

NEW LISBON TOWN BOARD---MAY 12, 2016
REGULAR MONTHLY MEETING---7:30 PM---TOWN HALL

Present: Supervisor Timothy Miller, Councilmen John Pegg & Joseph Gregory, Councilwoman Flo Loomis, Hwy. Supt. Bill Whitaker, Clerk Charlene Wells, Co. Rep. Meg Kennedy, Residents: Edward George, Tom Riso, Edward Lentz, Barry & Sandra Braunius, Robert Taylor, Stacey Kazacos, Keith Woodbeck Absent: Councilman Robert Eklund

Supervisor Timothy Miller opened the meeting at 7:30 PM and led the Pledge of Allegiance and a moment of silence. A motion was made by Councilman Joseph Gregory, seconded by Councilwoman Flo Loomis and carried 4/0 to accept the minutes for the April 12, 2016 regular monthly meeting as written.

The 2009 Freightliner with the new dump box was at the Town Hall for all to see. It has been in use, but just had a universal and CV joint break. Hwy. Supt. Bill Whitaker noted that there may be five army surplus trucks becoming available from California. They would be 2008 and 2009 trucks with 3500 to 8900 miles on them. The cost would be \$3000.00 for the truck and a \$6000.00 transport charge. If he could get one of these it would be his intention to replace the 1997 International with it. The 97 International would be a spare and he would get rid of the 1994 International. To purchase a used truck equal to these would cost at least \$35,000.00 to \$40,000.00. A new truck all set up would be over \$200,000.00. There is no guarantee we would get one even if we put in for one. Councilman Joseph Gregory noted that if we can get the truck, we don't have to get it set up right away. Supt. Whitaker added that we don't know when and if other options will become available and they get grabbed up fast. After further discussion, a motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 4/0 to authorize Hwy. Supt. Bill Whitaker to put in for an army surplus truck costing approximately \$9,000.00.

Supt. Bill Whitaker advised that he is due to get \$190,219.63 in CHIPS money this year. After using \$84,898.00 for the 2009 Freightliner box, plow & wing, he will have \$105,321.63 for his CHIPS projects. He plans on paving Parker & Miller roads and replacing some large culverts. He further noted that he checked with Cornell engineer Geoff Scott about using stabilizers on our roads. The cheapest is what we use, magnesium and calcium chloride. Other options such as fly ash products are more expensive and not readily available. Supt. Whitaker advised that he attended a meeting with the NYSDEC and Soil & Water Conservation on permitting. It was noted there that there may be some grants available for redoing culverts in watershed areas. He would like to see about replacing a large culvert on Goddards Road that is collapsing with a box culvert. It is at the beginning of the Otego Creek.

Highway employee John Bugyi has put in to retire as of July 5, 2016. Last month, the Board voted to keep four full time employees in the Hwy. Dept. Supt. Bill Whitaker asked the Board to verify that he had permission to hire a new person to replace John. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 4/0 to authorize the Hwy. Supt. to hire a new person to replace John Bugyi in the Hwy. Dept. Supt. Whitaker had checked with Casellas about a dumpster. The size the FD rents costs \$81.00 per month. If we split it our cost would be \$40.50 per month. Since we don't have much garbage, Supt. Whitaker felt that we could get along with renting a smaller tote with pickup every two weeks for \$25.00 per month, and he has advised George Leech that we were switching to Casellas effective May 1st. A motion was made by Supervisor Timothy Miller, seconded by Councilman John Pegg and carried 4/0 to switch our garbage pickup to Casellas at a cost of \$25.00 per month.

Supervisor Timothy Miller advised that we received notice that we will be getting an additional \$7,705.50 in funds from FEMA for the 2013 severe storms. Councilwoman Flo Loomis noted that if we wanted to get grant funds we may have to get help as they need to be completed just right and be specific. Supervisor Miller added that it might be worth it to hire a grant writer to help us apply for the DEC watershed grant. Hwy. Supt. Bill Whitaker noted that New Lisbon Resident Bill Mason has been appointed as the County Hwy. Supt. He thinks that it will be good for the County. He doesn't think that the County will try to dump more road responsibilities on us.

