

**NEW LISBON TOWN BOARD---MAY 9, 2017---7:15 PM---PUBLIC HEARING  
LOCAL LAW#2 OF 2017---TOWN HALL, GARRATTSVILLE**

Present: Supervisor Timothy Miller, Councilwoman Flo Loomis, Councilmen Robert Eklund, John Pegg & Joseph Gregory, Hwy. Supt. Bill Whitaker, Clerk Charlene Wells, Attorney Martin Tillapaugh, Co. Rep. Meg Kennedy, Guest: Tim Hunt, Cazenovia Hwy. Supt. & friend, Residents: Ed Lentz, Donald Smith, Sue Smith, Willard Lasher, Tom Riso, Barry & Sandra Braunius, Art Mathewson, Robert Taylor, Stacey Kazacos, Dan Vibbard, Bob Schenfeld, Earl Smith, Jenn Meyer

Supervisor Timothy Miller opened the public hearing on Local Law #2 of 2017, a local law adding standards and review requirements for Solar Energy Farms to the existing Town of New Lisbon site plan Review Law previously adopted as New Lisbon Local Law #1 of 2011, at 7:15 PM. Tom Riso commented that we should leave out "to the extent feasible" if we want all utility and transmission lines placed underground. Edward Lentz submitted a copy of a revised draft including all of his questions and comments. He questioned the definition of "solar collector" and suggested that it should say solar PV arrays instead. He suggested that any new transmission lines should be considered part of the plan and should be shown in the detailed site plan. He further questioned if the need for an annual renewal would deter developers from wanting to set up a solar energy farm if they thought the requirements could change every year. He also questioned the 200 ft. setback from property lines, which Supervisor Timothy Miller noted is in line with our present regulations. Ed added that all systems are ground mounted so we should say pole-mounted and freestanding instead of ground-mounted and freestanding. Removal activities should state that a demolition permit is required from the Otsego County Code Enforcement Office. Special Use Permit should be added to the definitions. Councilman Robert Eklund added that anyone can ask for a variance from the regulations, such if they wanted to make larger transmission lines. He thought that we have time, so the Board should review all of the comments and make any changes before we adopt the law. Tom Riso added that he thought that "Solar Collector" is a very generic term and should cover all types. He thought that any engineered design would have to comply with all electric codes. Councilman Robert Eklund noted that he looked at the application for the solar farm that is being proposed for St. Hwy. 51 in Morris and that they were complying with all of our requirements except for screening. With no further comments, a motion was made by Supervisor Timothy Miller, seconded by Councilman Joseph Gregory and carried 5 ayes/0 nays to close the public hearing at 7:30 PM.

**NEW LISBON TOWN BOARD—MAY 9, 2017---REGULAR MONTHLY MEETING**

Present: same as above

Supervisor Timothy Miller opened the regular monthly meeting at 7:31 PM with the Pledge of Allegiance and a moment of silence. A motion was made by Councilman Joseph Gregory, seconded by Councilman Robert Eklund and carried 5 ayes/0 nays to accept the minutes for the April 11, 2017 regular monthly meeting as written.

The Planning Board met on May 1, 2017 and reviewed and recommended approval on Subdivision Application #01-17 for a simple subdivision for Alan Johnson. A motion was made by Councilman Joseph Gregory, seconded by Councilman Robert Eklund and carried 5 ayes/0 nays to approve a 5.124 acre simple subdivision on parcel #189.00-1-31.00 on Myers Mill Road for Alan Johnson.

