

NEW LISBON TOWN BOARD---JUNE 8, 2016---7:30 PM
TOWN HALL, GARRATTSVILLE---PUBLIC HEARING ON PROPOSED
LOCAL LAW #2 AND PROPOSED LOCAL LAW #3

Present: Supervisor Timothy Miller, Councilmen Joseph Gregory & John Pegg, Hwy. Supt. Bill Whitaker, Attorney Martin Tillapaugh, Clerk Charlene Wells, Residents Tom Riso, Lenny Melillo, David Galley, Keith Woodbeck, Pete Chase, Edward Lentz, Mark Frank, Melissa Doyle, Donald Smith, Barry & Sandra Braunius, John Braunius, one other , Absent: Councilwoman Flo Loomis & Councilman Robert Eklund

Supervisor Timothy Miller opened the Public Hearing at 7:30 PM and led the Pledge of Allegiance and a moment of silence. He read the entire text of proposed Local Law #2 of 2016, a Local Law Establishing a Moratorium on the Creation and Installation of "Solar Energy Farms" in the Town of New Lisbon. Thomas Riso commented that he felt the proposed law was not needed and could impose hardship on those who might want to put in solar farms by not being able to get the financial incentives which will expire at the end of 2016. He felt that solar farms would not really affect land use and noted that even Otsego County is trying to establish a solar farm on their property. He also felt that the fire hazard is greater for panels put on roofs than it would be for those set up as a solar farm on the ground and would be easier for firemen to access. He added that using farmland for solar farms would only be putting it to another use and would be a good use of vacant farmland. He felt that the need for clean, renewable electric power should be more important than objections to seeing wind turbines or solar farms. He urged the Board to reject Local Law #2 as unnecessary and detrimental to the interests of the residents of the Town. Edward Lentz commented that while we probably don't need the law, it will give us time to look into if we want to add specific regulations on solar farms in our site plan review law. He questioned if the definition of solar farms would preclude a few residents from getting together to set up solar panels as a group for their own use.

With no further comments on proposed Local Law #2 of 2016, Supervisor Timothy Miller read the entire text of proposed Local Law # 3 of 2016, A Local Law Governing the Appointment of a Temporary Administrator by the Town of New Lisbon. Pete Chase questioned what was meant by officer or employee. Attorney Martin Tillapaugh explained that the Temporary Administrator, who would serve in the absence of the Supervisor and Deputy Supervisor, must be selected from those people who are already town officers; those who have filed an oath of office or a Town employee; someone who is employed already by the Town and receives a paycheck from the Town. With no more questions from the floor, a motion was made by Councilman John Pegg, seconded by Councilman Joseph Gregory and carried 3/0 to close the public hearing on the two proposed local laws.

NEW LISBON TOWN BOARD---REGULAR MEETING---JUNE 8, 2016

Present: same as above

Supervisor Timothy Miller opened the regular monthly meeting after the public hearing closed. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 3/0 to accept the May 12, 2016 minutes as written.

The Planning Board met on June 6, 2016 and reviewed Subdivision Application #01 for Rita Goodrich for a simple subdivision. They recommended approval of the request to split off a 9.8 acre parcel with the house from the entire parcel of 144.7 acres. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 3/0 to approve Subdivision Application #01 for Rita Goodrich for a simple subdivision of parcel #191.00-1-11.31 at 278 Allen Road, determining that there would be no adverse environmental impacts.

Hwy. Supt. Bill Whitaker advised the Board that he is going to hire Earl Smith to replace John Bugyi after he retires. He will have to get his CDL before his six month probationary period ends. They are doing honing and prep work for paving. They are working on fixing the 2009 Freightliner. The Army surplus trucks did not become available.

Justice Bruce Moskos thanked Barry Braunius for the new addition to the Town Hall sign. All agreed it was very nice. The justice grant program will be available again and he would like to put in for more flags and poles, glass for his desktop, a panic button for his desk and maybe more security cameras. Both he and his court clerk would like to attend their annual conferences this year.

Lenny Melillo gave a report on the Garrattsville Fire Company. Their new truck was brought for all to see. He noted that last month's written report showed the number of hours they spent on fundraising, training, etc.; what it takes to be able to make calls. Their new truck came in on budget and they were lucky that it included taking their old truck in trade. They only had three bidders because they required a five year warranty on all electrical, which most vendors wouldn't do. Lenny noted that Yogi Bear Campground has new managers, but they are allowing them to go in and sell their raffle tickets. There are two new EMS people waiting for their cards to come. Their new radio cost is \$23,000.00 with \$10,000.00 coming from the County. He added that they do as much themselves as they can and feels they operate efficiently. Lenny provided costs (per thousand) from surrounding towns for fire/ems costs. Edmeston is \$1.44, Burlington (covered by Edmeston) is \$.70, Hartwick is \$.58, Laurens is \$.91, Pittsfield is \$2.21 (have paid EMS), and Morris is \$2.49. He was told New Lisbon's rate was \$.77, but he thought it was \$1.14. He asked the Board if it would be okay if the Fire Dept. only did quarterly reports so they didn't have extra work to do each month and wouldn't have to attend each meeting. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 3/0 to have the Garrattsville Fire Company submit quarterly reports, instead of monthly reports to the Town Board.

