

NEW LISBON TOWN BOARD---MARCH 8, 2016---7:30 PM—TOWN HALL PUBLIC HEARING ON PROPOSED LOCAL LAW #1 OF 2016

Present: Supervisor Timothy Miller, Councilwoman Flo Loomis, Councilmen Joseph Gregory & Robert Eklund, Hwy. Supt. Bill Whitaker, Clerk Charlene Wells, Co. Rep. Meg Kennedy (& niece), Residents Edward George, Melissa Doyle, Tom Riso, Lenny Melillo, Pete Chase, John Bugyi, Sue Smith, Keith Woodbeck, Donald Smith, John Braunius, Barry Braunius, Will Lasher, Allison Lasher, Louie Colburn, 2 others
Absent: Councilman John Pegg

Supervisor Timothy Miller led the Pledge of Allegiance and a moment of silence. The Public Hearing on proposed Local Law # 1 of 2016, a Local Law to Repeal Local Law # 1 of 2015 and Reinstatement of Tax Cap Limits was opened at 7:30 PM by Supervisor Miller. He explained that in order to apply for a tax freeze credit we need to repeal Local Law # 1 of 2015 which allowed us to go over the allowed tax cap amount for the 2016 Budget. Since we did not go over the allowed amount of .7%, the law wasn't needed. Attorney Martin Tillapaugh added more information about the proposed law. Tom Riso commented that he is not against the law and foresees that we may need it again in the future. The 2011 Revaluation increased the agriculture exemptions which was a loss of revenue to the Town. He felt that our expenses have remained pretty stable and we have had to use reserve funds to balance the budget. He added that we need to keep some reserves for emergencies and they can't be drawn down simply to balance the budget. With no further comments from the floor, a motion was made by Councilman Joseph Gregory, seconded by Councilwoman Flo Loomis and carried 4/0 to close the public hearing at 7:37 PM.

NEW LISBON TOWN BOARD—MARCH 8, 2016---REGULAR MONTHLY MEETING

Present: same as above

The regular monthly meeting opened at 7:37 PM. A motion was made by Supervisor Timothy Miller, seconded by Councilman Robert Eklund and carried 4/0 to accept the minutes for the February 9, 2016 regular monthly meeting as written.

Three bids for sand & gravel items were received and opened as follows: Clark Companies of Delhi, Milford & West Winfield pit locations—Sand-\$8.30 yd, Crusher Run-\$11.25 yd, Item 4-\$7.75 yd, Bank Run-\$4.45 yd, Cobbles-\$6.80 yd, & #2 Stone-\$14.95 yd, Seward Sand & Gravel of Oneonta, Hoffman Pit, Rt. 80, Pittsfield location---Sand \$5.00 yd, Crusher Run-\$6.00 yd, Item 4-\$4.50 yd, Bank Run-\$3.50 yd, Cobbles-\$4.50 yd, #2 Round Stone-\$5.00 yd, & #2 Crushed Stone-\$8.00 yd, and Burrell's Excavating of Norwich, 179 Rt.80, Pittsfield location---Sand-\$4.75 yd, Crusher Run-\$10.50 yd, Item 4-\$4.75 yd, Bank Run-\$3.75 yd, Cobbles-\$5.75 yd, & #2 Stone-\$11.50 yd.

A motion was made by Councilman Joseph Gregory to accept the low bids for all materials except Sand from Seward Sand & Gravel and Sand from Burrell's Excavating. Hwy. Supt. Bill Whitaker commented that he would not utilize the Clark pits in Milford & West Winfield due to the higher travel distance on top of the higher bid prices. He asked the Board to consider accepting all bid prices from Seward's and Burrell's because he has been using both of their products to get the right mix he wants for sand and for certain road conditions in different areas of Town and sometimes one pit may be out of a certain type of material. There was no second to Councilman Gregory's motion. Councilwoman Flo Loomis asked if we would have to purchase a certain amount of product per location, with Hwy. Supt. Bill Whitaker responding no. After further discussion, a motion was made by Councilman Robert Eklund, seconded by Councilman Joseph Gregory and carried 4/0 to accept all bid prices from Seward Sand & Gravel and Burrell's Excavating with the stipulation that the Hwy. Supt. utilize the lowest prices as much as possible and keep the Board apprised of situations that he had to select a higher cost item and why.

