

NEW LISBON TOWN BOARD---AUGUST 10, 2021—7:00 PM NEW HWY. GARAGE PROPOSAL—TOWN HALL, GARRATTSVILLE

Present: Supervisor Edward Lentz, Councilwoman Nancy Martin-Mathewson, Councilwoman Flo Loomis, Councilman Brian Ryther, Hwy. Supt. Donald Smith, Town Clerk Charlene Wells, Land Use Enforcement Officer Tom Riso, County Rep. Meg Kennedy, Assessor Pamela Dyn-Gohde, Residents: John VanDine, Bob & Nancy Biederman, Matthew Palmer, Kristina Brett, Rich Brimmer, Dauna Osborne, Mike Maerz, Peter Martin, George & Arlene Martin, Glen Noto, Mike & Wendy Tennant, Amber Marble, Edward George, Joe Gregory Absent Councilman Bill Whitaker

Supervisor Edward Lentz explained the problems with the current hwy. garage including a leaky roof, mold, sketchy electric, ineffective heating, inadequate size, questionable well and septic, and ineffective air exchange. A new garage, with a life expectancy of 50 plus years, would be 9800 square feet and have a height of 24 feet, so that trucks could be worked on safely. Ten years ago, a new garage was estimated to cost about \$1.5 million. The grant we received from the USDA of \$700,000.00 is based on the estimated cost of \$2.75 million. The loan we would get from them would be at 2.25% interest for 25 years. The most we could get a loan through a bank is ten years. John VanDine questioned why the preliminary estimate we had of \$2.2 million went up to \$2.75 million. We did not add anything to the project, the increase was made by a different engineer based on their estimates, with the increase in the cost of building materials partly also a likely cause of the increase. Bob Biederman questioned on who would oversee the project. Delaware Engineering will prepare the bidding documents and help us through that process. We would have them or another professional firm oversee the construction. We have to follow all state rules and will have to pay prevailing wages for all services. We would anticipate a 2023 construction date.

The loan payment for the new building would be \$105,000.00 per year. It would be paid for by raising taxes and using unassigned fund balance. The Town Board has set a goal of keeping \$80,000.00 in General Fund Unassigned Fund Balance and \$160,000.00 in Highway Unassigned Fund Balance for emergencies. Supervisor Lentz showed how with estimates of projected budgets, we would have a 4% tax increase in 2022 and 2023, 3% in 2024 and 2% each year after that. We have also earmarked \$75,000.00 in our savings toward the expense of the building. Using projected budgets, he estimated that a person with a \$100,000.00 assessment would be paying an increase of \$26.21 the first year and an increase of \$93.55 over five years. A person with a \$250,000.00 assessment would be paying an increase of \$65.53 the first year and an increase of \$233.87 over five years. He noted that these are preliminary estimates and may change as new data comes in but probably not by very much.

If the new highway garage proposal does not go forward, we would have to look at fixing all the problems with the current garage to make it a safe place to work. Delaware Engineering has estimated the cost for everything we need to do at \$550,000.00. We would only be able to get a 10-year loan at about 2.75% interest which would be a payment of \$64,000.00 per year. The necessary repairs would give us another 10-20 years out of the building, but would not include increasing the size. There may be more issues found in the old garage when it is torn apart for repairs. Supervisor Edward Lentz commented that he did not want to see us put off building a new garage like was done ten years ago when we had problems, because the cost keeps going up. Besides the loan for the repairs, he suggested that we would also have to start saving at least \$50,000.00 a year to put towards the cost of an eventual new garage, which would give us a million dollars in 20 years. Based on a \$100,000.00 assessment, over a five-year period the estimated increase in taxes would be \$62.46 for repairs or \$93.55 for a new garage. Based on a \$250,000.00 assessment, over a five-year period the estimated increase in taxes would be \$156.14 for repairs or \$233.87 for a new garage. (The estimated increase for repairs does not include funds for starting a building reserve).

There were questions from the floor about changing the size or design of the project. Hwy. Supt. Donald Smith noted that the rectangular shape with one roof slope would be the cheapest to build and maintain. The \$700,000.00 grant and low-cost loan from USDA can only be applied to the project that we originally proposed to them. We cannot get exact building costs until we bid, and we don't want to pay for bid documents until the project is approved by the voters. The proposition, drafted by our Town Attorney, will be on the November 2, 2021 election ballot. Supervisor Edward Lentz will put his presentation on our website and the Board will continue to hold informational meetings before each monthly meeting. With no further discussion on the hwy. garage proposal, this section of the meeting was closed at 8:34 PM.