Hwy. Supt. Bill Whitaker noted that his target list for the next few months will be to get roads ditched and honed, shim some culverts that are settling and work on paving Parker & Miller Roads. Councilwoman Flo Loomis requested that dust control be placed now rather than waiting until July as the roads are super dry and dusty. She would prefer the roads not be honed which would make more dust, but they do need to be ditched and crowned. Supt. Whitaker noted that they crown the roads when they hone them. Reusing gravel from the sides of the road was also discussed.

Edward Lentz submitted some provisions that could be included in our site plan law specifically pertaining to commercial solar farms. He thought that we should have time to make some additions to our site plan law before anything happens here. Some towns have enacted moratoriums on setting up commercial solar farms so they can review what's involved. He also noted that there is a Consolidated Funding grant that's coming up which the Town may be able to get in on. He also questioned what is going to happen since he has heard that Supervisor Miller is being deployed overseas.

Co. Rep. Meg Kennedy noted that the Town of Hartwick has agreed to sign the shared service agreement that we sent them. She has been working with Ag district enrollments. They held a Q & A session with State officials which she felt was useful in discussing regulations that are put on the County by the State. Some of the event grant money was distributed locally, with \$750.00 going to the Copes Corner Park event, \$230.00 to the Garrattsville Fire Co., and \$300.00 to the Grange for fair entertainment. Rep. Kennedy advised if we have any civil service issues to contact County Personnel Officer Penny Gentile. The new 911 towers will be turned on May 17th, with a modified roll out. Councilwoman Flo Loomis suggested that in regards to the recent article about the SPCA getting stuck covering animal expenses, the County Board should be supporting the SPCA with funding. She added that Delaware County gives money to two shelters.

Robert Taylor continued his presentation on his trip to the annual Assoc. of Towns conference. He noted that several of the resolutions they adopted were in regards to hwy. bridge and transportation funding and property tax cap reforms. The intent of the tax cap was to keep tax increases at 2%, however with the rate of inflation having to be included; the amounts allowed are less than 2%. The conference schedule is full of classes and exhibitors. He attended classes on site plan review, comprehensive plans, hwy. budgeting & roads, broadband and SEQ. As president of the Assoc. of Towns, he will be holding a reception at the next conference and invited all to attend. He feels it is a great learning and networking experience. Councilwoman Flo Loomis added with so many educational topics it would be advantageous to have several attend the conference to take it all in.

Land Use Enforcement Officer Tom Riso thanked Hwy. Supt. Bill Whitaker for bringing the new truck for all to see. He has been looking at the tax roll to see the new values added for projects done. He will be meeting with the County Code Office in a few weeks to see if we can come up with an agreement with them about our building permit for the storage barn. Councilwoman Flo Loomis questioned about a property on County Hwy. 15 becoming an animal sanctuary and getting tax exempt status. We haven't heard of any status changes for the property in question.

Garrattsville Fire Company President Lenny Melillo submitted a monthly report of their activities and a copy of their 2016 Budget. They put in 467 man hours in April 2016. Keith Woodbeck was present and answered questions from the Board. Supervisor Timothy Miller thanked them for the monthly report and asked that next month it include the number of calls they attended.

Supervisor Timothy Miller noted that he had closed the money market account and CLASS account and divided the money into our regular Community Bank accounts. Councilman Robert Eklund has not completed the audit of the justice office, so Councilman John Pegg will complete it. We received notice that our dog shelter, Pittsfield Vet Clinic has passed their annual inspection by the NYS Dept. of Agriculture & Markets. Supervisor Miller noted that they had a speaker on emails at their Supervisor's Assoc. meeting and that there are grant funds available for emergencies for damaged records.