Land Use Officer Tom Riso noted that there has not been much completed activity. He met with Mr. Gentile at the Code Office to discuss getting our building permit for the hwy. storage building without having to hire an engineer. Hwy. employee Barry Braunius had done most of the paperwork. Mr. Gentile has assured him that what we want to do is okay with the information we have and we won't need an engineer's plans. Tom will meet with the hwy. dept. to get all of the final information together and the final drawings done to submit to the Code Office.

Supervisor Timothy Miller advised the Board that he has appointed Stacey Kazacos as Deputy Supervisor. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 3/0 to accept the appointment of Stacey Kazacos as Deputy Supervisor. Supervisor Miller also advised that Mr. Kazacos will also serve as Budget Officer. Steve Child decided he did not want to be Budget Officer, but he will be available to help if needed. Councilmen John Pegg and Joseph Gregory will serve on a Budget Committee.

The Consolidated Funding Grant is due in July. We don't have anything ready to apply for and we would have to budget funds as many grants are matching grants. GEMS provides a grant writing service at \$85.00 per hour. A normal grant application takes about 40 hours. They have a 67% success rate. Suggestions for projects include sidewalks, youth program, summer program, tourist info center, nature trails, ice skating rink, self-guided historical tour, outdoor concert series, etc. Edward Lentz added that there is a bike race here every April and maybe we could expand on that.

NYMIR sent a letter on their previous risk assessment of the Town. Most things they noted have been fixed. Hwy. Supt. Bill Whitaker will look into getting lighted exit signs at the Hwy. Garage as they requested. We received notice from CDPHP that they anticipate our medical insurance plan will increase by 10.2% next year. The Board may have no choice but to look at a different plan to contain costs.

Councilman John Pegg completed the audit of the Justice office. After review of the paperwork, a motion was made by Councilman Joseph Gregory, seconded by Supervisor Timothy Miller and carried 3/0 to accept the audit of the Justice office as done by Councilman Pegg.

We received notice that Time Warner Cable is merging with Charter Communications and will be called Spectrum. We received notice from the NYS Office of Real Property Tax Service that our Tentative 2016 Equalization Rate is 115.93. This is up from 114.60 last year.

A letter was read from John Bugyi advising that he was retiring from the Hwy. Dept. as of July 4, 2016. He thanked the community, present and past Board members, and all of the great guys and bosses that he has worked with over his 24 years of service. A letter of resignation was received from

Steve Child as Deputy Supervisor effective May 6, 2016, as he did not feel that he would be able to put in the necessary time while Supervisor Miller is deployed.

Attorney Martin Tillapaugh advised the Board that an agreement has been reached with Yogi-Bear Campground /MB Campground, Inc. concerning their assessment. The assessments would be lowered in 2012 through 2015, reaching their full assessed value at \$2,167,000.00 in 2016. We won't be able to increase their assessment for three years and they can't sue us over their assessment for three years. Anticipated taxes to be returned to them would be \$6,564.96 from us, \$2,783.00 from the County and \$15,473.00 from Morris Central School. They have waived receiving interest. If we had to go to trial, we would have had to pay \$6500.00 for Mike Maxwell to do an appraisal and testify and other court costs, so Attorney Tillapaugh felt this was a good deal for us. After further discussion, a motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 3/0 to accept the agreement with MB Campground for settling their assessment dispute as proposed by Attorney Tillapaugh and to authorize the Supervisor to pay the bill for the back taxes immediately when it is received so we won't have to pay interest. Attorney Tillapaugh further noted that he will send a copy of the agreement to the attorney for Meadowvale Campground in hopes of coming to an agreement with them.

A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 3/0 to accept the insurance renewal package from Hughson & Benson Associates through NYMIR at a cost of \$17,347.82 as was presented previously by John Ryland.

A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 3/0 to advertise for bids for #2 Fuel oil, kerosene (for firehouse), diesel, winter mix diesel, unleaded regular gas, propane (for kitchen stove) and service contracts on four furnaces to be opened at the July 12th, 2016 meeting.

The Board met prior to the meeting to review all bills. A motion was made by Supervisor Timothy Miller, seconded by Councilman Joseph Gregory and carried 3/0 to pay General Fund bills #107 through #120 for a total of \$18,923.28 and Highway Fund bills #97 through #107 for a total of \$23,732.78. Supervisor Miller paid General fund bills #102 through #106 and Highway Fund bill #108 for a total of \$7,709.57 with prior Board approval. The Supervisor's monthly report was submitted to the Board.