Tim Hunt, Hwy. Supt. from Cazenovia, NY was present to explain his hwy. equipment replacement program. The goals of his plan are to minimize equipment cost, focus on life cycle cost (capital cost plus repair cost/life span), maximize resale value and minimize repair costs. The key is to sell equipment before depreciation cuts resale value too low and before repair costs increase. They have a 7 year turnaround on their large trucks which they lease. They figure it costs them \$10,457.00 per year for a large plow truck. Benefits of his plan include interest rates are less than the rate of inflation on equipment prices, able to sell when the vehicles have maximum resale value, keeps a constant budget number every year, helps predict and control cost of use and minimizes repair costs. Also newer equipment means less hours in repairs and better efficiency. He recommended selling any unnecessary equipment as a way to get some startup funds for the program. To make the program

work, research has to be done to purchase the right equipment, equipment has to be taken care of, you can only have the equipment you need and the Town Board and Hwy. Supt. (and future ones) must stick to the plan. This is a long range plan with extra work for town officials and the Town Board and Hwy. Supt. must work as a team. County Rep. Meg Kennedy noted that the County is looking at leasing cars from Enterprise. She asked if Mr. Hunt had help from an outfit like them in setting up his spreadsheet. He responded no because they have no expertise on plow trucks and hwy. equipment. Councilman Robert Eklund asked some questions and Mr. Hunt responded that they do their repairs in house, all their trucks are kept inside, they have 60 center line miles of roads (mostly paved) and do 28 miles for their County. They have four plow routes and two shifts of workers. Their overtime is steady as they only pay overtime on weekends. Record keeping is very important and Mr. Hunt again stressed that it has to be a team effort to make the program work and benefit the community. Getting equipment under state bid can help make more money when selling and Mr. Hunt feels there is a big market for used equipment. He sometimes tries several options in selling equipment to get the best price. Councilman Joseph Gregory asked what kind of trucks they use. Mr. Hunt responded they have Western Star, but we would make our specs to what we need, as it is not a brand issue. He noted that with the 2008 emissions change it is harder to do as much work on the trucks themselves. He felt that "pre-emission change" trucks should be on their way out due to their age. Edward Lentz commented that he thought Mr. Hunt gave a great presentation and wondered if he knew of any consultants who would help us set up a plan like his. He responded that he did not know of any. Co. Rep. Kennedy added that perhaps the County could share a data cruncher with the towns. Mr. Hunt noted that he helps other towns in his county. He also noted that he has a plan for replacing culverts, signs, etc. His job is managing assets. Councilwoman Flo Loomis asked if there were other towns using his plan. He noted that the Town of Brookfield is and the Town of Unadilla has just started a program. His schedule is to replace big plow trucks every 7 years, a loader every year and pickup trucks about every 2 years. Councilman Joseph Gregory asked if he knew if there was any chance of getting more paving money and Mr. Hunt responded that he didn't foresee any big increases. He did note that there is a FHA grant program for equipment that we could look into. Mr. Hunt advised that if we have any more questions we can call him or email him anytime.

Supervisor Timothy Miller advised that NYMIR is going to total the 2004 Volvo and give us \$67,686.00. If we want to keep it, we would pay a salvage fee of \$3100.00 plus the \$1000.00 deductible and get a check for \$63,586.00. We will be able to continue using the truck, but we would only be able to insure it for liability. Hwy. Supt. Bill Whitaker advised they are using the truck every day. If we keep it he would get the box fixed or replaced. After further discussion, a motion was made by Supervisor Timothy Miller, seconded by Councilman Joseph Gregory and carried 5 ayes/0 nays to keep the 2004 Volvo and accept the insurance payment of \$63,586.00. Supt. Whitaker will get prices on fixing and replacing the box for the Board to review the options.

Hwy. Supt. Bill Whitaker advised that he looked at the leaning pole in the park backstop and they should be able to replace it. Otsego Electric was supposed to leave him a pole they just replaced, but it wasn't there. They even said they could possibly help set it. Bob Taylor also had previously said that he had a pole. Supt. Whitaker advised that he had submitted paperwork for Winter Storm Stella to get back approximately \$26,000.00. He had figured three days and they have now said it would only be for two days so he is not sure exactly what amount we will get back. For CHIPS this year, including carryover from last year, this year's amount, PAVENY and winter recovery money, he anticipates getting \$245,178.01 in CHIPS funds. Paving costs for Allen Road/Braun Road will be about \$90,000.00, he anticipates about \$40,000.00 for Turnbull Bridge repairs, about \$9,000.00 for an eight foot tube at the end of Evans Road and he should have enough left to resurface Gilbert Lake Road which was last done in 2005. Councilman Robert Eklund suggested that the Hwy. Supt. also talk with Co. Hwy. Supt. Bill Mason about the Evans Road culvert as maybe they would share some of the project costs.