Supervisor Timothy Miller acknowledged that he is being deployed overseas in July for a period of time up to almost a year. His deputy, Steve Child does not want to assume the Supervisor's duties for

that length of time. Steve has agreed to serve as Budget Officer for the 2017 Budget. Supervisor Miller noted that he is going to ask Stacey Kazacos to take over as Deputy Supervisor. In the event the deputy would be out of town, the Assoc. of Towns has advised that we could establish the position of alternate town administrator by local law so that we would have someone available to perform the Supervisor's duties in the event the Deputy Supervisor is not available. After further discussion, a motion was made by Supervisor Timothy Miller, seconded by Councilman Joseph Gregory and carried 4/0 to ask Attorney Martin Tillapaugh to draft a local law adding the position of alternate town administrator and to schedule a public hearing on it at our June 2016 meeting. A motion was made by Supervisor Timothy Miller, seconded by Councilwoman Flo Loomis and carried 4/0 to change the June monthly meeting to Wednesday, June 8th, 2016 instead of Tuesday June 14th.

Stacey Kazacos introduced himself and noted that he bought his property on Jacobson Road in 2007 and moved here fulltime last year. He worked for the Federal Dept. of State in the diplomatic service in embassies all over the world. He felt that his experiences dealing with people would be an asset and serving as Deputy Supervisor would be a good way for him to get involved in the Town.

Robert Taylor noted that there were other people in the Town who should have been considered to serve as Deputy Supervisor who had experience in town government and our community. He had volunteered his services to the Supervisor. Keith Woodbeck added that it would be a great asset to have someone step in who already had some knowledge of town government and our town. Supervisor Timothy Miller stated that he intends to stay in touch and connected to the Town while he is deployed. The Deputy Supervisor will not have a vote on the Board, only run the meeting. He also felt that Steve Child with his many years working at the County Real Property Tax Office will do a good job as Budget Officer. Keith Woodbeck noted that we could run into problems with only four votes on the Board for the next year. Robert Taylor questioned the Supervisor on if he consulted the Board when making a decision on a Deputy Supervisor. Supervisor Miller responded that it was his job to name his deputy. He had consulted with Councilman Joseph Gregory. Councilman Gregory gave his personal recommendation for Mr. Kazacos as a friend and neighbor. Councilwoman Flo Loomis felt that Supervisor Miller was minimizing the role that the Supervisor plays in the Town and is not happy with the direction that things have been going with the Supervisor not sharing things with the entire Board.

We received notice from the NYS Dept. of Public Service concerning a Clean Energy Standard (CES) program. The CES mandates that by the year 2030, half of the electricity used in the State will come from renewable resources such as solar, wind and hydro. They will be conducting public informational sessions and public hearings on the issue. Supervisor Miller noted that the CEO of Otsego Electric has resigned and that the solar movement could mean increased costs for members of the Cooperative.

Hwy. employee Barry Braunius has agreed to make the additions to the Town Hall sign and he advised that he and his wife Sandra will donate the time & materials needed. A motion was made by Supervisor Timothy Miller, seconded by Councilman Joseph Gregory and carried 4/0 to purchase two solar lights to place by the Town Hall sign and one for by the corner lot flag pole.

The Board reviewed the bills prior to the meeting. A motion was made by Councilman Joseph Gregory, seconded by Councilwoman Flo Loomis and carried 4/0 to pay General Fund bills #90 through #101 for a total of \$4,043.05 and Highway Fund bills #79 through #95 for a total of \$99,152.83. Supervisor Miller paid General Fund bills #82 through #89 and Highway Fund bill #96 for a total of \$8,061.10 with prior Board approval. The Supervisor's monthly report was submitted to the Board.

A motion was made by Councilman Joseph Gregory, seconded by Councilwoman Flo Loomis and carried 4/0 to reappoint Arthur Mathewson to a new five year term on the New Lisbon Planning Board effective June 1, 2016.

Supervisor Timothy Miller had previously noted that residents had been receiving letters from companies interested in leasing land for Commercial Solar Farms. Councilman Joseph Gregory noted that they seem to be targeting level land that slopes to the south, which is prime farm land. He added that we may need to put a moratorium in place while we research the data and update our site plan regulations. Supervisor Miller noted that a big concern is what happens with the solar panels once the

lease is over and/or the company goes bankrupt. It could cost residents a lot to get rid of no longer usable panels and thus they just get left, scarring our landscape. After further discussion, a motion was made by Councilwoman Flo Loomis, seconded by Councilman Joseph Gregory and carried 4/0 to ask Attorney Martin Tillapaugh to draft a local law to enact a moratorium on the erection of Commercial Solar Farms until the Board has had time to review the data and update our site plan regulations, and to hold a public hearing on it at our June 8, 2016 regular monthly meeting. A motion was made by Supervisor Timothy Miller, seconded by Councilwoman Flo Loomis and carried 4/0 to ask the Planning Board to do research on the Commercial Solar Farm issue and to review the sample provisions to add to our Site Plan Law submitted by Edward Lentz and report back to the Board. Supervisor Miller named Councilwoman Flo Loomis and Councilman Joseph Gregory to serve as a Solar Farm Committee and continue researching the issue for the Board.

