

**NEW LISBON TOWN BOARD—DECEMBER 14, 2021---7:00 PM—TOWN HALL
PUBLIC HEARING ON QUALIFIED ABANDONMENT OF BLUE JAY HOLLOW SPUR ROAD**

Present: Councilman Bill Whitaker, Councilman Brian Ryther, Councilwoman Nancy Martin-Mathewson, Hwy. Supt. Donald Smith, Supervisor Edward Lentz, Town Clerk Charlene Wells, Land Use Enforcement Officer Tom Riso, Residents and Others: Barb Tilley, Russell Tilley, Don Smith, Janice Broek, Richard Zaner, Adam Tilbe, Chris Tilbe

Supervisor Edward Lentz opened the Public Hearing on the possibility of doing a Qualified Abandonment of Blue Jay Hollow Spur Road at 7:04 PM. The road would still be owned by the Town, but not maintained. Landowners could put up a gate as long as it could be opened for the public to be able to use the road. This is being considered because it is a seasonal, low use road that is estimated to cost about \$100,000.00 to upgrade if we ever had to plow it in the future. All adjacent landowners' properties have road access on other roads.

Landowner Don C. Smith stated that he would want to see the road stay open as he didn't want to lose the road frontage on his parcel. He also felt that in an emergency it is still an access road and it is used by the public. Landowner Barb Tilley noted that she uses the road everyday when the road is open. She uses it to go to work and says that way she doesn't have to go on the dusty Blue Jay Hollow Road. She also takes walks along the road and doesn't want to see it abandoned. Lenny Melillo noted that emergency services use the stream on the road for a water source and feels that it should remain accessible. Russel Tilley added that he had never seen a 10-wheeler on the road and doesn't believe that we would have to upgrade it that much. Barb Tilley questioned who would take care of fallen trees. Supervisor Edward Lentz advised that it would be up to the landowners. The Town could put up signs stating travel at your own risk. Adam Tilbe questioned if this would set a bad precedent for other seasonal roads. Supervisor Edward Lentz responded that this is the only seasonal road where the parcels have road frontage on other roads.

The Town Board held the public hearing to get input from the public on the issue. A full abandonment of the road, with it going back to adjacent landowners can't be done since the road is still used some. Doing a Qualified Abandonment is an option to having to upgrade the road. The Board would have to determine that the road is not used much and it would not cause a hardship to adjacent land owners. The County Highway Superintendent also has to have input. Lenny Melillo commented that all landowners would lose financially with the loss of road frontage. A letter was received from landowner Virginia Schoradt advising that it would be a hardship for farming and timber harvesting if the road was abandoned. She also noted that land values would be decreased and asked the Board to not abandon the road. Richard Zaner, a representative for the family of Helen Breure advised that they are against abandoning the road and wanted to keep the access for emergencies. Supervisor Lentz thanked all for their input and advised that the Town Board will discuss further and decide if they will go forward with the qualified abandonment of Blue Jay Hollow Spur Road. The hearing closed at 7:30 PM.

**NEW LISBON TOWN BOARD---DECEMBER 14, 2021—PUBLIC HEARING ON PROPOSED LOCAL LAW #1
OF 2021, GOVERNING THE PLACEMENT & LOCATION OF DRIVEWAYS & OTHER ACCESS ROADS THAT
ENTER UPON OR TO HIGHWAYS OWNED OR MAINTAINED BY THE TOWN OF NEW LISBON**

Present: same as above (minus several residents) plus Councilwoman Flo Loomis, County Rep. Meg Kennedy

Supervisor Edward Lentz opened the public hearing on Local Law #1 of 2021, a new driveway placement law to replace our current one, Local Law #4 of 2008. The new law expands on the previous law by also requiring existing driveways to be subject to the Hwy. Supt.'s review when improvements are done. The previous law referenced County standards, but since the County doesn't have any written standards, the new law refers to NYS DOT driveway standards. Lenny Melillo commented that he thinks it will be hard to meet all of the NYS driveway requirements on our town roads. He suggested that we draft our own standards that would fit our needs. Supervisor Edward Lentz agreed that perhaps the NYS standards might be more than we can deal with. With no further comments, the hearing was closed at 7:41 PM.

NEW LISBON TOWN BOARD—DECEMBER 14, 2021—REGULAR MONTHLY MEETING

PRESENT: same as above

Supervisor Edward Lentz opened the regular monthly meeting at 7:42 PM. A motion was made by Councilwoman Flo Loomis, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/ 0 Nays to accept the minutes for the November 9, 2021 meeting as drafted.

