

**NEW LISBON TOWN BOARD---MARCH 13, 2012---7:30 PM
REGULAR MONTHLY MEETING---TOWN HALL**

Present: Supervisor Robert Taylor, Councilmen Glen Noto, Connie Chase, Edward Lentz and Robert Eklund, Hwy. Supt. Bill Whitaker, Clerk Charlene Wells, Co. Rep. Pauline Koren, Attorney Martin Tillapaugh Also: Residents Andrea Denekamp, Edward George, Lenny Melillo, Bill Burdick, Keith Woodbeck, Jim Gregory, Joe Gregory, Sue Smith, Donald Smith, Guy Thomas & daughter

Supervisor Taylor opened the meeting at 7:30 PM. A motion was made by Edward Lentz, seconded by Connie Chase and carried 5/0 to accept the minutes for the February 14, 2012 meeting as written.

The Planning Board met on March 5, 2012 and recommended approval on a simple subdivision for Henry & Connie Gregory and Shad Gregory. After review, a motion was made by Edward Lentz, seconded by Connie Chase and carried 5/0 to approve Subdivision Application #1-12 for a simple subdivision for Henry & Connie Gregory and Shad Gregory on tax map #142.00-2-1.01 on Gregory Road.

Bids for sand, crusher run, Item 4, Bank Run, Cobbles & #2 stone were received as follows(prices per yard): Parker Excavating & Gravel Co (Mt.Vison)—Bank Run--\$4.25, Screened Gravel--\$6.25, Sand--\$6.25, #2 Stone--\$6.25, Cobbles--\$6.25 and Crusher Run--\$9.25. Seward Sand & Gravel (Hoffman Pit-Pittsfield)—Sand--\$4.60, Crusher Run--\$5.35, Item 4--\$4.35, Bank Run--\$2.60, Cobbles--\$2.60, #2 Round stone--\$4.60, and #2 Crush stone--\$7.85. Burrell's Excavating (Pittsfield)---Bank Run--\$3.50, Item 4--\$4.75, Sand--\$4.00, Crusher Run--\$10.00, Cobbles--\$5.25—Crushed Stone #2--\$10.00, Round Stone--\$6.75. Highway Supt. Bill Whitaker requested that the Board accept all prices from all vendors and allow him to be able to choose the best product, taking into account the work location and distance to pit sites and the quality of the product. The Board suggested that he come up with an approximation of what it costs to haul material to help justify what location he uses. After further discussion, a motion was made by Glen Noto, seconded Robert Eklund and carried 5/0 to accept the prices for materials from all three bidders as listed above and to authorize the highway supt. to select the best products and locations based on job locations, with the majority of materials coming from the lowest bid prices.

Supt. Whitaker showed pictures of an Edmeston town truck which was wrecked during the winter. He noted that he asks the men to put chains on our trucks when he feels there are icy conditions. He recently saw an attachment for our power washer which would allow them to clean under the trucks better. It would help get the salt off and they would be able to see problems better underneath. The Board had no objection to him purchasing this attachment for \$799.00. It was questioned about the runoff water from washing the trucks outside. Supt. Whitaker noted that the water only runs off onto Town property. Four engineers have come to look at the highway barn in response to our RFP for a highway barn assessment. Supt. Whitaker will look for some used vehicles like the one he wants to get new for some cost estimates. Highway Bills #34 through #47 for a total of \$14,355.06 were audited and approved for payment by the Board.

Co. Rep. Pauline Koren reported that the Otsego County Nursing Home, the Manor is losing \$13,000.00 per person per year and is a financial drain on the County. She further noted that there is money available to assist people in staying at home instead of having to go to a nursing home. The vets are looking for a van that would be used for transporting them to the VA Hospital in Albany. She is going to be joining the Soil & Water committee. The County is looking to update towers for emergency services. The County will be holding a public hearing on repealing the child safety law which says that level 2 or 3 convicted sex offenders can't live within 1000 feet of child related establishments. The County Board is in favor of keeping this law but has found that it's not being enforced and in many places has been found to be unconstitutional. The Cooperative Extension will be having an energy savings expo at Morris Central School. Hometown Energy Group of Oneonta will be hosting information sessions on renewable energy projects including wind, solar, geothermal, biofuels and workforce development initiative. Cornell Cooperative Extension will be holding sessions for aspiring