Hwy. Supt. Bill Whitaker advised the Board that there may be some trucks coming up for release in the Federal Surplus program in California and Fort Drum. They would be 2009 trucks and he would plan on putting one in service as a plow truck like the 2009 Freightliner. They have mileage ranging from 300 to 6000 miles. If we got one from California, it would cost about \$6000.00 to get it here and he could go get one at Fort Drum. Since he does not know exactly when the trucks may become available

and he will need a quick response in order to get one, Supt. Whitaker asked the Board for approval to purchase another truck through the surplus program if one he wants becomes available. Councilman Robert Eklund commented that he thought we were going to wait and see how the 2009 Freightliner worked out before purchasing another truck. He thought we should be cautious in picking out another surplus truck and at least make sure it is compatible with what we have. After further discussion, a motion was made by Councilman Joseph Gregory, seconded by Councilwoman Flo Loomis and carried 3/0 (Councilman Robert Eklund abstained) to give Hwy. Supt. Bill Whitaker the approval to purchase another truck from the Federal Surplus program if one that meets our needs becomes available since they go fast and he will need to act on it quickly.

In trying to finish up the hwy. storage building, employee Barry Braunius drew up plans and we got stamped drawings from Morton buildings so we could get a building permit to put up a ceiling so we can add a source of heating. The County Code Enforcement Office rejected the application, saying that they required an engineer's stamped plans for the entire project. We can either put out a RFP or get quotes for an engineer. Hwy. Supt. Bill Whitaker advised since he has men with carpentry skills he would use his crew to do the work which will save us money. After further discussion, a motion was made by Councilman Joseph Gregory, seconded by Councilwoman Flo Loomis and carried 4/0 to draft a RFP for engineer drawings for the hwy. storage building project.

Hwy. Supt. Bill Whitaker noted that he was upset that there was gossip that someone saw the two Town pickups headed to Jackie's Restaurant. He advised that they were headed to Cooperstown for mandated classes. They have to take many different classes including chainsaw safety, first aid/safety, etc. and he was upset that people just jump to conclusions. Councilwoman Flo Loomis agreed that people shouldn't jump to conclusions. If they feel they have a complaint they should address it with the Supervisor or Hwy. Supt. directly.

In regards to the Town Board's decision to eliminate a full time highway position, Hwy. Supt. Bill Whitaker submitted some information for the Board to consider. He compared seven surrounding towns and the number of miles of road they maintain and the number of hwy. employees they have. The average of "miles per man" of these seven towns is 12.78. At 66 miles and 4 employees our average is now at 16.5 miles per man and will be at 22 miles per man once a position is eliminated. He noted that Pittsfield, with 47 miles of roads and 3 men, has had more trouble getting winter roads ready for buses and has had 25 hours of overtime each pay period this winter. Several statements have been made that we could save money by having our materials hauled in. Supt. Whitaker advised that it would cost approximately \$20,000.00 to have 5000 yards of sand hauled in. He has the men haul in between bigger jobs and other towns have helped us haul on rainy days, which cuts our cost. He also feels that the only way he has control of the quantity and quality of the material is if we haul it ourselves. He further noted if we had material hauled in for us, we would have to tie up a man with the loader sitting there at the dumping site. He added that with four men he can have two different projects going on, but with only three men it wouldn't always work to do that. When he sends two men to help other towns' paving projects, one man left behind by himself couldn't do much of anything, because it would be a safety issue. In regards to hiring part time help, it may be hard to find someone to be on call, would we feel comfortable with them in our expensive equipment and if we had to pay unemployment on them it would be like paying for nothing. Supt. Whitaker does not want to see a full time position eliminated and noted that he did not feel that his salary should be included in the cost of an employee. Councilman Robert Eklund stated that the Board can cut the Hwy. Supt. salary if they feel he is not doing a full job. Supt. Whitaker stated that he feels that he gives 110% to his job because it is his community and that he feels the Board is jeopardizing public safety and the health and safety of the remaining crew by eliminating a full time highway employee.

Councilman Joseph Gregory commented that we have to save money where ever we can. Maybe we could share garbage pickup with the Fire Department. We could charge everyone a fee for using the town hall to cover the building expenses. Hwy. Supt. Bill Whitaker said he would be willing to work with the Fire Dept. for garbage pickup or they could take their garbage to Oneonta when they go get parts. Councilman Robert Eklund stated that when we had the pickup truck oil pan replaced, we probably paid more by having the work done at the dealer. He wants to see the Hwy. Supt. shop around for the best values and get repair estimates to save the Town money on repairs. He questioned the

need to always take the two Volvo trucks to Vestal for repairs. Supt. Whitaker noted that having to take the Volvo trucks to Vestal for repairs is part of the reason he doesn't like them. He noted that the last repair required a special Volvo tool. He wouldn't take them to Vestal unless he felt he had to. Councilman Eklund suggested that he should try to find a local repair shop to utilize. Hwy. Supt. Whitaker added that he tries to do the best that he can. Councilman Eklund wants him to be more open to taking advice and stated that he also cares about the Town and wants to do everything possible to keep taxes down.

