

NEW LISBON TOWN BOARD—PUBLIC HEARING ON 2012 PRELIMINARY BUDGET—OCTOBER 11, 2011---7:30 PM---TOWN HALL

Present: Councilmen Edward Lentz, Robert Eklund & Connie Chase, Supervisor Robert Taylor, Hwy. Supt. Bill Whitaker, Clerk Charlene Wells, Attorney Martin Tillapaugh, Also: Residents Ed George, Richard Hilary, Sue Smith, Donald Smith, Heidi Lernihan, Joe Gregory, County Rep. Candidate Pauline Koren

Supervisor Robert Taylor opened the public hearing on the 2012 Preliminary Budget at 7:30 PM. The cuts agreed on were made and the highway salaries were figured at a 35 cent raise. The tax rate would be at \$15.29, up from \$15.22 this year. With no comments from the floor, a motion was made by Connie Chase seconded by Robert Eklund and carried 4/0 to close the public hearing at 7:35 PM.

NEW LISBON TOWN BOARD—REGULAR MEETING—OCTOBER 11, 2011

Present: same as above, plus Councilman Glen Noto

Supervisor Taylor opened the regular meeting at 7:35 PM. A motion was made by Connie Chase, seconded by Robert Eklund and carried 5/0 to accept the minutes for the September 6, 2011 regular meeting and September 27, 2011 special meeting as written.

Steve Messmer and Melanie Chapel were present from DELTA Engineering to explain their road protection program. They would first assess the condition of our roads to establish a baseline survey of their condition, liabilities, normal maintenance and normal costs. They would provide a local law for road protection which would cover anyone whose use exceeds the normal use of our roads. Melanie Chapel is serving as the liaison with Otsego County and the other towns which have already signed on. A good point of working together on this is that a project may go through more than one town and a coordinated effort would be best. The County Planning Dept. is in charge of this at the County level at this time. The cost of DELTA's program is \$8,500.00. If we did have to go to court our attorney would defend us in court using DELTA's data. When a project comes they would gather the core data at that time. The cost for this would be billed to the developer who proposes to use the roads. DELTA also has a "Pavement Management System" which is an optional add on for an additional fee. This would help establish a replacement schedule. The County is looking into having one person to manage the program for the County and the involved towns, but nothing has been decided yet. At this point, the Town would have to have someone to manage the program. DELTA will provide the necessary training and provides a guide book. The baseline data they collect is more involved and technical than a photo would show. They recommend that it is better to get our baseline survey done now rather than wait for a rush. When someone approaches us to use the roads we can use the data to see if the roads are up to par. If not, we could suggest an alternative route or have them fix the road before they use it. Hwy. Supt. Whitaker noted that he would like to see heavy traffic spread out on different routes to avoid trucks meeting on a road. He would also like to see use of our bridges minimized and dust control provided when roads are heavily used. Steve Messmer noted that their program is really like an insurance policy. When we receive notice of a project, we would set up an escrow account first, before routes are set up. Most contractors are more worried about losing time, not money. If the County decides to have one person manage the program we may have to pay an additional fee for them to provide that service for us. After the presentation, the Board discussed talking with other towns who have signed on to see what their reasons were for joining and if they have any concerns. Discussion on joining with DELTA and the County will continue next month. Attorney Tillapaugh noted his concerns that the baseline data would become outdated. He has seen road agreements with some gas companies that are better than our road preservation law. He feels our law is solid since it's based on state law. We can require permits and suggest alternate routes based on road conditions, structural integrities, capacity and safety factors. We will have to post weight limit signs at town entrances.

The Planning Board met on October 3, 2011 and recommended that Richard Hilary's setback variance be granted. Mr. Hilary did provide a written response to the Town Board's previous questions. A motion was made by Robert Eklund, seconded by Edward Lentz and carried 4/1 (Robert Taylor-no) to approve a setback variance to 66 feet for Richard Hilary for the purpose of an addition to his private residence at 537 Backus Road as shown on his submitted drawing.

Hwy. Supt. Bill Whitaker advised that they paved Morse Road and the Co. Rt. 12 end of Gross Road today. Because of the rainy summer weather they did not get Gardnertown Road totally ready for paving. With some carry over of CHIPS funds this year he hopes to be able to do all of Gardnertown Road next year. Turnbull Bridge sustained the worst amount of damage from Hurricane Irene and Tropical Storm Lee. We got mostly tree damage from Irene and water damages from Lee. Supt. Whitaker advised that the old army surplus 2006 Dodge green pickup is no longer worth fixing. A motion was made by Glen Noto, seconded by Robert Eklund and carried 5/0 to declare the 2006 green Dodge pickup as surplus and authorize the highway supt. to dispose of it.

Highway bills #135 through #153 for a total of \$24,245.85 were audited and approved for payment by the Board.

We received a request from Attorney Carl A. Griffith of Sidney, NY requesting approval of a boundary line adjustment. Many attorneys are requesting that we supply a letter stating that boundary line adjustments don't need to go before the Planning Board or want a signature of the Planning Board Chairman. The Town Board agreed that in the case of boundary line adjustments, where no new lot is formed, the Clerk can go ahead and get the Planning Board Chairman's signature or send a letter without bringing each one before the Board.

Supervisor Taylor noted that the County is looking into adding a bus line through Hartwick, Garrattsville, New Lisbon, Gilbertsville, Otego and on to Oneonta. No time schedule has been established yet. The Town Board had no problem with this idea and it was noted that it was just in the planning stage and may be a year before it would happen.

Seven residents have signed up so far to serve on the Comprehensive Plan Implementation Committee (CPIC). We will wait until next month to see if more residents sign up to serve before setting up a preliminary meeting date.

We still need to find a replacement for Joe Caffery on the Board of Review. Edward Dawyot's term has also just expired. With the revaluation taking place, it will be important to have a full board of review in place for next May.

Maxwell Appraisal Services held an informational meeting on exemptions. In order to get an agricultural exemption, the person owning or using the land must be able to show that they had a \$10,000.00 income from agriculture.

A motion was made by Glen Noto, seconded by Edward Lentz and carried 5/0 to pay General Fund bills #177 through #189 for a total of \$6,541.32. Supervisor Taylor paid bills #168 through #176 for a total of \$11,341.50 with prior Board approval. The Supervisor's monthly report was submitted to the Board.

The Town Board reviewed the proposed local law to ban heavy industry in the Town as drafted by Attorney Martin Tillapaugh with amendments made by Councilman Edward Lentz. A motion was made by Robert Eklund, seconded by Edward Lentz and carried 5/0 to schedule a public hearing on proposed Local Law #2 of 2011, "Protection of Rural Environment Local Law of the Town of New Lisbon" for 7:30 PM on Thursday, October 27th, 2011. Attorney Tillapaugh advised that we can complete an EAF on the hearing night noting that a law doesn't have an adverse reaction. We will forward a copy of the proposed law to the Otsego County Planning Department for their review.

The Clerk noted that she is still looking for job descriptions for a local land enforcement officer. She contacted the County Planning Dept. and they don't have any on file. They did suggest that a sap house could be considered agricultural which would make it exempt from our site plan regulations. It was discussed whether it would make a difference if they wanted to sell their products directly from the sap house. After further discussion, the Board decided that a sap house should be required to go through site plan review.

Councilman Edward Lentz noted that he is working on a Town of New Lisbon Facebook page. With no further business, a motion was made by Robert Eklund, seconded by Connie Chase and carried 5/0 to adjourn at 9:30 PM.

Charlene R. Wells, New Lisbon Town Clerk