landowners & agricultural issues at SUNY Cobleskill on March 24th, 9-4. Rep. Koren noted that redistricting the county won't take place until census numbers from Unadilla & Oneonta are verified. Supervisor Taylor noted that County Department Heads haven't had job raises in three years, which doesn't help to keep good people working here. Councilman Lentz noted that County Roads are in bad shape. Rep. Koren noted that they didn't give Cooperstown \$100,000.00 this year, but instead put it in the highway budget. The County Highway Supt. has agreed not to use gas drilling brine on County roads. It is up to towns to decide if they want to allow it. Supt. Whitaker noted that he plans on continuing using magnesium chloride for dust control. He has no plans to utilize gas drilling brine.

Andrea Denekamp addressed the Board concerning one item that the CPIC committee has been working on. She is completing an application to the State to become stewards of some of the trails in the Texas state land. She will list herself as a volunteer, but she needs Town Board approval. They possibly will be able to put up signs to mark the trails and possibly be able to make trails to our seasonal roads for cross county skiing. Hwy. Supt. Whitaker agreed to try to keep an area on Jones Road plowed for a few cars to have off road parking. Attorney Tillapaugh noted that it would be a small increase in our insurance exposure, but not much due to the recreational nature of the trails. A motion was made by Robert Eklund, seconded by Edward Lentz and carried 5/0 to authorize Andrea Denekamp to complete the application to the State to become stewards of trails in the Texas state land with the Town's backing.

We received a draft document on Historic Preservation from Rima Shamieh. She has been discussing this with the CPIC. There is a Preserve New York grant through the Preservation League which if awarded could be used to fund a Historic Resources Survey of the Town. This grant application has to be in by May 7, 2012. The ultimate goal would be to get town buildings on the State & National Registers. There is no burden on the property owner to receive a historic designation; it is only a form of recognition. The Town may be responsible for a small amount of funds. Councilman Glen Noto advised that he has been working with the Morris Historical Society to get the Village of Morris on the Historical Register. He volunteered to help the CPIC with this in our Town. We will need a public relations push to get homeowners to understand that they would have no restrictions because of a designation. A motion was made by Edward Lentz, seconded by Glen Noto and carried 5/0 to authorize Circuit Rider Planner Rima Shamieh to apply for a Preserve New York Grant if the CPIC decides this is what they want to pursue as one way to meet goals in our comprehensive plan.

Ed George advised that he & Mike Maerz contacted DEC officer Tom Harrington about the County Hwy. Barn discharging dirty water from washing trucks into the Mill Creek. He further noted that the salt that washes down stream from the County Hwy. Barn kills vegetation along the creek. The Board suggested that the Supervisor send a letter to the County Highway Superintendent requesting they take necessary steps to stop the contamination of Mill Creek from runoff from the County Highway Barn site on St. Hwy. 51 in Garrattsville.

Lenny Melillo questioned when we would have the new total assessed value for the Town. We believe the figures will be available by May when the tentative roll is filed. He volunteered to help with figuring what kind of impact the revaluation will have on us and suggested we not wait until budget time.

We received notice from Binghamton University that they can assist in conducting evaluations, surveys, etc. through their Center for Applied Community Research and Development (CACRD).

C.T. Male Associates sent notice that they can assist us by surveying and sampling the current conditions of our roads to provide us with a baseline for comparison in the future if our roads are damaged by increased traffic.

The Army Corps of Engineers sent notice that the County's proposed work to replace the County Bridge on Rt. 16 in Garrattsville would be covered under general permit number 3.

Supervisor Taylor noted that he handed out 5 of our Highway Barn RFPs at the Assoc. of Towns Conference in NYC. He attended sessions with Senator Schumer, State Comptroller DiNapoli and State Attorney General Schneiderman. They spoke about the retirement fund and the proposed Tier 6 for new employees, ethics boards, etc. He attended many of the sessions on the gas drilling issue. He found out about a conference in June in Niagara Falls about promoting cell towers at a session on getting internet and cell coverage better statewide. He also noted that he attended a meeting at the Otesago sponsored by Senator James Seward on economic issues. They were pushing for businesses to come together to apply for grants in hopes of getting more money for our area.

