

**NEW LISBON TOWN BOARD---NOVEMBER 13, 2012---7:00 PM  
PUBLIC HEARING ON THREE LOCAL LAWS---TOWN HALL**

Present: Councilmen Edward Lentz, Robert Eklund, Connie Chase, & Glen Noto (late), Supervisor Robert Taylor, Clerk Charlene Wells, Hwy. Supt. Bill Whitaker, OCCA Circuit Rider Planner Rima Shamieh, Land Use Enforcement Officer Thomas Riso, Also residents: Nancy & Robert Biederman, Larry & Ruth Thayer, Edward George, Joe Gregory, Edward Dawyot & friend, Bill Burdick, Keith Woodbeck, Sue Smith, Donald Smith, Donald Hull

Supervisor Robert Taylor opened the public hearing on three proposed local laws at 7:00 PM. Local Law #1 of 2012 would provide for partial exemption from taxation by the Town of New Lisbon of Real Property owned by persons who are 65 years of age or over. Local Law #2 of 2012 would establish an alternate Grievance Day and Local Law #3 of 2012 would authorize a real property tax levy in excess of the limit established in General Municipal Law Section 3-c.

Proposed Local Law #1 would increase the aged exemption from the \$13,000.00 limit we're at to the \$16,000.00 limit. Property owners who fit this income limit would receive 50% off their taxes. Assessor Kathleen Chase estimated the impact would be approximately \$56,700.00 off of the tax roll. Robert Biederman noted that with 997 parcels, 654 already receive some kind of exemption. More exemptions put the tax burden on the rest of property owners. Tax loop holes could make someone eligible who really shouldn't be getting the exemption.

Proposed Local Law #3 would allow the Town Board to increase the 2013 budget over the state mandated tax cap of 2%. Supervisor Taylor noted that we don't need this since our 2013 budget increase is under the 2%. He felt by passing it we would be telling the State that we don't need a law to keep our taxes down. The original intent of the law was for school districts, but towns got thrown in. This law would only be good for the current budget year.

Edward Dawyot questioned why the State passes a law and then allows for a way around it. He sent a letter and received a response from Senator James Seward on the 2% tax cap. He felt we should stay within the 2% limit. Robert Biederman noted that we should try to decrease taxes due to the state of the economy. Nancy Biederman stated that she could not see why we should pass it if we don't really need it. Supervisor Taylor noted that historically we have not had big increases here. The Board is aware of the economic situation. Don Hull didn't think it was a good idea to pass this law and then the Board could increase the budget however much they wanted.

Proposed Local Law #2 would allow us to change Grievance day in May from the normal date of the fourth Tuesday to another day since our assessor also serves in two other towns. After discussing it with Assessor Kathleen Chase, she advised that she will leave New Lisbon on the Tuesday and change the other two towns. Therefore, we will not need to pass this proposed local law.

With no further comments from the floor, a motion was made by Connie Chase, seconded by Edward Lentz and carried 5/0 to close the public hearing at 7:32 PM.

**NEW LISBON TOWN BOARD---REGULAR MONTHLY MEETING---NOVEMBER 13, 2012**

Present: same as above

Supervisor Taylor opened the regular monthly meeting at 7:33 PM. A motion was made by Edward Lentz seconded by Connie Chase and carried 5/0 to accept the minutes for the October 9, 2012 public hearing and regular monthly meeting as written.

The Planning Board met on November 5, 2012 and reviewed two simple subdivision applications. The Planning Board recommended approval of #04-12 for a simple subdivision for Joseph & Ruth Cot and #05-12 for a simple subdivision for Kristina & Eric Shields. Both applications were sent on to the Otsego County Planning Department for their review.

After further discussion, a motion was made by Glen Noto, seconded by Robert Eklund and carried 5/0 to issue a Negative Declaration on subdivision application #04-12 for Joseph & Ruth Kot and

to approve the simple subdivision on tax map #173.00-1-19.00, provisional upon Otsego County Planning Department review.

A motion was made by Robert Eklund, seconded by Edward Lentz and carried 5/0 to issue a Negative Declaration on subdivision application #05-12 for Kristina & Eric Shields and to approve the simple subdivision on tax map #189.00-1-33.00, provisional upon Otsego County Planning Department review.

We received notice from the Otsego County Planning Department that they found no significant impact on Subdivision Application #03-12 for Phillip & Terrill Gregory and they returned it for local action. In their comments they did note that due to wetlands being on the parcel the NYSDEC should be contacted to determine if the home, well and septic will be able to be placed without compromising the wetland boundaries. A letter was sent by Clerk Charlene Wells to the NYSDEC to ascertain if they needed to be involved. Planner Rima Shamieh noted that she thought they were Federal Wetlands, which have no 100 foot buffer area, and would be controlled by the Army Corps of Engineers, so Clerk Wells also sent them a letter for their input. The Gregory's were also contacted and were going to look into if they would need any permits due to the wetlands. After further discussion, the Town Board saw no problem with forwarding on the approval to Phillip & Terrill Gregory on subdivision application #03-12. They will be advised that they should verify the wetland boundaries and any possible permits they may need.