The Volvo grader is having transmission issues again. The transmission was replaced in the fall of 2015 with a 3 year warranty. Hwy. Supt. Bill Whitaker advised that he doesn't think the warranty will be honored because the Vantage service manager says that the computer printout from the grader shows that the grader was consistently overheated which meant it was run improperly which would void the warranty. There are only 660 hours on the new transmission. There was supposed to be a temperature warning light that was supposed to come on if the grader was overheating, but no light

ever came on. Perhaps when the new transmission was installed the light was never hooked up properly. Hwy. employees Willard Lasher and Barry Braunius both stated that they felt the machine was not misused and the manual had been read for operating instructions. Donald Smith commented that this transmission could have had the same failure as the original transmission. Hwy. Supt. Whitaker noted that Volvo is not making graders anymore. Councilman Robert Eklund remembered that the company offered remote monitoring and training when we first purchased the grader and in hindsight we should have done that. We will have to review the warranty and Hwy. Supt. Whitaker advised that he is going to Latham to Vantage to see the computer printout. Supervisor Timothy Miller advised that he would meet him there to see what if anything we can do to get it fixed under the warranty. Councilman Joseph Gregory stated that we should just cut our losses and not fix the Volvo grader again. Councilman Robert Eklund felt that we could not put \$30,000.00 into the grader again. Hwy. Supt. Bill Whitaker advised that he really needs a grader to get roads in shape now. All other towns are using their own machines so he cannot borrow one. It is hard to be using the loader as a grader and using it for loading materials. He needs to get the roads honed and ditched before applying dust control, but without a grader he can't do that. He got monthly rental prices of \$4800.00 from Beck, \$7900 for a John Deere from Five Star and \$6000.00 from Milton Cat. Vantage has none to rent. Case/New Holland, John Deere and Cat will be the only options for purchasing a new grader. Supt. Whitaker added that if the grader were to be fixed it would be 2 to 3 months before he got it back. Councilwoman Flo Loomis felt that we need to be able to get the roads fixed and made a motion to authorize the Hwy. Supt. to rent a grader, the cheapest one that is available, for two months, seconded by Supervisor Timothy Miller and carried 3 ayes (Flo Loomis, Timothy Miller, John Pegg) to 2 nays (Robert Eklund, Joseph Gregory).

Land Use Enforcement Officer Tom Riso commented that a few building projects had started. He reminded everyone that the replica of the Vietnam Memorial Wall will be in Neahwa Park for the Memorial Day weekend.

Ed Lentz noted that the Butternut Creek Study is starting up again. There will be two informational meetings upcoming. He added that Otsego 2000 has a new website, Otsego Outdoors. Com. We should get the trail in the Texas State Forest put on there when completed.

County Rep. Meg Kennedy noted that the Otsego County Planning Department will be available to help us with shared service/consolidated funding grant applications. The County will be working with Town Supervisors to come up with shared service ideas to meet the Governor's initiative. The State wants a plan by fall. The benefits should be long term, not short term. Once the County puts together a plan, all Town Supervisors will vote on it. Some ideas are having towns join in on County's medical insurance plan, having assessor's be County employees and work for the towns, setting a flat rate for taking care of County roads and Justice Court consolidation. Councilman Robert Eklund noted that we would need to know what our current costs are to see if a consolidation would benefit us. Supervisor Timothy Miller noted that anyone who has any ideas should let him know. It has to be something new, not something we already do. Edward Lentz commented that a new County/Town salt shed would be a shared service. Councilman Robert Eklund was concerned if we put up a joint salt shed, about the increase in traffic/more congestion at the Hwy. garage. Supt. Bill Whitaker added that we would have to have a way to keep salt separate or a way to keep track of the amount used.