Hwy. Supt. Donald Smith noted that the Hwy. Committee had discussed mandated testing for unvaccinated employees, but decided against it at this time. With the increase in COVID cases, they may have to go back to split shifts. He hasn't talked with other towns or the County about how to help each other if COVID cases cause problems with manpower. The 2008 Volvo is out for repairs of an antifreeze leak and what is causing it to happen. He anticipates the cost will be about \$2,600.00. The 2017 pickup with the salter is having some issues again and Supt. Smith thinks we may want to replace it in 2022. Supervisor Edward Lentz will check with USDA about possible grant funds for a new grader. The front axle on the mower tractor is broken and the boom mower is broken so Supt. Smith suggested that we surplus the two items together with a reserve of \$1,500.00. He suggested that if we can get a larger excavator possibly in 2023, we could get a mulcher head for that to be used in place of the boom mower. If we trade in our current excavator before it has 1000 hours, we should get all of our money back to put towards a new one. A motion was made by Councilwoman Flo Loomis, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/ 0 Nays to surplus the tractor with the boom mower and put it on the auction site with a \$1,500.00 reserve.

Councilwoman Nancy Martin-Mathewson reported that the total vehicle repairs for 2021 was \$36,554.00 compared to \$46,300.00 last year. Since 2015, the 2008 Volvo has cost us \$100,000.00 in repairs. The design crew for the new Highway Garage will be meeting with the engineer on December 20, 2021. We have had no response to our RFPs for roof repairs for the Morton Building or the Town Hall. Coles Bridge and Bell Hill Bridge have had temporary repairs done and will end up costing us about \$120,000.00 to repair next year. Part of an ash tree broke off away from the road on Walters Road and the homeowner asked the hwy. dept. to cut it all down, but they will wait until spring to see if it is dead.

The Board discussed the possibility of doing a qualified abandonment of Blue Jay Hollow Spur Road. Councilman Bill Whitaker commented that he understands keeping costs down to make our town more self-sufficient. If we closed the road the land values could go down and it would be less appealing for someone to build so overall, he didn't think it was a good idea to abandon the road. Councilman Brian Ryther thought that all the adjacent land owners had good points and if someone did build on the road it helps the town with an increase in assessment. Hwy. Supt. Donald Smith stated that since it is not a major use road, he was hesitant to spend an estimated \$100,000.00 in upgrades without Board input. He would have to cut brush and trees to widen the road for a 10-wheeler to plow during the winter. He estimated about \$50,000.00 to replace the culvert. After the major subdivision was done on Quinlog Road, we now have several residences being built so starting next year we have to keep that road open year-round. Councilwoman Nancy Martin-Mathewson noted that because it was a low use road, a qualified abandonment looked like a good way to save the town money. Supervisor Edward Lentz added that the Board had to consider if spending \$100,000.00 on a road that would only benefit a few landowners is fair to the rest of the taxpayers. Hwy. Supt. Smith added that if we were going to keep the road open, he would like to get started and try to do the upgrades over a few years. If he had to do it all in one year it would take his entire road repair budget. He considered it the worst seasonal road in town. Since the County Hwy. Supt. has heard that some of the landowners were against the abandonment, it is uncertain if the County Attorney will support the County backing the abandonment. After further discussion, a motion was made by Councilwoman Flo Loomis, seconded by Councilman Bill Whitaker and carried 4 Ayes/ 1 Nay (Councilman Brian Ryther) to defer a decision on the qualified abandonment of Blue Jay Hollow Spur Road until next month.

Lenny Melillo commented that if the Town had kept up on improvements to the Blue Jay Hollow Spur Road over the years, it wouldn't cost so much to do the upgrades. He further noted that no public came to support the abandonment and he felt that the road provides access to a very critical water supply for fire departments in that area of town. Tom Riso commented that we spent money to pave the road for the Golf Course and that is now gone.

County Rep. Meg Kennedy noted that the County budget was passed and they stayed under the 2% tax cap. They restored positions that were laid off at the beginning of the pandemic. They are giving a one-time payment for tourism with funds from the American Rescue plan. The County will receive 11 million dollars over two years. Since they are one of Otsego County's largest employers, Bassett Hospital has asked for financial help in their plan to set up a simulation lab for training. COVID-19 cases are on the rise again in the County with more younger people and the unvaccinated fueling the surge. We had 544

cases in September, 498 in October and 694 in November. The Governor has mandated masks indoors for all public places for a month and then a review will be made. Health Departments are responsible to enforce, but they don't have the manpower. They have been trying to educate and encourage the public to get the vaccines and have been busy with contact tracing. The County is working on getting a free testing site open in Milford. The County Board will be voting on accepting the Butternut Creek Watershed Plan as a County resource. Otsego County lost about 2000 people according to the newest census data. This will affect the County districts by the weighted votes of the County Representatives having to be adjusted. In regards to getting a cell carrier on the County tower in Garrattsville, Co. Rep. Kennedy noted that the County has even offered the space for free and the carriers aren't interested in rural areas.