Hwy. Supt. Bill Whitaker advised that he turned in his CHIPS reimbursement form for \$128,373.84. He noted that he works hard to stay within his budget. High fuel costs affect everything including products and shipping costs. Many parts are not kept in stock and they have to order them and pay shipping cost. The County Hwy. Dept. does come in at times and uses parts & tires, but they do replace them. Councilman Edward Lentz noted that he and Councilman Robert Eklund met with Hwy. Supt. Whitaker and started work on an equipment replacement plan. The next items needed are a new pickup and tractor. Supt. Whitaker has been using his personal vehicle and tractor. They have been working on getting the new used truck ready for service and have spent approximately \$5,000.00. The computer maintenance program has not been restarted after Pete Chase's computer got zapped.

Highway Bills #152 through #169 for a total of \$44,925.42 were audited and approved for payment by the Board.

General Fund bills #218 through #228 for a total of \$2,845.49 were audited and approved for payment by the Board. Supervisor Taylor paid bills #207 through #217 for a total of \$6,096.40 with prior Board approval. The Supervisor's monthly report was submitted to the Board.

Keith Woodbeck noted that there are several road name signs missing. It is vital for fire & ems to have road signs up to verify where they are going on calls, especially when other towns are coming in to help out. Supt. Whitaker will check to see what signs need replacing.

Edward Dawyot spoke on his thoughts on the 2% tax cap, read his response from Senator Seward and noted that taxes are becoming a burden, especially for seniors.

Sue Smith questioned the status of the grant to conduct a reconnaissance level survey. We have not received a bill yet from consultant Jessie Ravage. The Butternut Valley Alliance is donating \$500.00 to \$1,000.00 towards the project cost and Councilman Lentz is sending a request to Otsego 2000 for a donation.

Joe Gregory stated that in 2004 taxes went up 50%. Supervisor Taylor noted that he didn't recall that and will look back and see.

The Board discussed holding a public informational meeting on the highway barn. Sharing of the engineer report and public participation is needed. The Board tentatively set up Saturday January 12<sup>th</sup> and February 9<sup>th</sup> to hold open houses at the highway barn from 1-3 PM so residents can come and see the current status of the barn. (Subject to Hwy. Supt's approval & weather conditions). They will schedule public meetings at the Town Hall for Tuesday, January 22, 2013 and February 19, 2013 at 7:00

PM to review the engineer's report and get ideas and comments from the public on the repair and/or replacement of the highway barn.

We received a letter from Annette Holowka of the NYS Dept. Of Ag & Markets concerning DCO Shawn Patrick. He has not met with state inspector Debra Toth to review his records. Supervisor Taylor will try to schedule a meeting to take care of this. The Board requested the Clerk to check with surrounding Town's DCOs (and put on website) and see if any would be interested if we decide we need a new DCO for 2013.

With the recent threat of Super Storm Sandy, we looked at our current emergency preparedness plan (done in 1994) and found it to be outdated. We should check with the County to see if they have a newer draft version and maybe work with the Garrattsville Fire Company to come up with a new plan.

The NYS Comptroller's office is here conducting an audit of the Town Justice, Town Clerk/Collector and Town Supervisor's records. Our State Aid for 2013 decreased from \$5511.00 to \$5401.00.

OCCA Circuit Rider Planner Rima Shamieh submitted a report of what she has done for 2012 and ideas for next year. She also presented a draft agreement for 2013 if the Board wants her to continue. The Board will review the information she submitted and discuss further next month.

The Board discussed the 2013 Preliminary Budget. All agreed to take \$500.00 from the Planning Board Contractual and put into a Land Use Enforcement Officer Contractual account. With no further changes, a motion was made by Glen Noto, seconded by Robert Eklund and carried 5/0 to adopt the revised 2013 Preliminary Budget as the 2013 Final Budget.

A motion was made by Edward Lentz, seconded by Connie Chase and carried 5/0 to adopt Local Law #1 of 2012, a local law providing for partial exemption from taxation by the Town of New Lisbon of Real Property owned by persons who are 65 years of age or over. This law increases our current limit of \$13,000.00 to \$16,000.00. This law will be filed with the NYS Dept. of State and the County Real Property Tax Office.

Proposed local law #2 was not acted on because Assessor Kathleen Chase advised she would leave our Grievance Day on Tuesday. Supervisor Taylor noted that since we adopted the 2013 Budget it is too late to adopt proposed local law #3 to override the 2% tax cap. Councilman Eklund and Lentz noted that they would have voted against it anyways.

The Clerk submitted a sample dog census letter and return postcard to use for a mail in dog census. Attorney Tillapaugh advised that it was okay to send out with tax bills. A motion was made by Glen Noto, seconded by Edward Lentz and carried 5/0 to approve the Clerk's sample letter and postcard for a mail in dog census and to authorize her to send out with 2013 tax bills.

We received our new 2013 rates of \$565.47 for single, \$1130.94 for employee +1 and \$1498.49 for family from CDPHP. (2012 rates were \$530.11, \$1060.22 & \$1404.80). A motion was made by Robert Eklund, seconded by Connie Chase and carried 5/0 to accept the new rates and continue with CDPHP for medical insurance for 2013 and authorize the Supervisor to sign on behalf of the Town.

With no further business, a motion was made by Glen Noto, seconded by Connie Chase and carried 5/0 to adjourn at 9:30 PM.

Charlene R. Wells, New Lisbon Town Clerk

