

NEW LISBON TOWN BOARD---APRIL 11, 2017---7:30 PM REGULAR MONTHLY MEETING---TOWN HALL, GARRATTSVILLE

Present: Supervisor Timothy Miller, Councilmen John Pegg, Joseph Gregory & Robert Eklund, Councilwoman Flo Loomis, Hwy. Supt. Bill Whitaker, Town Clerk Charlene Wells, Deputy Supervisor Stacey Kazacos, Co. Rep. Meg Kennedy, Residents: Ken Tilley, Edward George, Ray Gorton, Ed Dawyot, Sue Smith, Donald Smith, Barry & Sandra Braunius, Don & Barb Smith, Tonya & Russ Card, Allison Lasher, Malcolm Bloomer, Lenny Melillo, Mike Halpin, Nick Lasher, Victor Lasher, Amanda Woodbeck, Edward Lentz, Pete Chase, Austin McEnroe, Mert Hull, Rich Brimmer, Earl Smith, 2 others

Supervisor Timothy Miller opened the regular monthly meeting at 7:30 PM with the Pledge of Allegiance and a moment of silence. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 5 ayes/0 nays to accept the minutes for the March 16, 2017 regular meeting as written. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 5 ayes/0 nays to accept the minutes for the March 27, 2017 special meeting as written.

A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 5 ayes /0 nays to open bids for sand, crusher run, Item 4, bank run, cobbles and #2 stone as advertised for. From Burrell's Excavating at their 179 St. Hwy. 80, Pittsfield, NY location, prices per yard were \$5.00 for Sand, \$10.50 for Crusher Run, \$4.75 for Item 4, \$3.75 for Bank Run, \$5.75 for Cobbles and \$11.50 for #2 crushed stone. They also submitted prices per yard of \$4.00 for #1 & #2 Round Stone and \$11.50 for #3 Crushed Stone. From Seward Sand & Gravel at their Hoffman Pit, St. Rt.80, Pittsfield, NY prices per yard were \$5.25 for Sand, \$6.25 for Crusher Run, \$4.75 for Item 4, \$3.75 for Bank Run, \$4.75 for Cobbles, \$5.25 for #2 Round Stone and \$8.25 for #2 Crushed Stone. From Parker Excavating, Mt. Vision prices per yard were \$6.75 for Sand, \$10.00 for Crusher Run, \$7.00 for Item 4, \$4.00 for Bank Run, \$7.00 for Cobbles and \$7.00 for #2 Stone. Hwy. Supt. Bill Whitaker noted that when working on the Mt. Vision side of town its saves time and money to utilize the Parker location. He also likes to be able to mix materials to get what he wants. He asked the Board to accept all bids so that he could utilize all three locations. A motion was made by Councilman Joseph Gregory, seconded by Councilman Robert Eklund and carried 5 ayes/0 nays to accept all bid prices for all products from Burrell's Excavating, Seward Sand and Gravel and Parker Excavating, with the understanding that the Hwy. Supt. will utilize the best products for each job, taking into account the prices, quality of the product and travel time to the job site.

A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 5 ayes /0 nays to hire Raymond Gorton as our cemetery and lawn mower for the season at \$11.00 per hour.

Hwy. Supt. Bill Whitaker advised that the Volvo dealer has not come yet to give us a value for the 2008 Volvo. He advised that the NYMIR adjuster has had difficulty getting the information she needs for parts so he has no info on the insurance claim for the two trucks damaged in the snowstorm. The used box that Pittsfield had was sold to Delhi. The costs for the wrecker bill and truck repairs can go under our Winter Storm Stella expenses. He will get the winch ready for Auction International with a \$1200.00 reserve. Supt. Whitaker noted that he spent more money on the 2009 pickup this month for repairs and he would like to get a new pickup and then he could put the 2009 pickup for sale on Auction International. The price he got from Carbone Auto Group of Utica of \$30,133.00 for a 2017 pickup is an extension of the 2016 bid price they gave to Hamilton County and is only good for a little bit longer. Councilman Robert Eklund questioned if we should wait on purchasing a new pickup until after we hear what Tim Hunt of Cazenovia has to say about his replacement program. After further discussion, a motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 4 ayes /0 nays (Councilman Robert Eklund abstained from voting) to purchase a 2017 Chevrolet 3500HD Silverado LWB, 4WD, regular cab pickup truck from Carbone Auto Group of Utica, NY under Hamilton County's bid price of \$30,078.00 plus \$55.00 for cab marker lights for a total cost of \$30,133.00.