Edward George noted that the flag on the four corners in Garrattsville is getting worn and should be replaced soon. He suggested that Hwy. Supt. Whitaker advise the Board when he has training classes to attend so it will be in the minutes as a way to help keep "speculation" down.

Co. Rep. Meg Kennedy advised of upcoming agricultural plastic collection days, May 7th & 12th. She noted that there were several applications from our Town for the community events grant and she will try to encourage them. The Government Efficiency Committee is looking at leasing the County Fleet & Equipment as a way to save money. She will be working on the County Budget Committee. She will look into when the emergency radio changeover will take place.

Attorney Martin Tillapaugh has reviewed the final draft of our Employee Handbook and noted that he doesn't see any legal concerns and gave his approval for the Board to adopt. The Clerk will prepare final copies for the Board to review for scheduled adoption next month. In regards to the assessment dispute with Yogi-Bear Campground, Attorney Tillapaugh advised that they have proposed a settlement which would result in the Town having to pay back \$9,100.00, the County \$3,000.00 and Morris School \$21,000.00. He will discuss further with the Board in Executive Session, but noted that he feels we are close to settling.

Supervisor Timothy Miller commented on items he learned at the Otsego County Supervisor's Assoc. meeting. The Southside Mall is not using enough electricity so they may have interrupted service. GMU is going to put in solar equipment so that could cause them to also not meet their demand from Otsego Electric. He also noted that they learned that the Susquehanna SPCA now operates without county funding. They serve as the dog shelter for 16 towns. He thought that maybe the Board should consider sending a letter to the County Board asking that they financially support the shelter. He also learned that residents should not pick up strays themselves as dogs are considered personal property and they could be charged with stealing. Always call the DCO, Liz Fish to pick up stray dogs.

NYMIR representative David Youngblood met with Supervisor Timothy Miller and visited all of our buildings and felt all looked pretty good. He liked to see the security cameras. He will send a written report. Supervisor Miller met with our insurance broker, John Ryland and reviewed the Town's insurance policy and equipment list. He will be getting our renewal prices from NYMIR and may get other quotes if NYMIR rates go up. The Town Hall is now a Time Warner Cable WiFi Hotspot. Residents who have a Time Warner account, can log in using their password. Those who aren't Time Warner customers can sign in as a guest. There will be 60 minutes of free service per day.

The damaged sign near the Town line on St. Hwy. 51 has been removed. It cannot be cleaned up so a new one costing approximately \$80.00 has been ordered. Supervisor Timothy Miller noted that the Code Office left a message about coming out to look at the town hall fuel tank, but he hasn't heard back from them. Supervisor Miller noted that he met Carrie Coy who handles the senior meals here on the 3rd & 4th Wednesday of each month. The senior price is \$3.00, but anyone can join in at a cost of \$8.75 per meal. Reservations must be made ahead of time. Frances Wright, head of the County's Office for the Aging, also advised that we have a lot of residents who get meals on wheels. One good thing about that program is that if they don't get a response from the person, they will keep checking on and make sure that the person is okay.

The date of the Soil & Water Conservation's workshop on Hwy. Dept. Permitting has been changed to May 5th. Otsego 2000 is accepting nominations for historic preservation awards.

The Board reviewed the bills prior to the meeting. A motion was made by Councilman Robert Eklund, seconded by Councilman Joseph Gregory and carried 4/0 to pay General Fund bills #54 through

#63 for a total of \$3,906.76 and Highway Fund bills #41 through #52 for a total of \$5,278.80. Supervisor Timothy Miller paid General Fund bills #47 through #53 and Highway Fund bill #53 for a total of \$134,374.93 with prior Board approval. The Supervisor's monthly report was submitted to the Board.

We received a request from the Town of Morris to sign a shared services agreement with them. We have been sharing men, equipment, etc., but we have only made a formal written agreement with Laurens. The State has been pushing for cost savings through shared services. A motion was made by Supervisor Timothy Miller and seconded by Councilwoman Flo Loomis to accept the shared service agreement as drafted by the Town of Morris. Councilman Robert Eklund had some issues with the agreement. He questioned about enforcement potential, coming up with rental fees, how to keep track of cost savings, paying for repairs, etc. Hwy. Supt. Bill Whitaker noted that he has a county cost sheet that he can use for equipment prices. Councilman Eklund thought that the cost sheet should be added to the agreement. He feels that the agreement needs more review to address all issues to protect the Town. A motion was made by Councilman Robert Eklund, seconded by Councilman Joseph Gregory and carried 4/0 to table any further discussion on the shared services agreement with Morris until next month. Supervisor Miller will talk more with Morris Supervisor Lynn Joy, Attorney Martin Tillapaugh will review the draft and Clerk Charlene Wells will get the Board a copy of our agreement with Laurens.

