

NEW LISBON TOWN BOARD—SEPTEMBER 10, 2024---7:00 PM PUBLIC HEARING ON PROPOSED LOCAL LAW #2—TOWN HALL

Present: Supervisor Edward Lentz, Councilman Scott Fickbohm, Councilwoman Nancy Martin-Mathewson, Councilwoman Laura Curtis, Councilman Brian Ryther, Hwy. Supt. Donald Smith, Justice Glen Noto, Town Clerk Charlene Wells, Residents: Karin Catania, Keith Begany, George Knarich, Stacey & Jeanine Kazacos, Melaina & Keith Woodbeck, Warren Ryther, Flo Loomis, Bill & Sandra Kaster, John VanDine, Peter Martin, Nancy Moen, Beth Worden, Brad Marro, Bruce Page, Kayla Atcher, 3 others

Supervisor Edward Lentz opened the public hearing on proposed Local Law #2 of 2024, a local law prohibiting the accumulation of garbage and junk at 7:00 PM. He noted that the reason that the Board started working on the proposed law years ago was because complaints about garbage and junk are the most numerous complaints we get. He has been sending letters to people to ask them to clean up their property when a complaint is received. Sometimes it works and other times the letter is totally ignored. Trying to get the NYSDEC and the Otsego County Code Enforcement Office to help out with cases has not been very successful. Junk vehicles are not included in this law because NYS law only allows two unregistered vehicles on a property. The purpose of the proposed law is to handle and clean up visible eyesores/safety hazards pertaining to garbage and junk which will help to maintain property values.

Jeanine Kazacos asked about considering adding hazardous waste to the proposed law as that could be a problem. Supervisor Edward Lentz noted that we had never had a call on hazardous waste and doesn't think there would be any large quantities in the town. Peter Martin questioned what happens if a person has limited finances and can't pay to get rid of stuff. Supervisor Lentz noted that the Board had discussed this, but the Town could only help locate possible resources, but can't pay for individual junk/garbage removal. Town Attorney Michelle Kennedy advised against putting a cap on the fine, as when people reach the cap, they could continue to hoard garbage and junk with the town having no recourse. Keith Begany suggested the town do a clean up day with dumpsters for items. Supervisor Lentz felt that this could be expensive, but the Board could look into it further. Sandra Kaster noted that we shouldn't just assume that a garbage pile up is just the property owner's stuff. The situation near them had the person taking in junk from other places. It was noted that surrounding properties lose value if they are situated near junk and garbage piles. George Knarich questioned joining in with Morris or getting our own transfer station. Beth Worden noted that there are grants to help with clean up and she would be willing to share what she had learned with the mess she has been cleaning up. Brad Marro suggested the town should have options to help people who can't afford to dispose of stuff or don't have a vehicle to transport it to the proper places. Bruce Page felt like the law would be abused by neighbors. He further noted that he was unhappy with a dog case he was involved in. Nancy Moen questioned about having generational junk to get rid of being a problem as it could add cost to land purchases. John VanDine noted that a seller would have to disclose any junk being left on the property. Keith Woodbeck questioned what happens if the landowner does nothing to clean up the garbage/junk. Supervisor Lentz advised that the town justice could scoff their driver's license or issue a bench warrant for their arrest. Karin Catania asked if this law was a form of zoning and if the public could vote on it. Supervisor Lentz advised that it was not zoning and it was not an issue that can be voted on. Glen Noto suggested that perhaps hazardous waste should be considered so there is no gray area. Peter Martin questioned what if someone dumps junk on someone else's property. Unfortunately, the landowner would be responsible for cleaning it up. If any names can be found, the NYSDEC might help catch the culprit. John VanDine commended the Board for bringing this proposed law forward as everyone's biggest asset is their property and the best vision for the town is for it to be well kept to attract new residents. George Knarich noted that dumping on other's property is an issue with vacant land. The landowner would be the one to get the letter to do the cleanup. Councilman Brian Ryther noted that taking care of garbage/junk is a part of life like brushing your teeth. He can see junk from all parts of his property and he would like to see things cleaned up. Nancy Moen questioned about cars. This law doesn't cover cars because there is a NYS law which only allows two unregistered cars on a property. Keith Begany questioned if someone who calls in a complaint can remain anonymous so it doesn't start a neighborhood feud. Supervisor Lentz was not sure if the person would remain anonymous, maybe if the land use officer was the one investigating and found the situation. Bruce Page felt a person should be able to face their accuser in court. With no further comments, the public hearing was closed at 8:00 PM by Supervisor Edward Lentz.

NEW LISBON TOWN BOARD—SEPTEMBER 10, 2024—REGULAR MONTHLY MEETING

Supervisor Edward Lentz opened the regular monthly meeting at 8:00 PM. A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilman Scott Fickbohm and carried 5 Ayes/ 0 Nays to accept the minutes for the August 13, 2024 regular monthly meeting as drafted.

Hwy. Supt. Donald Smith advised that the trucks are doing okay, with their annual service appointments due soon. The 2019 needs tires as do the pickups. On the new garage, overhead doors were repaired, a light fixture is to be fixed this week, a Wi-Fi extender is due to be installed next week and the few other items, including sealing between the wall panels and the block wall, can be considered warranty work. They are continuing to tear apart the old garage. To avoid price increases next year, Hwy. Supt. Donald Smith would like to purchase stone for his CHIPS projects for next year, including Jacobson Road, Buck Schoolhouse Road and aprons. He got a price of \$52,120.00 from Heidelberg and \$51,735.00 from Carver. A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilman Scott Fickbohm and carried 4 Ayes/ 0 Nays (Councilwoman Curtis had left the room) to authorize the Hwy. Supt. to purchase stone for next year's CHIPS projects from the low bidder, Carver, at \$51,735.00.