NEW LISBON TOWN BOARD—AUGUST 10, 2021—REGULAR MONTHLY MEETING

Present: same as above (minus some of the residents who left after the hwy. garage presentation)

Supervisor Edward Lentz opened the regular monthly meeting at 8:35 PM. Assessor Pamela Dyn-Gohde commented that New Lisbon roads are better than the roads in the other towns she works in. She also noted that if an employee gets hurt or killed in our old hwy. garage, the Town would be facing an insurance settlement cost more than the cost to build a new garage. A motion was made by Councilwoman Flo Loomis, seconded by Councilwoman Nancy Martin-Mathewson and carried 4 Ayes/ 0 Nays to accept the minutes for the July 13, 2021 regular monthly meeting and August 2, 2021 special meeting as drafted.

Hwy. Supt. Donald Smith advised that they did paving on Goddards and Jones Roads yesterday, doing more than they had thought they would, so the cost will be higher than estimated. The excavator had a hydraulic leak which he had Cat come out and fix. It is hopeful it will be under warranty as there was a bulletin on this issue. The 2009 Freightliner will be going to Latham for a transmission issue after they get the starter fixed. He also noted the 2017 pickup is having power steering issues, which he hopes he will have resolved before winter. They are waiting on a part to fix a bearing on the mower. The new Freightliner has been ordered, with hopeful delivery by late next fall. Repair costs through July 2021 were at \$14,700.00 compared to \$22,700.00 last year. The cost per mile of the plow trucks is at \$.76 per mile compared to \$1.33 last year. A reimbursement claim was sent in for CHIPS funds. Another round of dust control has been completed. Mr. Tuthill did not want his property used to change the intersection of Myers Mill Road and St. Hwy. 51, so it will not be pursued at this time. A highway inventory list has been received from the NYSDOT. Supt. Smith will review it to make sure it is accurate. It was noted that Myers Mill bridge and Bell Hill bridge are both likely to need replacement in the near future. We will have to find the money for replacement or be prepared to close them. Supervisor Edward Lentz commended how the town highway departments in the area help each other out, not only with the recent emergency flooding issues, but also doing paving projects.

Wendy Tennant & Amber Marble of Allen Road addressed the Board concerning the Cannabis Art & Music Festival being planned by George Knarich for September 24-26, 2021. The landowner, Malti Mehta, doesn't want the event on his property. They have had to endure the event the last two years in their area and feel that the residents don't deserve all the chaos it brings. They do not feel safe with people (and all kinds of drugs) all over the area, but do not feel they can leave their homes unattended and the place has been left with garbage thrown all over each time.

Ed George asked if the town can use "eminent domain" to use the land to change the intersection of Myers Mill Road and St. Hwy. 51. It may be possible, but will not be pursued at this time. Glen Noto thanked Supervisor Edward Lentz for his presentation on the new highway garage and asked if he could put his presentation on the town website so he can look at it further. Supervisor Lentz will get it put on the town website. Mr. Noto also asked about getting help to clear out some trees that came down in the stream by his house in the recent flooding. Hwy. Supt. Donald Smith will go and look at the situation as we may be able to get Soil & Water to help out because these trees are out of our right of way, but they could cause a problem with our culvert in a future rain event.

County Rep. Meg Kennedy reported that the Codes Office has heard from the bank holding the mortgage on the 644 Gardnertown property and that they have agreed to spend about \$5,000 to clean up the property and remove debris and garbage. The County has approved the purchase of two ambulances for \$484,000.00 using funds from the American Rescue Plan. The preliminary plan is to have them based at the Meadows and be able to help out around the County once staffed. One idea being considered is adding an EMS user fee of \$40.00 per tax bill to cover the staffing expense. Supervisor Lentz noted that he was glad that the County was doing something to help out the volunteer EMS providers. The County Board has unfrozen the spending freeze and hiring freeze. With the Baseball Hall of Fame's Induction Ceremony being on Wednesday, September 8th, the County is working on ways to cut down the number of employees working at the office building by having some work from home and others getting out early because of the anticipated increase in traffic. Co. Rep. Kennedy handed out copies of the Land Bank's newsletter.

Land Use Enforcement Officer Tom Riso noted there were seven more locations with projects which will help increase our total town assessment. The CSC Committee is moving along, with their next meeting to be held in September. No second quarter FD report was received. Supervisor Edward Lentz

noted that he has prepared the RFPs for the Town Hall roof repairs and the Highway Storage (Morton) Building roof repairs which will be posted to be returned by our September meeting. Reese-Marshall submitted a bid of a 19-cent differential for unleaded gas, which they mistakenly forgot last month. It is the same as we paid under the last contract. A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilman Brian Ryther and carried 4 Ayes/ 0 Nays to accept the 19-cent differential bid for unleaded gas from Reese-Marshall. Dr. Ben Friedell has agreed to be a Medical Consultant for our Health Officer Theresa Berdon, at no cost to the Town. The Gravel Grinder Bike Race will be October 2nd, with the home base being the Butternuts Brewery. The Butternut Valley Alliance is sponsoring a cleanup of Calhoun Creek, by the Morris Central School on Saturday, August 21st at 9:30 AM.