A motion was made by Councilman Robert Eklund, seconded by Councilman Joseph Gregory and carried 4/0 to adopt Local Law # 1 of 2016, a local law to Repeal Local Law # 1 of 2015 and Reinstate the Tax Cap Limits Established in General Municipal Law Section 3-C. The law will take effect immediately upon filing with the State.

Land Use Enforcement Officer Tom Riso advised that he had turned over a list of 17 properties to Assessor Kathleen Chase that have had changes, some with, some without building permits. He suggested that instead of pushing for more businesses, which could get tax breaks, we should be encouraging New Lisbon as a great place to live and increase our tax base with more residential development.

Councilwoman Flo Loomis received back one of the water sample tests that she had done with the water from the Highway Garage. It showed that the water was contaminated with bacteria, which may be solved by just dumping chlorine bleach down the well. For now, a sign will be placed not to use the water. Tom Riso felt that the result would not be considered a professional result since the samples were taken by us. Employee Lou Colburn questioned how they are supposed to wash their hands. A motion was made by Councilman Joseph Gregory, seconded by Councilman Robert Eklund and carried 4/0 to purchase an eyewash station for the hwy. garage due to the contaminated water and to approve reimbursing Councilwoman Flo Loomis \$40.00 for the first water test.

Councilman Joseph Gregory completed the audit of the Supervisor's office and submitted his audit documents for the Board to review. A motion was made by Supervisor Timothy Miller, seconded by Councilman Robert Eklund and carried 4/0 to accept Councilman Gregory's audit of the Supervisor's office.

Supervisor Timothy Miller advised that he had talked to Red Cross personnel and we could put our town hall on the list to be an emergency shelter for extreme local emergencies. We already have a generator and the Red Cross would supply cots, supplies & personnel. A motion was made by Councilman Robert Eklund, seconded by Councilwoman Flo Loomis and carried 4/0 to authorize the Supervisor to sign up the Town Hall as location for the Red Cross to use as an emergency shelter.

Councilwoman Flo Loomis had asked Supervisor Timothy Miller to get a second estimate on the water tank and relief valve work that needed to be done at the Town Hall from Winne's Plumbing. After several phone calls, Supervisor Miller did get an estimate of \$896.44. Last month the Board approved Stan Leonard's estimate of \$1100.00. After further discussion it was decided to stay with the decision to use Stan Leonard since he has worked on the building for years and is available to us 24-7.

Supervisor Timothy Miller would like to see the Town Hall sign added onto to list what offices are located here. Councilwoman Flo Loomis added that she would like to see a solar light added also. After further discussion, a motion was made by Supervisor Timothy Miller, seconded by Councilman

Robert Eklund and carried 4/0 to authorize Supervisor Miller to get information on adding onto the Town Hall sign and adding a solar light for the Board to review.

Councilwoman Flo Loomis noted that if we wanted to switch to an electric stove at the Town Hall a basic one would be about \$400.00. We would have to have an electrical hookup added also. She suggested we make a decision before the next gas tank lease payment is due.

Keith Woodbeck advised that when Reese-Marshall moved the fuel tank inside it had checked all codes and it should be okay because it does not obstruct the door.

Melissa Doyle stated that she had been looking into ways to save money and raise money. She suggested a Rt. 51 driving tour, having garage sales when Morris does, and doing a 4th of July event such as a Comedic/Political Event.

A motion was made by Supervisor Timothy Miller, seconded by Councilman Robert Eklund and carried 4/0 to go into executive session at 9:58 PM, including Attorney Martin Tillapaugh and Hwy. Supt. Bill Whitaker to discuss pending litigation and a personnel issue. A motion was made by Councilman Robert Eklund, seconded by Supervisor Timothy Miller and carried 4/0 to include Town Clerk Charlene Wells in the executive session.

A motion was made by Supervisor Timothy Miller, seconded by Councilman Robert Eklund and carried 4/0 to adjourn the executive session at 10:40 PM and return to the regular meeting.

With no further business, a motion was made by Supervisor Timothy Miller, seconded by Councilwoman Flo Loomis and carried 4/0 to adjourn at 10:41 PM.

Charlene R. Wells, New Lisbon Town Clerk