Mower Max will be bringing out a demo machine to look at. Supt. Donald Smith advised that he got an estimate of \$31,230.00 for cleaning and painting the steel on Turnbull Bridge. It will cost about \$15,000.00 for deck lumber which they will install themselves. The paving will be an extra cost. Robert Myers has joined the Highway Dept. There will be a Snow & Ice class in Cooperstown next week. Councilwoman Nancy Martin Mathewson reported that 2024 equipment repairs were at \$31,250.00, compared to \$31,000.00 in 2023 and \$14,000.00 in 2022. The mileage expenses for trucks are \$2.80 for the 09, \$1.34 for the 2018, \$1.13 for the 2019 and \$1.39 for the 2023.

Supervisor Edward Lentz noted that the new highway garage was working well and only a few items are left to fix, which the contractor will complete as warranty work. He prepared a final acceptance of the garage and approval of the final payment resolution for the Board to consider. A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilman Scott Fickbohm and carried 5 Ayes/ 0 Nays to adopt Resolution #4 of 2024, to accept the new highway garage and authorize the final payment to the contractors.

County Rep. Meg Kennedy was not present due to her attendance at a conference. DCO Keegan Holt was not present but submitted his report that he had done phone calls on dog licenses not renewed and picked up a stray dog on Myers Mill Road.

Town Councilwoman Nancy Martin-Mathewson advised that we received the check for the \$10,000.00 NYSERDA grant. She will be meeting with a person about getting an estimate for heat pumps for the town hall next week. Scott Fickbohm reported that Will Lasher will finish cleaning the town hall and fix loose siding. He hasn't located any caps for the playground yet. He fixed minor items he had found in the park. He will get prices for a new playground sign and discuss possible upgrades during the budget process. Councilwoman Laura Curtis is considering resigning and will have to submit a letter of resignation to the Town Clerk. The Board can appoint a replacement who would serve until December 2025. If anyone is interested in being appointed as a Town Councilperson, they should let the Supervisor know. The US Semiquincentennial is in 2026 and if anyone wants to start a local celebration they should start thinking about it.

Lenny Melillo reported that the Fire Dept. had their best barbecue in years. They ran out of chicken at the end of the day and the turnout was great. Supervisor Edward Lentz had made a chart of grants and CHIPS funds the Town had received since 2018. We have received \$1,017,700.00 in grants and \$1,955,141.00 in CHIPS funds. Notice was received from the NYS Dept. of Agriculture and Markets that the Susquehanna SPCA passed their inspection as our dog shelter. We received notice from the Susquehanna SPCA that starting in 2025 they will charge an annual fee in addition to the rates per dog taken in. Based on population, our annual fee would be \$2,500.00. The Board will consider looking for other options for our shelter services due to the big cost increase.

A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilwoman Laura Curtis and carried 3 Ayes/ 0 Nays/ 2 recusals (Councilman Fickbohm and Councilman Ryther) to transfer \$250.00 from A7110.4 Parks to A1010.14 Facilities Committee. A motion was made by Councilwoman Nancy Martin-Mathewson, seconded by Councilwoman Laura Curtis and carried 5 Ayes/ 0 Nays to transfer \$250.00 from A7140.4 Playground to A1910.4 Insurance and to increase A 5132.4 Hwy. Garage Contractual by \$2,000.00 taken from fund balance. The Board reviewed the bills prior to the meeting. A motion was made by Councilman Scott Fickbohm, seconded by Councilman Brian Ryther and carried 5 Ayes/ 0 Nays to approve paying General Fund bills #163 through #174 for a total of \$2,942.99

and Highway Fund bills #96 through #104 for a total of \$19,146.11. Supervisor Lentz paid General Fund bills #157 through #162 for a total of \$19,201.24 with prior Board approval.

The Board discussed the proposed Local Law #2, Prohibiting the Accumulation of Garbage and Junk. They felt there was a good turnout at the public hearing with good comments and no major objections. Councilman Brian Ryther suggested that hazardous waste being added or excluded be considered. Councilman Scott Fickbohm noted he thought they should leave hazardous waste out of the proposed law and consider it separately if needed in the future. Councilwoman Nancy Martin-Mathewson felt that the Board had worked hard to make a usable law that would help to protect property owners. The Board will look into ways to help property owners including a transfer station and large bin days as several comments were in favor of helping residents to take care of garbage and junk if they couldn't do it on their own. A motion was made by Councilwoman Laura Curtis, seconded by Councilwoman Nancy-Martin Mathewson and carried 5 Ayes/ 0 Nays to adopt Local Law #2 of 2024, Prohibiting the Accumulation of Garbage and Junk. The law will be effective upon filing with the Secretary of State.

The Board will hold the 2025 Tentative Budget meeting at 7:30 PM on Tuesday, September 24, 2024 at the Town Hall.

George Knarich commented that he felt that the Board listened fairly to what the public had to say. Brad Marro commented that he would like to see the Board come up with ways to help those people who need help with regards to garbage/junk disposal.

With no further comments or business, a motion was made by acclamation to adjourn at 8:57 PM.

Charlene R. Wells, New Lisbon Town Clerk