

**NEW LISBON TOWN BOARD---OCTOBER 9, 2012---7:00 PM**  
**PUBLIC HEARING ON 2013 PRELIMINARY BUDGET---TOWN HALL**

PRESENT: Supervisor Robert Taylor, Councilwoman Connie Chase, Councilmen Edward Lentz & Glen Noto, Hwy. Supt. Bill Whitaker, Clerk Charlene Wells, Attorney Martin Tillapaugh, Land Use Enforcement Officer Tom Riso, Highway Employees Victor Lasher, Willard Lasher & Louie Colburn, Co. Rep. Pauline Koren, Residents Edward George, Joe Gregory, Jim Gregory, Cecelia Schleder, Ed Bohn, Sue Smith, Donald Smith

ABSENT: Councilman Robert Eklund

Supervisor Taylor opened the Public Hearing on the 2013 Preliminary Budget at 7:02 PM. There were no comments on the proposed budget from the floor. The Board discussed items in the proposed budget. \$25,000.00 was included for fixing the town hall roof. The \$50,000.00 in the highway equipment category is possibly for a pickup, upgrades for the 2001 4x4 truck or a tractor for mowing. It was suggested that we need a plan for highway equipment replacement. Supt. Whitaker will meet with Councilmen Lentz & Eklund to work on this. Supt. Whitaker noted that the small backhoe had a fire in it caused by mice making a nest and chewing wires. He commended the highway employees for fixing the backhoe after the fire which saved us a lot of money. Supervisor Taylor noted that he felt the budget totals would be in compliance with the requirements of the 2% tax cap. A motion was made by Glen Noto, seconded by Connie Chase and carried 4/0 to close the public hearing at 7:26 PM.

**NEW LISBON TOWN BOARD ---REGULAR MONTHLY MEETING—OCTOBER 9, 2012**

Present: same as above

Supervisor Robert Taylor opened the regular monthly meeting at 7:26 PM. Councilman Glen Noto requested that his question on eminent domain include that it was in regards to private interests. A motion was made by Edward Lentz, seconded by Connie Chase and carried 4/0 to accept the amended minutes for the September 4, 2012 regular monthly meeting and the minutes as written for the September 25, 2012 special meeting and October 1, 2012 joint meeting with the Planning Board.

Subdivision application #03-12 was recommended for approval by the Planning Board and approved by the Town Board at the October 1, 2012 joint meeting. The application was sent on to the County Planning Board for their review. We have had no response from them yet. The Town Board completed the SEAF and a motion was made by Edward Lentz, seconded by Connie Chase and carried 4/0 to reaffirm the approval of Simple Subdivision Application #03-12 for Philip & Terrill Gregory on tax map #174.00-1-37.00, pending County review and to issue a Negative Declaration, as it was determined that the action will not result in any significant adverse environmental impacts.

Highway Supt. Bill Whitaker advised that the men have been working on the 2001 International 4x4 truck. Louie Colburn has been driving it and likes it. Supt. Whitaker noted that he doesn't feel it will cost as much as he had thought to fix it up as the guys are utilizing many of the old parts. They hope to get Gardnertown Road sealed and then he can complete the CHIPS paperwork and get that sent in for reimbursement. They have almost all of the sand drawn in and will be working on cutting brush.

Highway Bills #128 through #151 for a total of \$16,768.21 were audited and approved for payment by the Board.

Cecelia Schleder addressed the Town Board about her assessment. She felt her assessments of \$600,000.00 on the campground and \$206,600.00 on her home were out of line. Recent bank appraisals only totaled \$574,000.00 for both. She has met with Assessor Kathleen Chase to review her assessments. Supervisor Taylor noted that we had received a letter on this from Senator Jim Seward and a copy of the letter she sent to him asking for his help. Supervisor Taylor will send a response to Senator Seward. He noted that while he felt bad for her, there were a lot of land owners who were also hit with big increases. Mrs. Schleder acknowledged that it was her fault that she did not come in last year for grievance day, but the reality of the new assessments didn't hit until they got their school tax bills which were a 114% increase over last year. She is hoping the tax penalty can be deferred since she will not be able to pay the entire school tax bill at this time. The Board expressed interest in helping her with this if they are able. She will continue working on this with the assessor.

County Representative Pauline Koren discussed the County Board voting to support the Constitution Pipeline Route M. She noted that while she was absent from the meeting she would have

supported it because of the need for jobs and any economic stimulus we can get in the County. She stated that she still has a lot of questions on it. Councilman Edward Lentz questioned what the urgency was and why the County Board felt they had to take an action when there are unanswered questions. Rep. Koren advised that she thought the County Board just wanted to have an open door and show that they were willing to talk to the pipeline company. She noted that they are working on the County 2013 budget and are trying to cut five million dollars, with no job loss.

CPIC Chairwoman Sue Smith advised that less than a dozen participated in the first Town Clean Up Day. Approximately one pickup truck of garbage was collected. It cost \$16.50 to dispose of it. She did not attend the last CPIC meeting so she had no further updates. Tom Riso is working on putting up the picture rails.

Supervisor Taylor noted that there was a shooting of a dog in town and DCO Shawn Patrick spent most of the day on the case. The State Comptroller's office has personnel here reviewing town officials and procedures and will decide if they feel there is a need for a full audit. He advised that he received a call complaining about signs & debris piled up at a location on County Hwy. 12. He noted that the signs aren't very classy, but they don't violate the Town's signs regulations, so therefore there is nothing the Town can do. It is assumed that the property owner is having problems with trespassers.

