

## **NEW LISBON TOWN BOARD---AUGUST 13, 2013 REGULAR MEETING---7:30 PM---TOWN HALL**

Present: Supervisor Robert Taylor, Councilmen Glen Noto, Robert Eklund & Edward Lentz, Clerk Charlene Wells, Attorney Martin Tillapaugh, Residents: Ed George, Sue Smith, Donald Smith, Tom Riso, Brian Ryther, Joe Gregory, John Pegg, Lenny Melillo, Ernest Remillard, Melissa Doyle

Absent: Hwy. Supt. Bill Whitaker, Councilwoman Connie Chase

Supervisor Taylor opened the meeting at 7:30 PM. A motion was made by Edward Lentz, seconded by Robert Eklund and carried 4/0 to accept the minutes for the July 9, 2013 regular meeting as written.

Hwy. Supt. Bill Whitaker was absent, but left word that they completed the CHIPS paving projects and will have to seal them. They replaced a large culvert on Goddards Road.

Richard Hilary submitted an application for a setback variance to 55 feet for an addition to his existing residence. In October 2011 the Board approved a setback variance to 66 feet for an addition to his residence, but he never completed the project. His contractor advised that the measurements were wrong and a setback variance to 55 feet was needed. The Board reviewed the application and diagram and had questions regarding the intended use of the addition, why the addition couldn't go on the back side of the existing structure, etc. After further discussion, a motion was made by Robert Eklund, seconded by Glen Noto and carried 4/0 to advise Mr. Hilary that he could go with the 66 foot setback variance previously approved or come to the next meeting September 5, 2013 to answer the Board's questions on Setback Application #03-13.

Lenny Melillo noted that the upper firehouse paving had been completed. He noted that with all of the work done by volunteer firemen and donated equipment, it saved the Town over \$7000.00. The Town Board thanked all of those who helped with the project and Lenny for organizing the project and donating his equipment. Lenny further submitted information about a seminar on fuel storage systems. He thought that someone from the Town should attend the class which would go over the new requirements for fuel storage which will affect us at the Highway Garage. A motion was made by Edward Lentz, seconded by Robert Eklund and carried 4/0 to authorize Land Use Enforcement Officer Tom Riso, or a substitute if he is unavailable, to attend the class on Fuel Storage Systems at a cost of \$285.00 in Albany on October 4, 2013.

Ed George noted that he found out that the water trucks he talked about last month were trucking water to Yogi Bear Campground. It was guessed that because of so much rain, surface water may have contaminated their drinking water.

It was noted that Consultant Jessie Ravage will present her Reconnaissance Level Historic Resources Survey of the Town of New Lisbon at the August 20<sup>th</sup>, 2013 meeting of the CPIC at 7:00 PM at the Town Hall. A \$1000.00 donation was received from the Butternut Valley Alliance to go towards the cost of the survey. A motion was made by Glen Noto, seconded by Robert Taylor and carried 4/0 to accept the donation from the BVA and send a thank you note from the Town.

Double D Contracting started repairing the damaged sill areas at the Highway Garage. Once they opened things up they found a lot more damaged areas. They ended up repairing 60 to 80 feet of damaged sill instead of the original 20 feet that had been identified. The old chimney was taken down and damaged areas around that repaired. Three windows were replaced, as the cost for new ones was almost the same as repairing the old ones. We will have to be more diligent in maintaining all flashings, seals, etc. in the future.

We only received one proposal for repairing, sealing and insulating the highway garage roof and gable ends from Upstate Spray Foam Insulation of West Winfield, NY for \$54,780.00. They advised that they would need to get this done as soon as weather permits, before it gets too cold. After review, a motion was made by Edward Lentz, seconded by Robert Eklund and carried 4/0 to accept the proposal for \$54,780.00 from Upstate Spray Foam Insulation for the repair, sealing, & insulating the highway

garage roof and gable ends per our specifications and their proposal, providing they can complete the project this year.

After two requests for proposals for garage doors for the new addition, we only received one proposal from Action Garage Doors of Oneonta for \$7364.00 for two doors and openers. We are still waiting for Otsego Electric to move the electric poles & lines so the date of building the addition is unsure. A motion was made by Edward Lentz, seconded by Glen Noto and carried 4/0 to accept the bid of \$7364.00 for two garage doors & openers from Action Garage Doors of Oneonta, providing we get the addition completed this year.

Discussion was held on the town hall roof. Ernest Remillard felt we could put over existing shingle roof. It would save time and money. Lenny Melillo suggested that we should check out the rafter load specs before we consider placing over existing roof. By removing existing shingles we could also make sure the sheathing is okay. Sue Smith noted that we should have the things put on the roof over entrances to avoid snow from falling off on people. Tom Riso and Ed Lentz will draft the RFP for replacing the town hall roof with a metal roof. A motion was made by Edward Lentz, seconded by Glen Noto and carried 4/0 to release the RFP for a new town hall to be returned before the September 5, 2013 meeting.

Attorney Martin Tillapaugh submitted a sample local law to allow for a business investment credit. If a business spends \$10,000.00 or more on a property improvement they would be eligible to apply for the reduction in taxes. It would start at a 50% credit and be reduced each year until it would reach the full assessment after a ten year period. This would only impact town taxes and is an incentive for new business. Attorney Tillapaugh felt the Board could decide what types of businesses would be eligible. The sample law would apply to any kind of business for the entire town. If the business doesn't continue, the credit would be taken away. No exemption can be granted to something that already gets a deduction, such as an agricultural exemption. The Town Board will review the sample law and see if they want to make any changes or keep as is.

