

52,305.64

***Town of Rutland***

**Town Board Minutes**

**August 8, 2024**

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**Call to Order-**

Proceedings of a Town Board Meeting held at the Rutland Municipal Office on August 8, 2024. The meeting was called to order at 6:30 p.m. by Supervisor Logan Eddy who led the room in the Pledge of Allegiance.

**Council Present-** Supervisor Logan Eddy

Town Council Member Jennifer Bossuot  
Town Council Member Gary Eddy  
Town Council Member Les Berghorn

**Public Comments-**Discussion was held by Ann from Superior on helping the Town Clerk and the reason it should continue.

**Communications** – Discussion was held on the situation with Mr. Glick. A letter from the Jefferson County Attorney concerning the check from the Windmill Farm deposited into the wrong account was resolved.

**Monthly Reports –**

**Zoning** – Report was provided by James Harter that during July there were no new Zoning Violations. He did receive three new Zoning Permits. He inspected several parcels that might have violations. Many of the complaints received do not meet the current language of the Property Maintenance Laws. We might want to look at these Laws to see if they need to be changed. I'm in the process of making court dates on some of the previous violations.

**Highway Superintendent Report** – The highway report was provided by Claude Phelps. Pit update – The trucks have been ordered to come to the sand pit to remove the tires. We might want to get a dumpster to take care of general trash and construction debris. The new truck update will not be ready for delivery before February of 2025. They were told this was unacceptable. We will continue to clean up the sand pit and install the gate, markers and posted signs.

**Assessor** – Jim Rounds reported that there was one small claim # 75.15-1-77.23. September 9, 2024, we will begin checking permits and taking photos of properties.

A motion was made by Councilman Gary Eddy and seconded by Councilman Les Berghorn that Abstract #9 24-000468 through 24-00521 in the amount of \$52,305.64.

The vote went as follows: Ayes 4 : Nays 0

Ayes: Logan Eddy, Jennifer Bossuot, Les Berghorn and Gary Eddy.

Motion carried

**Old Business:**

Supervisor Logan Eddy stated for a Special Meeting for September 4, 2024, at 6:00PM. It was stated by the Town Clerk that the new bank accounts were opened effective 8/1/2024. Town Clerk Samantha Sawyer, Supervisor Logan Eddy and Councilwoman Jennifer Bossuot are all signers.

**New Business –**

A motion was made by Councilwomen Bossuot and seconded by Councilman Gary Eddy to approve **Resolution # 24-8**. Supervisor Eddy made a motion to accept Attorney's Kendall, Harrienger & Burrows as the Town's new Legal counsel.

The vote went as follows: Ayes 4 : Nays 0

Ayes: Jennifer Bossuot, Les Berghorn, Logan Eddy and Gary Eddy.

Motion carried.

A motion was made by Councilwoman Bossuot and seconded by Councilman Gary Eddy to approve **Resolution # 24-9** Budget Transfers.

Budget Transfer's 24-9

Budget Transfers & Amendments TBM 08/08/2024

Budget Transfers

CR: A5010.2 Hwy Super Office Equipment

DB: A1990.4 Contingency

Amount \$1,000.00

To balance over expenditure in appropriations with additional for year-end expenditures.

CR: A8810.4 Cemeteries; contractual

DB: A1990.4 Contingency

Amount \$1,000.00

To balance over expenditure in appropriations with additional for year-end expenditures.

CR: DA5130.20 Machinery – New Equipment/Small

DB: DA9060.8 Hospital – Medical Insurance

Amount \$7,000.00

To balance over expenditure in appropriations. Purchase of diagnostic equipment for highway.

CR: DB5110.40 Washouts, Culverts, Stone, Cold Patch

DB: DB9060.8 Hospital Medical Insurance

Amount \$5,000.00

To balance over expenditure with additional for year end.

CR: DB9050.8 Hwy Employees Unemployment

DB: DB9060.8 Hospital Medical Insurance

Amount \$5,000.00

To balance over expenditure with additional for year end.

The vote went as follows: Ayes 4 : Nays 0

Ayes: Jennifer Bossuot, Les Berghorn Logan Eddy and Gary Eddy.

Motion carried.

A motion was made by Councilman Eddy and seconded by Councilman Berghorn

To approve the diagnostic tool for the garage area and outside area.

Roll call was taken with all in favor. Ayes 4 : Nays 0

Ayes: Logan Eddy, Jennifer Bossuot, Les Berghorn and Gary Eddy.

Motion carried.

There was also discussion on the way to configure our new email addresses.

#### **Adjournment –**

A motion to adjourn the meeting was made by Councilman Gary Eddy, seconded by Councilman Les Berghorn. All in favors.

The vote went as follows: Ayes 4 : Nays 0

Ayes: Councilwoman Jennifer Bossuot, Councilman Gary Eddy, Councilman Les Berghorn and Supervisor Logan Eddy

Motion carried.