Tim Hunt of Cazenovia will be asked to come to the May 9th, 2017 Board meeting to give a presentation of his replacement program. Supt. Bill Whitaker advised that they will be going on four, ten hour days. They will be honing roads soon. He talked with Jordan of Soil & Water about grants for a

salt shed and culverts. It was noted that there is nothing normal about our weather and it's harder to keep culverts open. There will be a safe digging class at Foothills in Oneonta on May 11th.

Edward Dawyot commented that our land values are too high based on what the County paid for the land at the rail yards in Oneonta. He added that he thought that Hwy. Supt. Whitaker was doing a good job trying to keep potholes filled. He felt that the only way to keep them from coming back was to add calcium, wet them down and roll the area. We need to maintain the crown in the roads. Supt. Whitaker responded that they do try to work in rainy conditions because water does help keep the material in the holes. They also have a water truck to use.

Malcom Bloomer of 495 County Hwy. 15 requested that a bigger sluice pipe be placed at the end of Evans Road to help prevent flooding on his property. Whenever there are heavy rains and flooding his driveway on County Hwy. 15 gets washed out. He also gets water in his cellar. He submitted photos showing the damage to his driveway from past flooding events. Each time he is stuck at home until the County gets to fix his driveway. He stated that it would be cheaper to put in a bigger tube at the end of Evans Road than to have to keep on fixing his driveway. Supt. Whitaker advised that he would look into what it would cost to put a bigger tube at the end of Evans Road, a dead end low usage road. Councilwoman Flo Loomis suggested that maybe it should be a joint Town & County project.

Edward Lentz commented that possibly building a new Town/County salt shed if grant funds are available would be worth it, especially to save salt from running down the creek. He added that we need financial planning and that we have too much fund balance and should make plans for its use, not just spur of the moment decisions.

Co. Rep. Meg Kennedy noted that Destination Marketing will help provide advertising opportunities for the winners of the Community Events grant. She advised that she is now on their Board. The County has a Strategic Plan Implementation Committee. The Strategic Plan is on the County website. All towns in the County have the same issues and developing economic activities is a high priority. The Soil & Water Conservation office has 100 loads of hydro seeding material for roadside projects available on a first come-first serve basis. No new Emergency Services Coordinator has been hired yet. There is no information yet on the Governor's initiative on shared services between the County and Towns. Councilman Robert Eklund noted that Co. Rep. Kennedy should try to attend a meeting between Faso & Seward that was upcoming.

Land Use Enforcement Officer Tom Riso noted that new activity has been very slow.

Lenny Melillo presented the Garrattsville Fire Company's quarterly report. In January 2017 they put in 89 man hours on calls and 81.5 hours on training/maintenance. In February 2017 they put in 115 man hours on calls and 85 hours on training/maintenance. In March 2017 they put in 65 man hours on calls and 80.5 hours on training/maintenance. He noted they also help out the Town Highway Dept. by responding to downed tree calls, flooding calls, etc. He noted that the Board should make sure they read their entire insurance policy and ask questions especially since we changed carriers and agents. The Fire Dept. is again upset by the Supervisor's newest findings that the Town Board should have more control and responsibility over the Fire Dept. The items in the presentation that came from the Association of Town's Conference could end up costing the town more money, but Lenny added that the Fire Dept. already complies with most of the issues addressed. They have equal insurance to the Town and were upset by the implication that there could be fraudulent use of the contract funds. Attorney Martin Tillapaugh had reviewed the information and felt that most issues could be addressed by drafting a new contract which is more specific. Supervisor Timothy Miller commented that the new information shows that the Town has a lot of liabilities because of the fire department. He stated that we have a responsibility to the tax payers to make sure we are protecting the Town's interest and there should be more financial transparency. Capital planning on the part of the Town should also include the fire department's future plans for equipment. In the absence of Fire Commissioners, the Town Board becomes responsible for the Fire Department according to the previous determination that the Fire Department was formed with approval of the Town Board. Edward Lentz has reviewed the forming documents and noted the Garrattsville Fire Company was formed as a private corporation by citizens which required the consent of the Town Board. He added that issues should be verified and perhaps a

mediator could be brought in. He felt that the Town needs the fire department to keep the level of coverage that we now have and that the members put in countless hours trying to keep up with State requirements. Supervisor Miller stated that he appreciates all of the time the members put in, but he also feels the Town has to comply with all of its responsibilities in regards to the fire department. Councilman Robert Eklund felt that the rules for calling an executive session were not followed properly when the Board was told about the new information about the Town's responsibilities over the Fire Department. He doesn't feel that the Town Board has to take over control and they don't have the knowledge to do so. He doesn't want to see a conflict between the Town Board and the Fire Department. He noted that there are many families who have had several generations involved in the fire department and he appreciates all of the time they put in and their commitment to the community. Councilwoman Flo Loomis added that she was sorry to be back to a conflicted relationship and felt that there has never been any issue with any mistrust or abuse of funds. Keith Woodbeck commented that they do most everything already, but feels that Supervisor Miller wants more from them. He noted that he and Lenny had to personally sign when the Fire Company purchased their new truck.