Supervisor Timothy Miller received notice that NYS Dept. of Ag & Markets inspected Pittsfield Veterinary Clinic and they passed inspection as our Dog Shelter.

Attorney Martin Tillapaugh collected fire protection contracts and merged all of the data into a comprehensive contract. He advised that he put a lot of options in which will have to be worked through. After talking with the State Comptroller's office, he felt we could have a problem if we don't monitor the Fire Dept. contract funds more carefully. They advised that the Town Board could be held responsible for the Fire Dept. money and should be doing an annual audit of how the funds were spent. Supervisor Timothy Miller set Tuesday, May 16, 2017, at 7:30 PM at the town hall for the first meeting of the Town/Fire Dept. Contract Committee. Edward Lentz noted that the Fire Dept. has asked him to help them with this.

The Capital Planning Committee (Joseph Gregory, Robert Eklund, Tom Riso & Edward Lentz) was looking into setting up reserve funds. There are limits/guidelines for setting up and withdrawing funds

from reserves. Supervisor Timothy Miller thought that reserves are affected by the tax cap since they are a budget item. After discussion, the Board decided that tentatively they would put priority on machinery, then the highway garage. The committee will look further into setting up reserves. Councilwoman Flo Loomis noted that she is looking at the Climate Smart Community grants.

Stacey Kazacos advised that the Volunteer Work Day for making the walking trail in the Texas School House State Forest will be Saturday, July 1, 2017 from 9:00 AM to 1:00PM. The trail head is on Jones Road and is a 2-3 mile loop trail. It has been laid out and will be ready for clearing on the work day. All volunteers will have to sign the DEC paperwork and any kids will need their parent's permission.

A motion was made by Councilman Joseph Gregory, seconded by Councilwoman Flo Loomis and carried 5 ayes/0 nays to reappoint Matthew Palmer to a new five year term on the New Lisbon Planning Board effective June 1, 2017.

Cynthia Kelleher submitted a letter of resignation from the New Lisbon Board of Review as she decided that it was not going to work out with her work schedule. We will need to look for a replacement.

The Board reviewed the bills prior to the meeting. A motion was made by Councilman Joseph Gregory, seconded by Councilman Robert Eklund and carried 5 ayes/0 nays to pay General Fund bills #92 through #98 for a total of \$1,326.34 and Highway Fund bills #75 through #88 for a total of \$21,780.70. General Fund bills #87 through #91 and Highway Fund bill #89 for a total of \$7,965.78 were paid with prior Board approval. The Supervisor's monthly report was submitted to the Board.

Councilman Robert Eklund questioned Hwy. Supt. Bill Whitaker about the bill to Vantage Equipment for servicing the grader. (#83 for \$3,751.71) He wondered why we would service the grader if we were having problems with it and couldn't use it. Supt. Whitaker had thought that they would be able to test the grader while they were servicing it and look for problems but the service technician did not have all of the equipment he needed to do so. After further discussion, a motion was made by Councilman Joseph Gregory, seconded by Councilwoman Flo Loomis and carried 5 ayes/0 nays to hold off payment of bill # 83 to Vantage Equipment for \$3,751.71 until we could talk with them about the grader.

The Board took no action on the proposed local law #2 of 2017 adding standards and review requirements for Solar Energy Farms. They will review the comments received and consider making adjustments to the draft.

With no further business, a motion was made by Supervisor Timothy Miller, seconded by Councilman Joseph Gregory and carried 5 ayes/0 nays to adjourn at 10:15 PM.

Charlene R. Wells, New Lisbon Town Clerk