Councilwoman Flo Loomis noted that she had been asked her birthdate as identification when voting at the Primary election. She felt it was not appropriate to be asking voters for their birthdate and had talked to the Board of Elections on the issue. Tom Riso noted that if they do want identification, birthdate is on the list that inspectors receive from the Board of Elections. Ed George noted in all of the years that he has served as an inspector, identification would only be asked for someone not showing on our roll, otherwise the person just signs in the book. Co. Rep. Meg Kennedy will verify the County Board of Elections position on the issue.

The Association of Towns has done research for us and verified that a Town Board member cannot also serve as a Board of Assessment Review member, thus Flo Loomis submitted her resignation from the Board of Assessment Review. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 4/0 to accept Flo Loomis's resignation from the Board of Assessment Review effective 5/12/16, with thanks for her years of service. We will have to be looking for a replacement for her, to be appointed before training is done next spring.

Attorney Tillapaugh is still waiting for a response from the campground on our proposal back to them. Councilwoman Flo Loomis commented that she would like to see us give all landowners affected by the Marcy-South Powerline a discount on the affected land as was done prior to the revaluation. She would also like to see a different assessment given for property on a dirt road versus a paved road. She also thinks we should send a letter to tax exempt property owners explaining that it puts a hardship on their neighbors when they claim tax exempt status and the rest of us have to pay their share of taxes. She will draft a letter to send out. She feels that the Board should be addressing these issues with our assessments and not just leave it up to each tax payer to come in and challenge their own assessment.

Edward Lentz noted that his submission of provisions that could be included in our site plan review law dealing with Commercial Solar Farms should only be a starting point. We should gather samples from other towns to see how they are regulating them. He suggested that a big issue is getting agreements to remove the solar panels when they are obsolete. Mr. Lentz further added that he had nothing against Mr. Kazacos personally, but he has concerns turning over the leadership of the Board to someone who has not been involved in our Town business and has no town government experience. He further questioned how Steve Child would be able to draft a budget when he has no day to day knowledge of our expenses. Mr. Lentz wished everyone luck with what lies ahead in the next year, but he feels it is unfortunate that we could lose a year of progress in the Town.

Edward George commented that he thinks that our trucks should be covered when hauling materials. Hwy. Supt. Bill Whitaker thought a cover would be \$1500.00 to \$2000.00. He will get prices for the Board to review.

Tom Riso commented that people didn't like to see wind turbines, now don't want to see solar panels. Supervisor Timothy Miller clarified that the Town would only put a moratorium in place long enough to draft regulations on Commercial Solar Farms to protect the Town's interest, not to ban them.

Keith Woodbeck questioned what we can do about unvaccinated cats running around town. As far as we know, we are only responsible to have a dog control officer, not an animal control person. All cats are supposed to have rabies shots in accordance with NYS Ag & Markets laws. If it becomes a health concern, we could ask our Health Officer to intervene if it is within his jurisdiction. Mr.

Woodbeck questioned if there was something we could put in place that required elected officials to be landowners, so maybe we could prevent the situation we're in with the Supervisor leaving, as he does feel it causes a problem for the Town.

Supervisor Timothy Miller responded that you only have to reside in the Town to be able to run for office. He will not be paid as Supervisor while he is gone. He will have the Board approve paying his salary to the Deputy Supervisor.

With no further business, a motion was made by Supervisor Timothy Miller, seconded by Councilman Joseph Gregory and carried 4/0 to adjourn at 9:50 PM.

Charlene R. Wells, New Lisbon Town Clerk