Respectfully given:

*Samantha Sawyer* Town Clerk

TOWN OF RUTLAND  
RESOLUTION # 24-8  
NEW ATTORNEY INFORMATION  
AS OF AUGUST 8, 2024

To balance over expenditure with additional for year end.  
CR: DB9050.8 Hwy Employees Unemployment  
DB: DB9060.8 Hospital Medical Insurance  
Amount \$5,000.00

To balance over expenditure with additional for year end.  
The vote went as follows: Ayes 4 : Nays 0  
Ayes: Jennifer Bossuot, Les Berghorn Logan Eddy and Gary Eddy.  
Motion carried.

A motion was made by Councilman Eddy and seconded by Councilman Berghorn  
To approve the diagnostic tool for the garage area and outside area.  
Roll call was taken with all in favor. Ayes 4 : Nays 0  
Ayes: Logan Eddy, Jennifer Bossuot, Les Berghorn and Gary Eddy.  
Motion carried.

There was also discussion on the way to configure our new email addresses.

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A motion to adjourn the meeting was made by Councilman Gary Eddy, seconded by  
Councilman Les Berghorn. All in favors.  
The vote went as follows: Ayes 4 : Nays 0  
Ayes: Jennifer Bossuot, Gary Eddy, Les Berghorn and Logan Eddy  
Motion carried.

Respectfully given:

*Samantha Sawyer* Town Clerk

# KENDALL, HARRIENGER & BURROWS

*Attorneys-at-Law*

120 Washington Street, Suite 500A  
Watertown, NY 13601  
Phone: 315-753-8080  
Fax: 315-753-8090

*Service of Papers by Email  
or Fax is Not Authorized*

August 5, 2024

VIA EMAIL TO: [leddy97@me.com](mailto:leddy97@me.com)  
and First Class Mail

Town of Rutland  
ATTN: Logan Eddy, Supervisor  
28411 New York State Route 126  
Black River NY 13612

RE: Proposal for Legal Services  
Town of Rutland – General Matters  
KHB File No.:

Dear Supervisor Eddy:

This letter is written in response to your inquiry seeking a proposal pertaining to the Town's interest in retaining new attorneys for its general purposes. This letter will attempt to explain our interest in, and qualifications for, that position.

## MUNICIPAL EXPERIENCE

Kendall, Harrienger & Burrows (KHB) has extensive Municipal Law experience. I provided general legal counsel to a number of Towns and Villages in the North Country over several decades. In this capacity, I provide legal advice to municipal clients in respect to the day-to-day operation of those municipalities. Those services include assisting governing Boards, Planning Boards and Zoning Boards of Appeal. Services include the adoption of Resolutions, Ordinances, Local Laws and the administration and enforcement of the same as needs arise. I am actively involved in many renewable energy matters (solar and wind) on behalf of several municipalities. We routinely present Towns on various Improvement District formation, extension, and related matters. I routinely represent a variety of municipal clients in State and Local Courts and defend those same municipalities in all tax certiorari proceedings challenging local tax assessments.

In addition to the above, I routinely represent a number of municipalities on any number of municipal matters and/or litigation matters where local counsel are unavailable, unable, or unwilling, to proceed.

Megan S. Kendall

Kathryn J. Harrienger

James A. Burrows

One of my partners, Kathryn J. Harrienger, also routinely represents municipalities and provides the same services as specified above.

One of my partners, Megan S. Kendall, routinely provides bonding services to municipal clients for various matters.

A listing of municipal clients may be provided to you upon request.

#### PROPOSED BILLING SCHEDULE

The hourly rate for attorneys here at KHB vary according to experience and practice area. The firm customarily provides legal services to municipal clients at a blended rate of \$225 per hour for attorneys and \$160 per hour for paralegals, billed in one-tenth hour increments and on a monthly basis. Again, these rates would apply to all attorneys and paralegals in the Firm. We do not require a retainer from municipal clients.

#### PROFESSIONAL LIABILITY INSURANCE

We maintain Professional Liability Insurance and the limits of coverage are \$1,000,000.

#### CONFLICTS OF INTEREST

Our representation of municipal clients presents, to our knowledge, no conflicts of interest. However, our practice is to perform routine conflict of interest checks to ensure that no conflict, or appearance of impropriety, might arise. In the event of a potential conflict of interest, alternate representation may be required.

Thank you for the opportunity to present our proposal for performance of legal services for your municipality. Please contact me, or my paralegal, Sue Wilcox, with any questions or concerns you might have in regard to this proposal or if you would like to arrange for an interview.

Again, thank you for your consideration.

Very truly yours,

KENDALL, HARRIENGER & BURROWS

*/s/ James A. Burrows*

James A Burrows

/sjw

Town of Rutland  
Resolution # 24- 9

Budget Transfers & Amendments TBM 08/08/2024

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