

**NEW LISBON TOWN BOARD---APRIL 12, 2011
REGULAR MEETING—TOWN HALL---7:30 PM**

Present: Supervisor Robert Taylor, Councilmen Edward Lentz, Robert Eklund, Connie Chase and Glen Noto, Clerk Charlene Wells, also residents Ed George, Sue Smith, Donald Smith, Joy Sanders, Jim Gregory, Joe Gregory, Ed Lentz, Jr., Nancy Moen, Andrea & James Denekamp & son, Marietta Giles, Guy Thomas & son, 2 other women, and Tavis Austin Absent: Hwy. Supt. Bill Whitaker

Supervisor Taylor opened the meeting at 7:30 PM. Councilman Edward Lentz requested the March 8, 2011 minutes be amended in paragraph 7, sentence 8, to add, “but we’re open to new information” and sentence 10 be amended to read “At the time of doing the comprehensive plan, the majority of town residents were against zoning in the Town”. With no further changes, a motion was made by Robert Eklund, seconded by Connie Chase and carried 5/0 to accept the amended minutes for the March 8, 2011 regular meeting.

Sand and gravel bids were received as follows: Seward Sand & Gravel at the Hoffman Pit, Rt. 80, Pittsfield: Sand...\$4.50 yard, Crusher Run...\$5.25 yard, Item 4...\$4.25 yard, Bank Run...\$2.50 yard, Cobbles...\$2.50 yard, #2 Round stone...\$4.50 yard, and #2 Crushed stone...\$7.75 yard. Bice Gravel Bank at 111 Bice Road, New Berlin: Sand...\$4.50 yard, Crusher Run...\$8.00 yard, Item 4...\$5.00 yard, Bank Run...\$3.50 yard, Cobbles...\$4.00 yard, #2 Round stone...\$5.00 yard and #2 crushed stone...\$6.00 yard. E&R Popes Excavating at Rte.8, Mt. Upton: Sand...\$3.75 yard, Crusher Run...\$6.50 yard, Item 4...\$3.75 yard, Bank Run...\$2.50 yard, Cobbles...\$3.75 yard, #2 Round Stone...\$6.00 yard and #2 Crushed Stone...\$8.00 yard. Supt. Whitaker was not in attendance to give his opinion on the bids. Taking into account the prices and distance to the sites, a motion was made by Robert Eklund, seconded by Connie Chase and carried 5/0 to accept the bid prices from Seward Sand & Gravel, subject to the Highway Supt. approving the bid award.

A motion was made by Robert Eklund, seconded by Glen Noto and carried 5/0 to approve the attendance of Hwy. Supt. Bill Whitaker at the Hwy. Supt. School in Ithaca. Highway bills #53 through #63 for a total of \$11,468.83 were audited and approved for payment by the Board.

Supervisor Taylor received a proposal from Tectonic Engineering to assess our current hwy. barn and site and provide a needs assessment in regards to a new highway barn for \$3800.00. The Board agreed that we should put out a RFP for this service. Councilman Edward Lentz volunteered to prepare a first draft of a RFP for a needs assessment for a new hwy. barn. He will e-mail to everyone for their comments.

After reviewing the Otsego County Public Works Mutual Aid Plan, a motion was made by Glen Noto, seconded by Robert Eklund and carried 5/0 to pass Resolution #02-11 to participate in the Otsego County Public Works Mutual Aid Plan. A copy of the resolution will be filed with the Otsego County Emergency Services Coordinator.

Guy Thomas noted that he has had a problem with a neighbor burning near his home on St. Hwy. 51 in the Stetsonville area. He wondered if we had any town rules. We do not have any local laws on burning. The NYS DEC has jurisdiction over outdoor open burning and they amended their rules in 2009. No household trash or leaves can be burned at any time. No burning is allowed from March 15th through May 15th. After May 15th certain items can be burned. Councilman Edward Lentz noted that Mr. Thomas could file a complaint as a common law nuisance. Councilman Lentz will look into the situation further and try to talk to the person involved.

Nancy Moen submitted a letter to the Board and other information on hydrofracking. She is concerned that with other towns banning hydrofracking, our Town would become an easier target for gas drilling. Her research is showing that homeowner insurance won’t cover contaminated wells and premiums may increase with the increased risk. Mortgage companies may take into account leased land, even if it is on adjacent property. Realtors are finding that gas leases are affecting property sales.

James & Andrea Denekamp submitted a letter to the Board on their concerns and opposition to hydrofracking. They cited health concerns, noise level concerns, economic detriment, decreased property values, diminished tourism, loss of community aesthetics and water contamination as reasons why the Town should consider a drilling ban.

Supervisor Taylor noted that the Town Board was not going to address the hydrofracking debate at this meeting. The Board agreed that a community meeting with speakers from all sides of the gas drilling issue was needed to get a true feeling for the community's position. Councilman Eklund will work on getting speakers for a community gas drilling meeting. Supervisor Taylor noted that the County Gas Advisory Committee is going to Pennsylvania on April 29th to look at various aspects of gas drilling and to gather information.