Discussion was held on bidding requirements. We may have to look at revising our purchasing policy. Mostly we have to take the lowest bidder, but Attorney Tillapaugh noted that there is some case law where exceptions can be made. Councilman Edward Lentz noted that the Town of Hartwick just passed a "Best Value Purchasing" local law. Attorney Tillapaugh was requested to look into drafting this type of local law for the Board to consider.

We have again received notice that Yogi Bear Campgrounds is protesting their assessment in court. Attorney Martin Tillapaugh has been trying to reach an agreement, but no luck so far. He will discuss further with the Town Board next month in executive session.

Supervisor Robert Taylor noted that Congressman Chris Gibson will be holding a session on Broadband at SUNY Cobleskill on August 15<sup>th</sup> from 9-12. We have signed up to be eligible to file paperwork with FEMA for expenses caused by the July heavy rains. Assessor Kathleen Chase will change her hours effective 9/2/13 to Mondays from 3-5 PM. Supervisor Taylor noted the passing of Jeff Habor, the Executive Director of the Association of Towns for 30 years.

We have a lot of old equipment, including computer monitors, towers, printers, copiers, battery backup, etc. that we no longer need. Supervisor Taylor advised that we can take free of charge to MOSA to get rid of. Steve Lawton may take the towers for his BOCES computer class. A motion was made by Robert Eklund, seconded by Glen Noto and carried 4/0 to declare the old computer monitors, towers, printers, copiers, battery backup, etc. as surplus and authorize the Supervisor to dispose of.

The oven in the town hall stove is not working. The stove was purchased with the Marcy-South grant funds when we built the town hall. It would cost \$100.00 plus parts (if available) just to get someone out here to see if it's fixable. A new stove would cost under \$500.00 plus the hookup fee. A motion was made by Robert Eklund, seconded by Edward Lentz and carried 4/0 to authorize the Supervisor to purchase a new stove for the town hall at a cost not to exceed \$500.00.

A motion was made by Glen Noto, seconded by Edward Lentz and carried 4/0 to authorize Town Justice Bruce Moskos to attend the annual justice state conference in September. He also would like

approval to apply for funding through the Justice Court grant program again. Last year he received funding for new chairs and office equipment. After discussion, the Town Board advised that they would like to know what he intends to apply for before giving approval.

We received notice from Ralph Morse, that we need to change our new hire waiting period to be in compliance with the Affordable Care Act. We currently have a six month waiting period before a new employee would be considered full time and receive medical benefits. After further review, a motion was made by Robert Eklund, seconded by Glen Noto and carried 4/0 to change our waiting period for new hires from six months to a two month wait, then the first of the next month which will be in compliance with the Affordable Care Act.

Assessor Kathleen Chase's term of office expires 9/30/13. She is up to date on all of her training requirements. She also serves as Morris & Milford's Assessor. A motion was made by Glen Noto, seconded by Robert Eklund and carried 4/0 to reappoint Kathleen Chase as Sole Assessor effective October 1, 2013 for a six year term.

\$3000.00 was budgeted for the position of DCO, but we hired Elizabeth Fish at the past rate of \$2000.00 to see how she would work out. Her job performance has been great and it was recommended that we consider giving her an increase. A motion was made by Edward Lentz, seconded by Robert Eklund and carried 4/0 to increase the annual salary for the DCO to \$3000.00.

A motion was made by Glen Noto, seconded by Robert Eklund and carried 4/0 to hold the 2014 Tentative Budget meeting and workshop on Tuesday, September 24, 2013 at 7:00 PM.

The Board audited the bills prior to the meeting. A motion was made by Glen Noto, seconded by Edward Lentz and carried 4/0 to pay General Fund bills #142 through #163 for a total of \$25,470.47 and Highway Fund bills #101 through #120 for a total of \$108,530.83. Supervisor Taylor paid General Fund bills #137 through #141 for a total of \$4,354.38 and Highway Fund bills #99,100 & 121 for a total of \$36,445.94 with prior Board approval. The Supervisor's monthly report was submitted to the Board.

We received notice from the NYS Real Property Tax Services that our Final Equalization rate for 2013 is 107.08. Fargo Alarm Systems came out and tested our alarms at the Town hall, firehouse and hwy. garage and found them all to be in working order. We still need to replace one basketball hoop, install plugs in play set holes and make a sign for the ages (5-12) of the play set. All else with the play set was taken care of last year.

The work plan submitted by Peter Manning, OCCA Circuit Rider Planner included planning board training, reviewing our site plan law, reviewing any site plan & subdivision applications, and providing assistance to the Business Roundtable. In his review of our Site Plan Law, he questioned our not having an appeals board, our split jurisdiction between the Planning Board & Town Board and overall clarification of many areas. The Board was not in favor of making changes to the site plan law which was just adopted in 2011 after lengthy review with Consultant Alan Sorensen. Attorney Martin Tillapaugh will check and see if we need to have an appeals board. It was discussed having Peter Manning look into grant opportunities and having the CPIC prioritize what projects we might want to do so he would know what types of grants to look for. Councilman Edward Lentz noted that that we could complete a Consolidated Funding Application which would help identify grant opportunities.

With no further business, a motion was made by Glen Noto, seconded by Robert Eklund and carried 4/0 to adjourn at 9:18 PM.

Charlene R. Wells, New Lisbon Town Clerk