The CSC Committee had no updates. Land Use Officer Tom Riso noted nothing new in the last month. It was reported that there were two places on County Hwy. 12 and one on Gilbert Lake Road with activity. We will get an updated building permit list from the County in January. Supervisor Edward Lentz reported that there was some activity on the 644 Gardnertown Road mess being cleaned up a bit. The property is now vacant, but the bank is not pushing the cleanup so we will have to stay on top of it. Jeanine Kazacos has advised that she is going to serve on the Office for the Aging Citizen panel. Supervisor Edward Lentz noted that he is still meeting with other towns about EMS services with New Berlin. Butternuts, Pittsfield, Edmeston and our town are helping out. The new County ambulances are up and operating with both running days and one at night. Since November 16th they have had 225 calls throughout the County. The stimulus funds cover the cost for two years. The County has hired a consultant to see how the EMS situation should be handled long range. With declining volunteer squads, at some point the County may need to look at more ambulances, maybe up to eight in 10 years. The County is presenting a Shared Services plan for EMS to the state, which if accepted would give us some funds for additional years. The Town Supervisors will vote on the plan tomorrow and a motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilwoman Flo Loomis and carried 5 Ayes/ 0 Nays to authorize the Supervisor to sign us onto the County shared services EMS plan. If the State approves, the County will prepare intermunicipal agreements.

Supervisor Edward Lentz will order a new flag for the corner lot pole. A letter was read from Patricia Patterson thanking the Board for undertaking the home improvement grant. She was overjoyed with the foundation work that was done on her home, something that she couldn't have afforded on her own. The final CDBG reports are being processed. Supervisor Lentz noted that the CDBG was a great program for town residents and perhaps the Board will consider applying again in the future.

Monthly reports were submitted to the Board for review. A few highway accounts need some adjusting to cover bills. A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilman Brian Ryther and carried 5 Ayes/ 0 Nays to make the following appropriation changes to cover bills: 1. Increase DA9060.8-Medical Insurance by \$3,637.00. Transfer \$3,319.00 from DA5110.4 General Repair Contractual and \$318.00 from DA5120.4 Bridge Contractual. 2. Increase DA5112.2 Capital Improvements by \$20,789.00. Transfer \$682.00 from DA5120.4 Bridge Contractual, \$3,345.00 from DA 5130.4 Machinery Contractual, \$4,466.00 from Snow Contractual and \$12,296.00 from unappropriated fund balance. 3. Increase DA5120.2 Bridge Capital expense by \$1,526.00. Transfer from unappropriated fund balance. The Board reviewed the bills and a motion was made by Councilman Brian Ryther, seconded by Councilman Bill Whitaker and carried 5 Ayes/ 0 Nays to pay General Fund Bills #209 through #221 for a total of \$12,064.73 and Highway Fund Bills #154 through #168 for a total of \$14,224.23. General Fund bills #204 through #208 for a total of \$423.81 were paid by the Supervisor with prior Board approval.

The Planning Board met on December 6, 2021 and reviewed and recommended approval of a simple subdivision #2-2021 for Kristopher Tilbe. The Town Board completed the Short EAF and a motion was made by Councilman Brian Ryther, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/ 0 Nays to issue a Negative Determination of any adverse environmental impacts for Subdivision #2-2021. A motion was made by Councilman Brian Ryther, seconded by Councilwoman Flo Loomis and carried 5 Ayes/ 0 Nays to approve the simple subdivision #2-2021 for Kristopher Tilbe on tax map #141.00-2-7.01 on Santoro Road as submitted.

The Town Board will hold it's 2022 Organizational meeting, Public Hearing on the 2022-2023 Fire Protection Contract with the Garrattsville Fire Company and regular monthly meeting starting at 7:00 PM on Tuesday, January 11, 2022. The Susquehanna SPCA submitted a contract for 2022. A motion was made by Councilwoman Flo Loomis, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/ 0 Nays to authorize the Supervisor to sign the 2022 contract for dog shelter services with the Susquehanna SPCA.

The Town Board had previously agreed to lower Otsego Electric Cooperative's assessments to about 25% of the original amounts, which OEC had at first rejected. After further thought, OEC has proposed a new settlement agreement of about 23% of their original assessment and a motion was made by Councilman Bill Whitaker, seconded by Councilman Brian Ryther and carried 5 Ayes/ 0 Nays to authorize the Supervisor to sign the Assessment Settlement Agreement with Otsego Electric Cooperative.

With the current upswing of COVID-19 cases, the Board decided to leave the town's COVID guidelines as following CDC and NY State guidelines and mandates.

With no further comments and no further business, a motion was made by Councilwoman Flo Loomis, seconded by Councilwoman Nancy Martin-Mathewson and carried 5 Ayes/ 0 Nays to adjourn at 9:25 PM.

Charlene R. Wells, New Lisbon Town Clerk