

## **NEW LISBON TOWN BOARD—MAY 14, 2013—7:30 PM REGULAR MEETING—TOWN HALL, GARRATTSVILLE**

Present: Supervisor Robert Taylor, Councilwoman Connie Chase, Councilmen Edward Lentz & Robert Eklund, Hwy. Supt. Bill Whitaker, Clerk Charlene Wells, Co. Rep. Pauline Koren, Land Use Officer Tom Riso, Residents Edward George, Sue Smith, Donald Smith, Keith Woodbeck, Cindy Scott, Steve Davis, Lenny Melillo, David Galley, Richard Dennis, Joe Gregory      Absent: Councilman Glen Noto

Supervisor Taylor opened the regular monthly meeting at 7:30 PM. A motion was made by Edward Lentz, seconded by Connie Chase and carried 4/0 to accept the minutes for the April 9, 2013 regular meeting and April 17, 2013 special meeting as written.

The Planning Board met on May 6, 2013 and recommended approval of Site Plan Application #01-13 for Butternuts Beer & Ale to renovate an existing building into a tasting room and showcase for local products. The application was sent on for County review. It was also sent on to the NYSDOT who responded that the driveway exceeded current standards. They also noted that signs must be kept out of the right-of-way and work permits are needed for any work in the right-of-way. Supervisor Robert Taylor noted that the idea of a place to promote local business was discussed at the Business Roundtable meeting. The Board had no problems with the site plan. It was unsure if the NYSDOT wants them to make the driveway narrower, since they said it exceeded standards. Also, the building to be renovated is close to the road. If it is in the State's right-of-way, they will have to get a work permit from the NYSDOT to work on it. After further discussion, a motion was made by Edward Lentz, seconded by Robert Eklund and carried 4/0 to classify this site plan as a Type II action with no significant impact, thus issuing a Negative Declaration. A motion was made by Edward Lentz, seconded by Robert Eklund and carried 4/0 to approve Site Plan #01-13 for Butternuts Beer & Ale, to renovate an existing 25 ft. by 30 ft. structure into a tasting room and gift shop and showcase for local products, subject to review by the County Planning Department and subject to any permits needed from the NYS DOT.

Hwy. Supt. Bill Whitaker advised that he investigated the paving cost for Elliott Road and he found that it would be approximately \$49,000.00 for the 7/10<sup>th</sup> of a mile road, a lot less than he had thought it would be. Since he is getting more CHIPS money this year, he is planning on adding Elliott Road to his CHIPS project list. They have been getting the locations of his CHIPS projects ready and hope to get all of the paving projects done by the end of May.

We received three proposals for the addition to the highway storage barn. One from Morton Buildings at \$52,643.00, one from J's Construction at \$44,744.82 and two options from Double D Contracting at \$18,882.00 and \$16,882.00. Attorney Martin Tillapaugh noted that effective 6/1/13, public work contracts under \$35,000.00 and equipment purchases under \$20,000.00 do not have to be put out for bid. We would have to follow our purchasing policy. We still would have to pay prevailing wage, regardless of the cost. If town employees did the work or a sole proprietor, we would not have to pay prevailing wage. However, Attorney Tillapaugh felt it would be questionable to hire someone only for performing a certain job. The Highway Committee recommended the proposal from Double D Contracting for \$18,882.00. They discussed having the town purchase the materials outright, to save sales tax. Richard Dennis of Double D Contracting noted that he would have to rework the figures of his proposal to delete the materials and make sure he has the correct prevailing wages. After further discussion, a motion was made by Edward Lentz, seconded by Robert Taylor and carried 4/0 to hire Double D Contracting to complete the addition to the existing Morton storage building (shell & door openings) as per our RFP at a cost less than \$18,882.00 (minus materials). Richard Dennis estimated it would be August when he would get to the project. Supt. Whitaker noted that he contacted Otsego Electric and they will be moving the power lines out to near the road as soon as they can get to it.