Supervisor Timothy Miller discussed concerns with the Town of New Lisbon Facebook page. He thanked Edward Lentz and Melissa Doyle for the work they are doing with it. Since there is not a town official reviewing what's being put on it, he thinks it could become a problem if inaccurate information is put on it, like was done once already. He suggested that we should change the name to something like "Friends of the Town of New Lisbon" and put a disclaimer on it that it is not an official Town site. Edward Lentz agreed that it should be a non-governmental site and adjustments will be made.

Proposed Local Law #2, establishing a six month moratorium on solar farms, was reviewed by the County Planning Dept. and returned for local action, citing no significant county wide impact. Notice of the public hearing was sent to surrounding towns as required. It was noted that the Board has nothing against solar farms. The intent of the moratorium is just to allow us time to form some specific regulations to cover their review. If we get regulations together before the six month period is up we can put in the local law amending the site plan law that the moratorium is void. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 3/0 (Councilman Gregory-Yes, Councilman Pegg-Yes, Supervisor Miller-Yes) to adopt Local Law #2 of 2016, A Local Law Establishing A Moratorium on the Creation and Installation of "Solar Energy Farms" in the Town of New Lisbon as drafted. This local law will be effective upon filing with the Secretary of State.

After final review of proposed Local Law #3, a motion was made by Supervisor Timothy Miller, seconded by Councilman Joseph Gregory and carried 3/0 (Supervisor Miller-Yes, Councilman Gregory-Yes, Councilman Pegg-Yes) to adopt Local Law #03 of 2016, A Local Law Governing the Appointment of a Temporary Administrator by the Town of New Lisbon as drafted. This local law will be effective upon filing with the Secretary of State. Attorney Martin Tillapaugh was asked if the appointment of a Temporary Administrator could be made now, or if it had to wait until we actually needed someone in

the position and he responded that we could make the appointment now. Supervisor Timothy Miller advised that the Bookkeeper Doris Schlee would accept the position, except that she would not want to run the Board meetings. Anyone of the Board members could be chosen to run the meeting. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 3/0 to appoint Doris Schlee as Temporary Administrator.

Dave Galley asked the Board to consider letting the Planning Board earn training credits for researching the solar issue and helping draft regulations. A motion was made by Supervisor Timothy Miller, seconded by Councilman Joseph Gregory and carried 3/0 to allow the Planning Board to get training hours when they meet to work on solar farm regulations.

The one pole in the backstop that was leaning still needs to be fixed. Lenny Melillo noted that he had said he would help for \$75.00, but he can't work with uninsured individuals. Supervisor Miller will check and see if volunteers would be covered by our insurance to help do the repairs.

The Otsego County Historical Association is holding a presentation on "Leaders and Legends of Otsego County" on June 10th, 2016 1:00 PM to 2:30 PM at the Town Hall.

Supervisor Timothy Miller noted that while he is deployed and the Deputy Supervisor is working for him, his pay should go to the Deputy Supervisor. A motion was made by Supervisor Timothy Miller, seconded by Councilman Joseph Gregory and carried 3/0 to pay the Deputy Supervisor the Supervisor's salary during the Supervisor's deployment. If the Town Administrator acts for the Deputy Supervisor, then she would get paid the salary.

Deputy Supervisor Stacey Kazacos spoke to try to respond to concerns about him taking over for Supervisor Miller. He stated that he was originally from Syracuse, attending Syracuse University. He has been married 35 years and has two adult sons. Because of his ties to upstate NY he moved back here to spend his retirement years. Since being back he has been involved with the NY Forest Owner Assoc. He served in the foreign service for 25 years, during which he managed a lot of projects and had to coordinate with many different entities. He plans on continuing what Supervisor Miller has tried to do. He stated that he has no political agenda, with his motivation only being doing his civic duty. He likes that residents will speak out on issues and he is willing to go along with good ideas. He is happy with the opportunity to serve the Town.

Supervisor Timothy Miller noted that he will remain in touch by emails and will watch the videos of the meetings. He will help out as much as possible with the budget preparation process. He hopes that things will keep on moving forward. There are still things noted in our Comprehensive Plan that should be looked at to complete.

Edward Lentz commented that he would like to see the draft minutes put on the website and that all papers of what we're discussing should be available. Clerk Charlene Wells was against putting minutes on until they are approved so residents don't get misinformation if they are corrected by the Board. She will give out draft minutes to anyone who wants them. Copies of the two local laws discussed were available at the meeting.

With no further business, a motion was made by Councilman John Pegg, seconded by Councilman Joseph Gregory and carried 3/0 to adjourn at 9:20 PM.

Charlene R. Wells, New Lisbon Town Clerk