Upon the recommendation of Attorney Martin Tillapaugh, Supervisor Miller set up a committee to work on drafting a new fire contract that covers all liability issues he learned about at the conference. He will serve on the committee along with Councilman Joseph Gregory and Deputy Supervisor Stacey Kazacos. Lenny Melillo will serve on the committee and get a few other fire department members. Deputy Supervisor Stacey Kazacos commented that where we may not be at a good starting point, no battle lines should be drawn and he is confident that we can negotiate all issues. With the fire contract being 10% of the Town budget the Town wants and needs accountability. State Comptroller Thomas DiNapoli has just announced a proposal to change legislation that would require any incorporated fire company to submit an itemized statement of estimated costs prior to contract negotiations to provide more transparency of how taxpayers' funds are spent.

Councilman Robert Eklund noted that the Capital Planning Committee is gathering information. They want to hear about Cazenovia's vehicle replacement plan to see if we could use any or all of it. Councilman Joseph Gregory submitted an idea to replace problem culverts with larger sizes, cutting salaries to cover the expense. The Grants Committee is talking with the County to get their thoughts on a combined Town/County salt shed if grants were available to build one. A second estimate of approximately \$9400.00 was received for replacing the large meeting room floor.

We received notice from the NYSDOT about the culvert repair on St. Hwy. 51 in Garrattsville. The road will be closed after the 4th of July, for up to four weeks. The official detour route will be Co. Hwy. 12 to Co. Hwy. 14 to Co. Hwy. 16. A temporary crossing at the site will be available for the ambulance only.

We received notice from the NYS Dept. of Agriculture and Markets that our DCO Elizabeth Fish has passed her inspection with them.

The County is providing planning training on April 12th. Councilwoman Flo Loomis advised that she was planning on attending as was Matt Palmer from the Planning Board.

The Board met prior to the meeting to review the bills. A motion was made by Councilman Joseph Gregory, seconded by Councilwoman Flo Loomis and carried 5 ayes /0 nays to pay General Fund Bills #74 through #86 for a total of \$1,690.57 and Highway Fund Bills #57 through #73 for a total of \$22,337.84. General Fund Bills #69 through #73 and Highway Fund Bill #74 for a total of \$8,868.13 were paid with prior Board approval. The Supervisor's monthly report was submitted to the Board.

With no further revisions being made to the solar energy farm regulations, a motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 5 ayes /0 nays to hold a 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 Local Law # 1 of 2011, at 7:15 PM on Tuesday, May 9, 2017.

The leaning post of the backstop in the Community Park was never fixed last year. Hwy. Supt. Bill Whitaker advised that they would take a look at it.

Deputy Supervisor Stacey Kazacos is working on getting a work date for preparing the trail in the Texas State land for June. We will get some publicity once we get an exact date. Volunteers will have to sign a form and parents will have to sign a consent form for minors to participate.

The amount of the Justice Court Grant was actually \$7,339.20. We had budgeted for \$6,500.00. A motion was made by Councilman Joseph Gregory, seconded by Councilman John Pegg and carried 5 ayes/ 0 nays to increase A1110.2 Justice Equipment & Capital Outlay to \$7,339.20 and to increase A2770 Unclassified Revenue to \$7,339.20. The Town Board contractual account was overspent by conference expenses. A motion was made by Supervisor Timothy Miller, seconded by Councilman Robert Eklund and carried 5 ayes/0 nays to increase A1010.4 Town Board Contractual by \$140.80. Transfer from Contingent Account #A1990.4.

Edward George advised that there is a blown street light near the intersection in Garrattsville. He asked if the army generator we had purchased was ever set up. Hwy. Supt. Bill Whitaker advised he is still working on it. Edward Dawyot commented in regards to the Town Board/Fire Dept. issue that we should try to reduce the redundancy of paperwork and keep any extra work to as minimal as possible.

With no further business, a motion was made by Councilman Robert Eklund, seconded by Councilman John Pegg and carried 5 ayes/0 nays to adjourn at 9:40 PM.

Charlene R. Wells, New Lisbon Town Clerk