Upstate Spray Foam gave us three proposals, ranging in price from \$26,200 to \$41,800.00 for sealing the existing hwy. garage roof, and/or insulation. The committee has since added in some additional areas to consider insulating. The contractor did not use prevailing wage costs in his estimates. This part of the project will require some additional work. If the proposals come in over \$35,000.00 we will have to put the project out to bid. A motion was made by Edward Lentz, seconded

by Connie Chase and carried 4/0 to authorize spending up to \$1000.00 to hire Vagliardo to conduct a radon test, asbestos check and water check at the existing highway garage.

We received one estimate of \$7,364.00 for the two garage doors in the storage barn & proposed addition from Action Garage Doors of Oneonta. Per our purchasing policy we need two quotes for this cost range. Hwy. Supt. Bill Whitaker noted that garage door openers would be nice and help cut down on the time the doors are open. Councilman Edward Lentz will prepare an RFP for the garage doors and a motion was made by Connie Chase, seconded by Robert Eklund and carried 4/0 to authorize the clerk to send out the RFPs for the two garage doors.

Councilwoman Connie Chase thought the Hwy. Supt. should consider attending the Hwy. Supt. School in Ithaca on June 2<sup>nd</sup>-5<sup>th</sup>. Supt. Bill Whitaker noted that he was not planning on attending this year due to work projects and he was already planning on taking some vacation time in June. The Town Board encouraged him to attend and a motion was made by Edward Lentz, seconded by Connie Chase and carried 4/0 to authorize the Hwy. Supt. to attend the Hwy. Supt. school in Ithaca if he so desires.

Co. Rep. Pauline Koren advised that the County is working on a reverse 911 system through a Homeland Security Grant. This would give a recorded message or text in case of emergency. The County Board voted to transfer the Manor to an LDC. The LDC will be made up of a variety of volunteers who will work to get the Manor ready for sale to a private business. May is mandate relief month. To send a letter to our State representatives you can click on Mandate relief on the County website and send them a message. The County Bridge on Rte. 11C is still closed. They are waiting on getting an engineer and inspection. Rep. Koren noted that it is too wide of a span to put in a temporary bridge. She further advised that due to personal reasons, she is not running for re-election as our Co. Rep. She noted that the job has been very time consuming, but a great learning experience.

Brian Ryther advised that he is proceeding with his plans to build a new sugarhouse on Bardin Road. He does not need site plan review because it is considered agricultural. He did request a setback variance to 45 feet because of how he plans on placing the sugarhouse on the property. He noted that there is an existing driveway and Supt. Bill Whitaker noted that there was no sight distance problems with regards to the setback variance requested. A motion was made by Robert Eklund, seconded by Connie Chase and carried 4/0 to approve a setback variance to 45 ft. for Brian Ryther for the purpose of building a sugarhouse on his property on Bardin Road. Mr. Ryther advised that he was happy with the spring sugarhouse tour and hoped to do it again.

Lenny Melillo noted that we should make sure of where our property lines are before we do an addition to the Morton building. Supervisor Taylor will check with the County to see if they have anything on file. We may have to do a survey of the Highway Garage parcel to be sure of our boundaries.

Supervisor Taylor noted that there were only two people at the last Senior Citizen meeting. The organization needs some revitalization. Councilwoman Connie Chase will talk to the club president, Millie Douglas to get her input. Perhaps we could send out a survey to seniors to see what they would be interested in. Tom Riso noted that maybe we should consider changing the name from New Lisbon "Senior Citizens". Supervisor Taylor noted that the Association of Towns has revised their website: [nytowns.org](http://nytowns.org).

Bills were audited by the Board prior to the meeting. A motion was made by Connie Chase, seconded by Edward Lentz and carried 4/0 to pay General Fund bills #78 through #94 for a total of \$6,436.71 and Highway Fund bills #61 through #75 for a total of \$31,478.60. Supervisor Taylor paid General Fund bills #73 through #77 and Highway Fund bill #76 for a total of \$5,759.81 with prior Board approval.

