public body (the trustees) may, at its discretion, allow the public to speak, but State law does not require that the public be allowed to do so. Whatever rule a public body imposes regarding public participation, the rule must be applied equitably, with all attendees, regardless of residence, being afforded the same opportunity to participate.

NYCOM Handbook for Village Officials (2021) • Chapter 6 • The Open Meetings Law

#### **Approval for Claims and Bill Payment**

##### **Resolution 75-2022**

The Board reviewed the bills, and a motion was made by Trustee Vogt and was seconded by Trustee Stokely to pay the bills that are listed on Abstract # 9 dated February 9, 2022.

Vote taken:

Trustee Stokely– Aye

Trustee Snyder – No

Trustee Vogt -Aye

Trustee Shambo – Aye

Mayor Souva – Aye

4 Ayes and 1 No. Motion Carried

| Account        | Voucher | Amount       |
|----------------|---------|--------------|
| General        | 170-192 | \$ 22,527.33 |
| Water          | 94-101  | \$ 2,960.77  |
| Sewer          | 76-82   | \$ 7,040.93  |
| Trust & Agency |         |              |

Mayor Souva informed everyone that the Board was going into Executive Session to discuss legal matters with Attorney Candace Randall at 8:00pm.

Motion to enter Executive Session was offered by Trustee Vogt and seconded by Trustee Stokely at 8:00pm.

Vote taken:

Trustee Stokely– Aye  
Trustee Snyder – Aye  
Trustee Vogt– Aye  
Trustee Shambo -Aye  
Mayor Souva – Aye  
Motion Carried

Trustee Shambo exited Executive Session at 8:15pm.

A motion was offered by Trustee Stokely and seconded by Trustee Snyder to exit Executive Session at 8:58pm.

Vote taken:

Trustee Stokely– Aye  
Trustee Snyder – Aye  
Trustee Vogt– Aye  
Trustee Shambo -Absent  
Mayor Souva – Aye  
4 Ayes Motion Carried

A motion was offered by Trustee Stokely and seconded by Trustee Snyder to adjourn the meeting at 8:59pm.

Vote taken:

Trustee Stokely– Aye  
Trustee Snyder – Aye  
Trustee Vogt– Aye  
Trustee Shambo -Absent  
Mayor Souva – Aye  
4 Ayes Motion Carried

Meeting adjourned 8:59pm

Next Village of Copenhagen Board of Trustees Regular Meeting to be held March 9, 2022 at 6:30pm.

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Mayor

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Clerk