A motion was made by Glen Noto, seconded by Connie Chase and carried 5/0 to pay General Fund bills #53 through #70 for a total of \$86,595.75. Supervisor Taylor paid bills #44 through #52 for a total of \$5,334.04 with prior Board approval. The Supervisor's monthly report was submitted to the Board.

Councilman Edward Lentz questioned Lenny Melillo about how much he thought the Fire Dept. budget would be increasing next year. If they take over the upper firehouse building expenses that would be approximately \$7,000.00 and he estimated an additional \$5,000-\$10,000 to cover increased cost for equipment servicing & updates, workman's compensation insurance, etc. Lenny noted that presently our tax rate for fire protection is \$1.70 per thousand of assessment. Some towns are closer to \$7.00 per thousand. He further noted that they plan on using their fund raising revenues this year to purchase a thermal imaging camera.

Attorney Martin Tillapaugh reviewed the Intermunicipal Cooperation Agreement that we received from the Town of Laurens. He saw no problem with it and thought it was better to have it in writing than to just have a verbal agreement. It would be up to the highway supt. to decide what help he gives and receives.

In regards to the draft job description for a land use enforcement officer, Attorney Tillapaugh advised it would be legal to hire someone as an employee or contract with someone. He noted that we would have better control over an employee as far as hours, budget, etc. An independent contractor would have to have their own insurance, which would likely increase the cost to us. He further advised that it would be easier to terminate an independent contractor than it would be an employee. The officer would have the authority to issue tickets if we gave him that responsibility. They would not have access to properties without permission. Attorney Tillapaugh noted that most situations the officer would be handling would be from a complaint, or visual inspection. Councilman Robert Eklund added that Google Earth would allow inspections that are public knowledge. Attorney Tillapaugh agreed that that kind of information could be used as evidence in a case.

If we want to allow tax breaks for new business, or current businesses that make a qualifying upgrade, we would have to pass a local law per Attorney Martin Tillapaugh. Section 485B allows the partial exemption, (for 10 years, then goes to 100% assessment) which we would have to adopt by local law. Our aged exemption limit is currently at \$13,000.00 and the County is at \$16,000.00. Supervisor Taylor will check with Assessor Kathleen Chase to see what kind of impact it would have on us using the Star income information if we increased it to match the County limit. The Town Board requested Attorney Tillapaugh to get us draft local laws for allowing the business tax exemption and increasing our aged exemption to \$16,000.00 for them to review.

Councilman Glen Noto spoke to the groundskeeper at Cooperstown School and he advised that they have a professional inspect their playground once a year and they do monthly inspections themselves. They use Bill Johnson of Parkitects, Inc. and highly recommended him. He would be willing to come out and talk to the Board. Attorney Tillapaugh advised that there is no law which mandates playground inspections, but it would be done for the protection of the Town and the kids who use it. We received a proposal for a playground safety consultation from Scott Kuhnly for \$600.00. He lives in Connecticut, but is willing to come and do our inspection. He is a certified playground

inspector. After further discussion, the Board decided to ask for references from Mr. Kuhnly and talk to Bill Johnson about coming to next month's meeting.

We received notice from CLASS that Putnam/Northern Westchester BOCES is resigning as Lead Participant and that the Village of Potsdam will be taking over in its' place. Also the Investment Advisor is changing from Cutwater Asset Management to First Southwest/J.P. Morgan Asset Management. The CLASS agreement is being amended to accommodate these changes and must be approved by the Board. After further review and discussion, a motion was made by Robert Eklund, seconded by Connie Chase and carried 5/0 to pass Resolution #01-12, to accept these changes and amend the CLASS agreement.

A motion was made by Connie Chase, seconded by Robert Eklund and carried 5/0 to hire Victor Lasher and Nadine Lasher as mowers for the Town Hall, Park and Cemeteries at \$11.00 per hour. The riding lawn mower needs some brake repairs this year.

With no further business, a motion was made by Edward Lentz, seconded by Robert Eklund and carried 5/0 to adjourn at 10:00 PM.

Charlene R. Wells, New Lisbon Town Clerk