The Board discussed renewing the contract with OCCA for the Circuit Rider planner program. They have hired Peter Manning as the new planner. The Board felt that he would be better organized and a better presenter for training as he is a more seasoned individual. Pauline Koren noted that she is on the Village of Milford Planning Board and they would be interested in joining in on our training. Mr. Manning expressed that he would be planning on staying with the job for at least two years. A motion

was made by Robert Eklund, seconded by Connie Chase and carried 4/0 to continue with the OCCA Circuit Rider planner program at an annual cost of \$2500.00 and authorized the Supervisor to sign the contract.

David Galley's term on the Planning Board expires on 5/31/13. He has 9.5 hours of training time and in order to be considered for reappointment, he needs 10.5 more hours. He submitted a training certificate good for 6 hrs. from a Rural Issues conference. He advised that he spent 40 hours on drafting a Comprehensive Nutrient Management Plan through the Natural Resources Conservation Service. After reviewing the document, the Board accepted this to be used for the additional 4.5 hours he needed for training time. A motion was made by Edward Lentz, seconded by Robert Eklund and carried 4/0 to reappoint David Galley to a new five year term on the New Lisbon Planning Board effective 6/1/13.

David Galley advised the Board that he was working on a project to make a covered barn yard at his St. Hwy. 51 farm. He has been working with the State DOT, but also will need a setback variance from the Town as the barn is less than 75 feet from the center of the road. After further discussion, a motion was made by Edward Lentz, seconded by Robert Eklund and carried 4/0 to grant a setback variance to 26 ½ feet to David Galley for the purpose of making a covered barn yard on his St. Hwy. 51 farm.

Attorney Martin Tillapaugh will get us a standard simple local law to allow a business exemption (staggered over ten years with a minimum \$10,000.00 cost) to review. We will need to schedule a public hearing on it before adopting. Attorney Tillapaugh noted that he is still working on Jellystone Campgrounds complaint against their assessment. They have not come to an agreement yet on a price so we may have to hire an appraiser. All of us will have to reapply for the STAR exemption for next year because the state decided there was too much fraud and is making everyone reapply. We have not received any details on this yet.

Town Clerk Charlene Wells advised that she budgeted money to fix up another record book, but decided not to do that. She advised that she really needs another fireproof file cabinet for permanent records. A motion was made by Connie Chase, seconded by Robert Eklund and carried 4/0 to authorize the Clerk to purchase a fireproof file at an estimated cost of \$1100.00.

Clerk/Collector Charlene Wells noted that she settled 2013 taxes with the County Treasurer's office and they agreed with all of her figures. Out of 1070 parcels 139 were not paid by 4/30/13. 80% of the parcels and 75% of the money was collected. 25 parcels had liens from last year and 3 parcels have liens from two years.

Edward George noted that he called DCO Liz Fish about stray dogs at his home and he had a very positive experience with her. She is still working on contacting the people who did not return their census postcards.

Supervisor Robert Taylor and Councilwoman Connie Chase have not worked on updating our emergency preparedness plan yet.

Councilman Robert Eklund noted that there will be a meeting put on by the Natural Resource Defense Council at the Morris Central School on June 14<sup>th</sup> in reference to the court upholding, for the second time, Town's home rule powers. It is sponsored by Otsego 2000, OCCA & the BVA. The BVA will hold a wildflower walk on Peet Road at 1:00PM on May 19<sup>th</sup>. He further noted that the last issue of the Assoc. of Towns magazine had an article on situations when the Town Board may accept other than the lowest bidder.

A motion was made by Robert Eklund, seconded by Connie Chase and carried 4/0 to go into executive session to discuss a personnel issue and include the Hwy. Supt., Town Clerk & Town Attorney at 9:20 PM. A motion was made by Robert Eklund, seconded by Edward Lentz and carried 4/0 to close the executive session and return to regular session at 10:00 PM. With no further business, a motion was made by Robert Eklund, seconded by Edward Lentz and carried 4/0 to adjourn at 10:00 PM.

Charlene R. Wells, New Lisbon Town Clerk