George Knarich dropped off an application for a Public Assemblage Permit for his planned NY Cannabis Arts & Music Festival to be held September 24-26, 2021 at 397 County Hwy. 15, but he did not stay at the meeting. He submitted plans for providing porta johns, water, trash removal and private security. His site map showed an area for overflow parking, but no plans were submitted on where and how he plans on parking vehicles for the estimated 2500-3500 attendees. He did not list the landowner on his application and did not submit an approval letter from the landowner as was requested of him. The Town has received notice from the landowner, Malti Mehta that he does not want the festival to take place on his property and asked for the Town's help in stopping it. Supervisor Edward Lentz will send Mr. Knarich a letter advising that his application is incomplete and what additional items are needed for the Board to be able to consider issuing a permit.

Due to legal issues, the subdivision approved in March 2021 for Butternut Valley Environmental/Holly Hilary did not get filed in time. They are asking for an extension of the approval so they can file the subdivision. A motion was made by Councilman Brian Ryther, seconded by Councilwoman Nancy Martin-Mathewson and carried 4 Ayes/ 0 Nays to issue an extension of the subdivision approval on Subdivision #1-21 for Butternut Valley Environmental/Holly Hilary on tax map #142.00-2-26.01 until October 11, 2021.

Gary Fenstermaker of Coyote Hollow Park has asked if he can change the location of his four approved tent sites due to what he now feels are unsuitable sites. Planning Board Chairman Matt Palmer felt as long as they were in the area proposed for the campground it would be okay. Supervisor Edward Lentz asked for a diagram of the new proposed locations. After review of his submission, a motion was made by Councilwoman Flo Loomis, seconded by Councilwoman Nancy Martin-Mathewson and carried 4 Ayes/ 0 Nays to allow Gary Fenstermaker of Coyote Hollow Park to change his proposed location for four tent sites which were originally approved October 13, 2020.

Town Justice William Burdick submitted his resignation effective today due to personal reasons. He was not running for re-election. A motion was made by Councilman Brian Ryther, seconded by Councilwoman Flo Loomis and carried 4 Ayes/ 0 Nays to accept the resignation from William Burdick as Town Justice with thanks for his service to the Town. Supervisor Edward Lentz noted that we can appoint an attorney who lives in town to fill the vacancy, or we can appoint a non-attorney person who would not be able to serve until after they take training in December (the term expires 12/31/21), or we can ask the NYS Court Administration to appoint another justice to cover our court. After discussion, it was agreed that the Supervisor will ask the NYS Court Administration to appoint another justice to cover our court for the remainder of 2021.

Supervisor Edward Lentz has proposed an amendment to our Procurement Policy in regards to Professional Services. Even though professional services are exempt from bidding requirements, Supervisor Lentz felt we should have some guidelines to help us in our selection of professional services, as recommended by the NYS Comptroller's Office. A motion was made by Councilwoman Flo Loomis, seconded by Councilman Brian Ryther and carried 4 Ayes/ 0 Nays to amend our Procurement Policy to add guidelines for Professional Services as drafted.

Review of the monthly financial reports show that we are on track with our budget. The Board reviewed the bills and a motion was made by Councilwoman Flo Loomis, seconded by Councilman Brian Ryther and carried 4 Ayes/0 Nays to approve paying General Fund bills #142 through #152 for a total of \$3,523.64 and Highway Fund bills #88 through #97 for a total of \$12,520.86. Supervisor Lentz paid General Fund bills #139 through #141 and Highway Fund bill #98 for a total of \$5,007.91 with prior Board approval.

COVID cases are on the upswing again and the Board discussed how it would affect the Town Hall. After discussion, a motion was made by Councilman Brian Ryther, seconded by Councilwoman Nancy Martin-Mathewson and carried 4 Ayes/ 0 Nays to leave the Town Hall open, but to follow all CDC

guidelines that would apply to us. Therefore, at this time all persons in the town hall are required to wear masks. Annual audits will be completed by Councilman Brian Ryther-Justice office, Councilwoman Nancy Martin-Mathewson-Town Clerk/Tax Collector office and Councilwoman Flo Loomis-Supervisor's office.

Supervisor Edward Lentz proposed that we would have our 2022 Tentative Budget meeting on September 21st,2021. We would hold a public hearing on the 2022 Preliminary Budget on October 12th,2021 a public hearing on a local law to exceed the tax cap on October 12th,2021 and the Final 2022 budget would be adopted at the November 9th,2021 regular monthly meeting. He also noted that our annual training on Sexual Harassment Prevention is due in the fall. With no further business, a motion was made by Councilwoman Flo Loomis, seconded by Councilman Brian Ryther and carried 4 Ayes/0 Nays to adjourn at 9:57 PM.

Charlene R. Wells, New Lisbon Town Clerk