

**NEW LISBON TOWN BOARD—OCTOBER 13, 2020---7:30 PM—TOWN HALL
PUBLIC HEARING ON 2021 PRELIMINARY BUDGET**

Present: Supervisor Edward Lentz, Councilman Bill Whitaker, Councilwoman Nancy Martin-Mathewson, Councilwoman Flo Loomis, Councilman Brian Ryther, Hwy. Supt. Donald Smith, Town Clerk Charlene Wells, Assessor Pamela Dyn-Gohde, Land Use Enforcement Officer Tom Riso, County Rep. Meg Kennedy, Residents: Edward Dawyot, Lenny Melillo, Mert Hull, Don & Barb Smith, Barry & Sandra Braunius, Matt Palmer, Susan Smith, Jarrett Hotaling, Garth Brown, one other resident, also Gary Fenstermaker

Supervisor Edward Lentz opened the Public Hearing on the 2021 Preliminary Budget at 7:30 PM. Our total assessment is up about one million dollars. The amount to be raised by taxes is at \$715,476.00, the same as this year. With no public comment, a motion was made by Councilman Brian Ryther, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/0 Nays to close the Public Hearing at 7:34 PM.

NEW LISBON TOWN BOARD—OCTOBER 13, 2020—REGULAR MONTHLY MEETING

Present: same as above

The regular monthly meeting opened at 7:35 PM. A motion was made by Councilman Bill Whitaker, seconded by Councilwoman Flo Loomis and carried 5 Ayes/0 Nays to accept the minutes for the September 8, 2020 regular meeting and September 22, 2020 special budget meeting as written.

Highway Supt. Donald Smith advised that all of the big trucks are serviced and they will be putting on the plow frames. He still has to get tires for the 09A & 18 Freightliners. He found two options for a new pickup for next year on state contract, a 2021 Ford F-350 XL for \$37,816.00 and a 2021 Chevy 3500HD WT for \$39,456.00. Both prices include a 9 ft. plow, backrack and LED lightbar. Hopefully we will be able to get at least \$5,000.00 for our 2013 pickup at auction. Supt. Smith asked for approval to order now as we are looking at delivery delays of up to 250 days. A motion was made by Councilman Brian Ryther, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/0 Nays to authorize the Hwy. Supt. to order a new 2021 pickup from Carbone Auto Group, either the Ford F-350XL for \$37,816.00 or the Chevy 3500HD WT for \$39,456.00 which ever he decides is best for us. Next year's CHIPS road projects will be paver shim, sealing and paving on Goddards Rd, Jones Rd and .7 mile on Card Road at an estimated cost of \$140,000.00. Since we are going to put in for our leftover CHIPS funds using the 2019 Freightliner instead of taking a gamble and rolling it over until next year, Hwy. Supt. Donald Smith would like approval to use some of the funds we will be getting back to purchase the stone for next years' projects. A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilman Bill Whitaker and carried 5 Ayes/0 Nays to authorize the Hwy. Supt. to purchase next years' paving stone at an estimated cost of \$42,000.00. The culvert for Goddards Road has been delivered, but will have to wait until next June to install, unless we have a major disaster before then. They are almost done replacing culverts for the season, but can continue ditching. Discussion was held on starting to build up a bridge repair fund.

John Vagliardo came and inspected the highway garage for mold. His report was that water is entering through roof leaks and the roof vents were sealed and the gable ends were sealed which are not allowing ventilation of the attic space. There was mold on the roof, wall panels and wood supports. He recommended removing all the sheathing and insulation and discarding it. The water leaks need to be fixed first. We need to do a mold assessment and remove the mold. Then he recommended that we spray foam the walls and ceiling because the structure is metal and heated in the winter which can result in high humidity. The moisture will condense on the cooler metal and run onto the wood supports and cause the mold problem again. The mold remediator will advise us on how to get rid of the mold. A base estimate of \$30,000.00-\$45,000.00 to get rid of mold was given. Once everything is opened up, we may have to bring electric and the bathroom up to current codes. Hwy. Supt. Donald Smith questioned how much more we want to put into an old building that would still be old after it's fixed. He added that if we did build a new garage, he could utilize part of the old building for a salt shed. Back in 2012 when we did an evaluation of the Highway Garage, it was estimated that a new one would cost between one and one and a half million dollars. Now we are probably looking at between one and a half and two million dollars. Since they can't start tearing the building apart now, it was agreed to put the mold remediation out to bid and see what we get back. A motion was made by Councilwoman Flo Loomis, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/ 0 Nays to put out for bids for mold remediation of the Highway Garage using the specs provided by the mold remediator so we can decide how much it will cost

and then decide how we want to proceed. We are waiting again for UpState Spray Foam to come patch leaks in the roof.