John Ryland of Hughson & Benson Associates submitted information on our insurance package which has to be renewed. He got a price of \$16,447.00 from our present carrier, Trident. He also got a price of \$16,213.15 from NYMIR, the insurance cooperative affiliated with the Assoc. of Towns. Supervisor Taylor felt more comfortable going with NYMIR now that they have been in business for awhile, there are more towns involved, thus a bigger base and they are now competitive in price. Other towns using NYMIR are happy with it. After further discussion, a motion was made by Edward Lentz, seconded by Robert Eklund and carried 5/0 to accept the quote of \$16,213.15 from NYMIR for our insurance package renewal.

The Otsego County Code Office did a fire inspection of the Town Hall. Everything was okay except we have to move stuff away from the panel box in the utility room and place cardboard exit signs over the two doors in the large meeting room.

Supervisor Taylor noted that the Garrattsville Women's Club has cleaned, repainted and hung new curtains in the kitchen. A motion was made by Edward Lentz, seconded by Glen Noto and carried 5/0 to send a thank you note to the Garrattsville Women's Club for all the work they've done at the town hall and for the community.

A motion was made by Robert Eklund, seconded by Connie Chase and carried 5/0 to authorize the Supervisor to hold a driving safety class with the highway department employees.

Supervisor Taylor noted that the Otsego County Shared Service Committee with County Treasurer Dan Crowell is going to look into health insurance as a way we could work together to save money. Other ideas include a formal mutual aid agreement between town highway departments and sharing planning and assessing duties.

A motion was made by Robert Eklund, seconded by Connie Chase and carried 4/0 to pay General Fund bills #66 through #78 for a total of \$77,825.40. Supervisor Taylor paid bills #61 through #65 for a total of \$4,018.06 with prior Board approval. The Supervisor's monthly report was submitted to the Board.

Tavis Austin from OCCA addressed the Board about his planning background and what his ideas were for the Circuit Rider Planner Program. He wants to be a liaison between the public and towns. The Town Board will have to decide exactly what services we want him to provide for us. Attorney Martin Tillapaugh has reviewed and approved the contract. After further discussion, a motion was made by Robert Eklund, seconded by Glen Noto and carried 5/0 to authorize the Supervisor to sign the contract with Otsego County Conservation Association for the Circuit Rider Planner Program for the rest of the year at a cost of \$2500.00, to be billed quarterly.

JNS Towers was the only cell tower company to submit a proposal to build a cell tower on our property. Councilman Edward Lentz talked with several of the references and overall got good reviews. He revised the contract from JNS to include some items that he felt would deal with some issues that happened in other towns. Questions from the public included what happens when the useful life of the tower is over, will it improve cell phone reception all over the town and why are we planning on placing it on the town hall property and not somewhere else. The lease will be for 30 years, and a new tower

could be built to replace the old one. We chose the town hall site because there would be no cost to the Town if it's built on Town property. It's not sure if the entire town would be able to get better cell service, but it would be an improvement over what we have now. Councilman Lentz will submit a copy of his revised agreement to JNS to see if they would accept the changes made. It is hopeful a contract can be worked out to sign at the May meeting.

Attorney Martin Tillapaugh approved the contract with Maxwell Appraisal Service to do a town wide revaluation. They agreed to do all that we asked for in our RFP at a cost of \$48.00 per parcel (approximately \$50,640.00). After further discussion, a motion was made by Edward Lentz, seconded by Glen Noto and carried 5/0 to authorize the Supervisor to sign the contract with Maxwell Appraisal Service for a town wide revaluation at \$48.00 per parcel.

The Library Tax, which was added onto our last school tax bill, was discussed. Because the tax is based on a person's overall assessment, there is a big difference in the amounts being paid. It was noted that if it was a set amount per household, like the Otsego County Waste User Fee, it would be fairer to all taxpayers. After further discussion, a motion was made by Robert Eklund, seconded by Connie Chase and carried 4/0 (Glen Noto abstained from voting) to have the Clerk send a letter to the Morris Central School Board and the Village Library of Morris suggesting that they look into changing the Library Tax to a per household fee, rather than based on assessment, so it would be uniform and fairer to taxpayers.

Councilman Robert Eklund conducted an audit of the Justice Court for 2010 and found everything to be in order. He utilized the Association of Towns audit guidelines. A motion was made by Connie Chase, seconded by Glen Noto and carried 5/0 to accept the audit report from Councilman Eklund for the 2010 Justice Court books.

Councilman Edward Lentz would like a copy of all of our local laws. He feels they should be available to the public. The Board approved having the clerk have them scanned onto a disk so we can make copies for people or be able to email them.

With no further business, a motion was made by Glen Noto, seconded by Connie Chase and carried 5/0 to adjourn at 9:30 PM.

Charlene R. Wells, New Lisbon Town Clerk