Supervisor Taylor will teach an AAA Safe Drivers Class here at the Town Hall October 30<sup>th</sup>. A motion was made by Glen Noto, seconded by Edward Lentz and carried 4/0 to authorize the Supervisor to attend the February 2013 Association of Towns Annual Meeting in NYC. He suggested that maybe we should form a committee to look into energy use and cost saving ideas in our buildings.

Town Justice Bruce Moskos would like to apply for approximately \$6,000.00 in funding through a justice court grant program to have a security system installed at the Town Hall. After discussion, a motion was made by Edward Lentz, seconded by Glen Noto and carried 4/0 to allow Town Justice Bruce Moskos to apply for grant funds for a security system at the Town Hall, providing there is no direct or indirect cost to the Town and any structural changes to the building must be approved by the Town Board.

NYMIR had suggested that we should have an annual inspection done of our alarm systems in our buildings to be sure they were working correctly. We received a price of \$100.00 each, or \$225.00 for all three (upper firehouse, town hall & hwy. barn) to do an annual inspection of the alarm systems. A motion was made by Connie Chase, seconded by Edward Lentz and carried 4/0 to hire Fargo Alarm Systems to do an inspection of the three building's alarm systems at a cost of \$225.00.

A motion was made by Edward Lentz, seconded by Connie Chase and carried 4/0 to pay General Fund bills #196 through #206 and a bill from Tom Riso for the chair rails & picture hanging materials and mileage for his Land Use Enforcement Officer duties (total of \$299.66), for a total of \$5,524.69. Supervisor Taylor paid bills #189 through #195 for a total of \$5,170.09 with prior Board approval. The Supervisor's monthly report was submitted to the Board.

Attorney Martin Tillapaugh provided three local laws for the Board to review. One law would change the date of grievance day from the 4<sup>th</sup> Tuesday in May to a different day since our assessor has three towns to cover. One law would increase the aged exemption limit in the Town from \$13,000.00 to \$16,000.00. This would allow for a 50% exemption on Town taxes for taxpayers over 65 who have an annual income of \$16,000.00 and under. One law would override the State imposed 2% increase limit on our Town Budget. This law would have to be passed annually.

Attorney Tillapaugh advised that the County told him that we already had a law on the exemption for new business, so he did not draft one. The Clerk has searched our records and does not have a local law or resolution passed to allow the new business tax exemption. She checked with the NYS Dept. of State where local laws are filed and they do not have this law filed for us. Attorney Tillapaugh will draft one and get it to us. Councilman Edward Lentz questioned if we could limit the exemption to certain kinds of businesses. Attorney Tillapaugh advised that he felt it would have to apply to all new business.

In regards to Councilman Glen Noto's question on eminent domain last month, Attorney Tillapaugh advised that the Town could enact a local law to prevent private cases of eminent domain from occurring in the Town. However, he noted that all cases, both public and private would have to start by getting Town Board support. The Town Board could simply vote against it instead of enacting a local law, which could simply be repealed by future Town Boards anyways.

Attorney Martin Tillapaugh advised that he has talked to the Attorney for MB Campgrounds in regards to their assessment. He will be setting up a meeting to talk about coming to an agreement without having to go to court.

The Board discussed further the three local laws submitted by Attorney Tillapaugh. The Clerk will check with Assessor Kathleen Chase to verify what day she wants to change grievance day to. We have been having it on Thursday. Supervisor Taylor noted that the State Comptroller and Association of Towns have both suggested that towns should pass the local law to override the 2% tax cap. Reasons include that the calculation of the 2% can be involved and that it shows that the Town doesn't like being told what to do by the State. Councilman Edward Lentz was against passing the override when we don't need it. After further discussion, a motion was made by Connie Chase, seconded by Glen Noto and carried 3/0 (Councilman Edward Lentz abstained) to schedule a public hearing for 7:00 PM on Tuesday, November 13, 2012 on 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, Local Law #2 of 2012, a local law establishing an alternate Grievance Day and Local Law # 3 of 2012, a local law authorizing a real property tax levy in excess of the limit established in General Municipal Law Section 3-c.

Supervisor Taylor noted that he had not sent a letter to the County about the salt leeching at the County Highway Barn on NYS Rt. 51 because he wants to see it for himself before he send a letter.

Councilman Glen Noto advised that he has been talking to others about what steps to take to get a historical society started in our Town.

Councilman Edward Lentz noted that there is no grant money through Otsego Electric this year, but they will keep us in mind if they find out about any opportunities. He contacted JNS Towers and they are still requiring that we get a carrier who is interested before they would set up a tower. He is waiting for current contact information for Verizon & AT&T from JNS and he will try again to see if anyone would be interested.

The Board discussed having a public information meeting on the Highway Barn. They would like to give the facts noted in the recent assessment done by Delaware Engineering and get public opinion and feedback on the issue. A motion was made by Edward Lentz, seconded by Connie Chase and carried 4/0 to hold a public informational on the issue of the highway barn (assessment/repairs/replacement). We will check the schedule at the Town Hall to see when the large room is available and when Supt. Whitaker would be available to have people come look at the hwy. barn if they wanted to.

With no further business, a motion was made by Glen Noto, seconded by Edward Lentz and carried 4/0 to adjourn at 9:00 PM.

Charlene R. Wells, New Lisbon Town Clerk