An inspector from our Insurance carrier was out today to go through our properties. One item he noted in the Highway Garage was that we should have a yellow safety cabinet to keep flammable liquid items in. Supt. Donald Smith advised that he has found options ranging from \$1200.00 to \$1800.00. A motion was made by Councilman Bill Whitaker, seconded by Councilman Brian Ryther and carried 5 Ayes/ 0 Nays to authorize the Hwy. Supt. to purchase a yellow safety cabinet for flammable liquids at a cost of up to \$1500.00. They were also advised they should put up signs at doorways that state "Authorized Personnel Only" to keep people out and limit our exposure. The Verizon phone line has been out of service at the Highway Garage. Hwy. Supt. Donald Smith got a price of about \$112.00 per month to switch to the Otsego Electric internet and phone. We currently pay about the same amount to Spectrum & Verizon for internet & phone. A motion was made by Councilman Brian Ryther, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/ 0 Nays to go ahead and switch the internet and phone to Otsego Electric at the Highway Garage. Councilwoman Nancy Martin-Mathewson reported that equipment repair costs through September were \$31,600. Mileage rates for the trucks were 84 cents for the 2019, 63 cents for the 2018, \$2.37 for the 2009A and \$2.86 for the 2008 Volvo. The meter has been installed on the gas pump and the usages are being recorded. The Fire Dept. will be asked to also record any usage.

Tom Riso questioned why the price for the Otsego Electric internet and phone were higher than he is paying. Hwy. Supt. Donald Smith responded that we have to pay a business price which is higher than residential. Assessor Pamela Dyn-Gohde advised that she won the SCAR case with the Natales with her assessment being upheld. Supervisor Edward Lentz added that the judge in the case advised that the assessor had proved her case by using five comparables in the town. Lenny Melillo of the Garrattsville Fire Co. noted that the COVID-19 pandemic has put a strain on EMS, but they are holding their own. He noted that the cancer insurance that is mandated cost \$1200.00 last year is increasing to \$1800.00. They lost about \$12,000.00 in fundraising income this year so they are being frugal with expenses. Supervisor Edward Lentz advised that the insurance man thought we should have a key for the firehouse. Lenny Melillo responded that he will give the Supervisor the key code for access. Edward Dawyot commented that we should be able to spray bleach on the mold at the Highway Barn to get rid of it.

Garth Brown of South Welcome Road questioned if the Town Board was going to be reviewing the campground site plan for South Welcome Road. The Board will be reviewing only four tent sites, not a full campground proposal. Mr. Brown is concerned about having campfires next to his property and wondered if there was a fire suppression plan included. He further questioned if the applicant will have insurance. He is concerned that there will be an increase in traffic and noise. He feels that allowing a campground will be an impact for him and his family and could depreciate his property value. Councilman Bill Whitaker noted that he camps a lot and campfires are banned during dry spells by the NYS DEC and that most campgrounds give the campers a list of camp rules when they enter. Gary Fenstermaker, who is proposing four tent sites as Coyote Hollow Park advised that each site will have a fire extinguisher. Each site will have a campfire ring surrounded by ten feet of gravel. He will have a quiet time and give out rules to campers. Another question on how to deal with noise if it's a problem was answered with the Town does not have a noise ordinance. Sue Smith commented that all normal people have campfires/firepits in their backyards and there is all sorts of noise, including noisy vehicles in town.

The New Lisbon Planning Board reviewed subdivision application #3-2020 for Jarrett Hotaling on September 14, 2020 and recommended approval. A motion was made by Councilwoman Nancy Martin-Mathewson and seconded by Councilwoman Flo Loomis to approve a simple subdivision for Jarrett Hotaling. Discussion followed. The Board completed Part 2 of the Short EAF and with little or no impact found, a motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilman Brian Ryther and carried 5 Ayes/ 0 Nays to issue a Negative declaration for environmental impact. The Town Board voted 5 Ayes/ 0 Nays to approve Subdivision Application #3-2020 for Jarrett Hotaling for a simple subdivision on tax map #159.00-1-30.00 on County Hwy. 14.

The New Lisbon Planning Board reviewed site plan application #1-2020 for Gary Fenstermaker on August 3, 2020 and September 14, 2020 and recommended approval for a change of use to allow four tent sites. The application was sent to the County Planning Dept. for review and they returned it with no significant impacts found. A motion was made by Councilman Brian Ryther and seconded by Councilwoman Nancy Martin-Mathewson to approve a site plan application for Gary Fenstermaker for Four Tent Sites to be known as Coyote Hollow Park. Discussion followed. Planning Board Chairman Matthew Palmer explained that they had asked for a more precise Phase One and after discussion with

the applicant he submitted plans for four tent sites which the planning board reviewed as a change of use. It takes five campsites to be considered a campground. Mr. Fenstermaker explained that they plan to only be open on weekends to start and that either he or his fiancé would be present. If the project grows, they might have to hire someone to be a site manager. Supervisor Edward Lentz noted that even if we didn't like the project, we have to follow the law and he felt that the Phase One proposal for Coyote Hollow Park is in substantial compliance with our site plan law. The Board completed Part 2 of the Short EAF and agreed that most questions would be no or small impact, however they felt that the change in use of the land could result in a moderate impact. They noted that taking mitigation measures to control the following issues would reduce the impact of the change to commercial use: having safe campfire sites and fire suppression equipment available, having composting toilets and garbage sites secured from wild animals, limiting manmade lighting, having reasonable quiet hours and a noise curfew, having a manager on site at all times the park is open and giving a list of park guidelines to all campers. The Town Board agreed to issue a Negative declaration for environmental impact with the above noted mitigation measures. The Town Board voted 5 Ayes/ 0 Nays to approve Site Plan application #01-2020 for Gary Fenstermaker for Four Tent Sites to be known as Coyote Hollow Park on tax map #174.00-1-35.00 on South Welcome Road, subject to the above noted mitigation measures to help the project fit into the community and to provide a safe camping environment.

At their September 14, 2020 meeting the New Lisbon Planning Board reviewed Subdivision Application #4-2020 for Austin Conrad/Christmas & Associates for an 8-lot major subdivision and have recommended it for approval. The application was sent to the Otsego County Planning Dept. for review and was returned with no significant impacts found. A motion was made by Councilwoman Nancy Martin-Mathewson and seconded by Councilman Bill Whitaker to approve a major subdivision for Austin Conrad/Christmas & Associates. Discussion followed. Marc Christmas had advised that he would put a covenant in the deed for the four parcels that are located on the seasonal part of Quinlog Road that the road is seasonal and not maintained in the winter months. Hwy. Supt. Donald Smith has approved that each parcel will have a suitable location for a driveway. Planning Board Chairman Matthew Palmer questioned the law on seasonal roads. It was drafted by past attorney Martin Tillapaugh. The Town Board completed Part 2 of the Short EAF, finding no or small environmental impacts and agreeing to a Negative declaration for environmental impact. The Town Board voted 4 Ayes/ 0 Nays/ 1 Abstention (Councilwoman Loomis) to approve Subdivision Application #4-2020 for Austin Conrad/Christmas & Associates for an 8-lot major subdivision on tax map #143.00-1-1.02 on Turnbull and Quinlog Roads, with the condition that all parcels on the seasonal portion of Quinlog Road must include notice that the road is seasonal and not maintained by the Town during the winter months.

County Representative Meg Kennedy advised that the County budget will stay under the tax cap but 2.8 million has been cut out of the 2021 budget. They will be bonding 4 million dollars of Highway Projects and use that money to help balance the budget. NewYork.cv19checkup.org is a website where you can assess your risk for getting COVID-19. County Rep Kennedy discussed with the Town Board the weekend festival in New Lisbon. She noted the shortfalls of the County not having a full-service Health Dept and she was not sure how much we could put into County law to enforce the COVID measures. Supervisor Edward Lentz advised that he was disappointed that no one was willing to enforce the Governor's COVID mandates on large gatherings. The County Health Dept. did a last-minute cease & desist order once they found out the festival was going to be on a County foreclosed property. She advised that other regions in the state are also having issues with enforcing Executive orders and she would hope we can come up with a better plan of action before an issue arises again. Supervisor Edward Lentz noted that maybe we will have to do more locally including looking at amending our Public Assembly Ordinance.

Land Use Enforcement Officer Tom Riso advised that projects he has been watching have not been completed yet and fall is the best time to see new projects after leaves have fallen. Mert Hull of the Garrattsville Fire Company gave their 3rd quarter report. They had 15 fire calls including 4 structure fire calls. They put in 347 man hours on calls and 279 man hours on non-emergency functions. Councilwoman Nancy Martin-Mathewson advised that the CSC Committee will be meeting next on October 29th at 6:30 PM at the Town Hall and new members are welcome. They have compiled almost 50 points so far.

Supervisor Edward Lentz advised that he is still working on getting all the paperwork lined up so we can contract with the Village of New Berlin for our backup EMS services. The signs are up in the Texas Schoolhouse State Forest along the walking trail. The signs are in for the bike route. Supervisor Lentz will write up a list of items that the insurance inspector commented on.

The court would like approval to install an intercom system which is required by the NY Court Administration. They got an estimate of \$2,320.00 from Satellite Central. If we wanted to add it to other offices it would be an additional \$250.00 each. A motion was made by Councilman Bill Whitaker, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/ 0 Nays to accept the estimate from Satellite Central to install a door intercom and lock release system for the Justice Court at a cost of \$2,320.00. Before installing, questions that need to be answered on this are if the system will impede others' access to the building and if it will be covered by the justice's grant. A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilman Bill Whitaker and carried 5 Ayes/ 0 Nays to pass Resolution #06-2020 authorizing the Justice Court to put in for funds for court enhancements and necessities up to \$30,000.00 from the JCAP 20/21 grant cycle.

Councilwoman Nancy Martin-Mathewson has compiled a list of Zombie houses to send to the land bank. She will submit it to the Board for their review first. Highway Supt. Donald Smith questioned if a landowner plows out a seasonal road themselves, are we responsible for it then being a slippery road. Supervisor Lentz will check with our Attorney.

We received two proposals for review and approval under the CDBG. For Kathleen Caffery of 1640 County Hwy. 12 the project is for windows, interior stair handrail, front entry door/stairs and lead paint remediation. A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilman Brian Ryther and carried 5 Ayes/ 0 Nays to accept the low bid of \$16,000.00 from Christian Brothers Construction for the Caffery CDBG project. For Amie McLean of 571 Gilbert lake Road the project is for roof chimney repair, flooring repair, removal of faux chimney, foundation repairs and lead paint remediation. A motion was made by Councilman Brian Ryther, seconded by Councilman Bill Whitaker and carried 5 Ayes/0 Nays to accept the low bid of \$22,600.00 from All American Renovations for the McLean CDBG project.

Richard Eldridge has declined the reappointment to the Board of Assessment Review so we will have to look for someone else to fill the position. County Rep. Meg Kennedy was asked if she could check with the County Real Property tax office and see if they could do a virtual training session as this might help to get people to volunteer.

Supervisor Edward Lentz advised that he watched a training session put on by the Assoc. of Towns pertaining to the new state mandate that we have a Pandemic Emergency Plan. Emergency Preparedness Solutions LLC of Utica, NY will prepare a plan for us for \$1000.00. A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilman Brian Ryther and carried 5 Ayes/ 0 Nays to authorize the Supervisor to hire EPS LLC to draft a Pandemic Emergency Plan for us for \$1000.00.

A motion was made by Councilman Brian Ryther, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/ 0 Nays to make the following appropriation changes to cover bills: 1. Increase A7110.4 Park Contractual by \$500.00. Transfer from A7620.4 Adult Recreation. 2. Increase A110.4 Justice Contractual by \$152.04. Transfer from A1410.11 Town Clerk Deputy. Increase DA9055.8 Disability by \$61.65. Transfer from DA 5130.4 Machinery Contractual.

The Board received the October abstracts prior to the meeting for review. A motion was made by Councilwoman Flo Loomis, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/ 0 Nays to approve paying General Fund bills #177 through #191 for a total of \$12,704.99 and Highway Fund bills #120 through #133 for a total of \$25,647.39. General Fund bills #168 through #176 and Highway Fund bill #134 for a total of \$5,513.02 were paid by the Supervisor with prior Board approval.

With no further business and no further comments from the floor, a motion was made by Councilwoman Flo Loomis, seconded by Councilman Brian Ryther and carried 5 Ayes/ 0 Nays to adjourn at 10:25 PM.

Charlene R. Wells, New Lisbon Town Clerk

