

**TOWN OF CONESVILLE
TOWN BOARD MEETING
MINUTES
Conesville Town Hall
February 14, 2022 7:00 PM**

Roll Call:

- a. **Council Persons:** Bill Federice - Present, Carl Fancher - Present, Laurel Mattice - Excused, Robert Proudman - Present, Kelly Smith - Present.
- b. **Officials:** Carrie Sutton - Present, Richard Irwin - Present, Marie Stuber - Absent, Diane Williams - Present, William Amend - Present.
2. **Pledge of Allegiance**
3. **Board Meeting Live Streaming Policy** - Town Clerk read the attached streaming policy. A motion was made by Carl Fancher and seconded by Kelly Smith. Motion passed and the policy was adopted.
4. **Privilege of the Floor**
 - a. Fred Ruckel - Brief introduction of the Conesville Corner newsletter he has begun publishing and an invitation to members of the community to contribute as well as making mention of the business directory on the website he built, encouraging the community to utilize that function.
 - b. Amanda Ross - Wished to thank the highway department for their efforts after the ice storm we had. This was followed up with a question regarding the newsletter and under who's authority it was being published and distributed. She stated that she had multiple phone calls over the weekend asking who had created the newsletter. This prompted a brief exchange with Mr. Ruckel relating to ways she felt would make it clearer that the newsletter was from him, and not the Town as an entity.
 - c. Brian Ross - Mr. Ross also had comments regarding the news letter and the perceived ambiguity of the sender.
 - d. Lance Fancher - Mr. Fancher also had comments relating to the newsletter he received. He stated that he did not wish to receive another in his mailbox. This prompted a brief exchange with Mr. Ruckel.
5. **Minutes: December 27, 2021, January 3, 2022, January 10, 2022, January 25, and January 31, 2022.** - The minutes from the afore mentioned meetings were reviewed and Kelly Smith made a motion to accept the minutes. This was seconded by Robert Proudman, motion carried.
6. **Assessor's Report**
 - a. **Marie Stuber** - Provided written report relating to the agricultural lease renewals which she says have not yet been turned in and are due by the 1st of March. She also discussed the STAR exemptions and valuation updates scheduled for 2023.

7. Code Enforcement Officer's Report

- a. **Richard Irwin** – The CEO issued one certificate of occupancy, once certificate of compliance, and conducted two inspections in the month of February. A large amount of time has also been spent reviewing open cases. There are currently 31 open cases, 14 incomplete, and 8 expired permits that never requested final inspection. These will be addressed as the weather gets warmer.

8. Town Clerk's Report

- a. **Carrie Sutton** – There were five dog license renewals totaling \$30 and one building permit renewal for the amount of \$50.

9. Town Tax Collector's Report

- a. **Diane Williams** – Tax collector provided the following information: there are currently 25 zero amount tax bills, 290 unpaid bills, 2 partially paid bills, and 1014 fully paid bills. Total amount collected to date: \$1,364,881.09 with \$401,449.18 outstanding.

10. Sewer District Operator's Report

- a. **Travis Castle** – Sewer plant operator position is now being filled by Travis Castle who provided a written report. In the last month there was a daily flow of 3,312 gallons. The replacement transfer switch still has not arrived but should be here in the next two weeks. The two pump failures due to a buildup of grease or biofilm was also mentioned. There are spare pumps ordered to have on hand should this issue persist. The NYSDEC SPEDES report has been completed, signed and submitted. Titan Well Drilling was scheduled to install the potable water system on February 2nd.

11. Highway Superintendent's Report

- a. **William Amend** – First report as highway superintendent. Spoke to the crew removing ice during the storm and the extended hours the crew worked. He also discussed the clumping issue that they had experienced with the sand and expressed his desire to see the board approve the transition to the Washed B which would minimize

clumping and not only be more convenient, but also safer for the highway crew to use. Mr. Amend also wanted to take the time to thank the former highway superintendent for having taken the time to help him with the transition over the past two weeks. There was some concern over several culverts on Bates Church Rd and although a short term fix was done, they will need to replace several in the spring when the ground thaws.

12. Supervisors County Report

- a. Bill Federice – Sale of Former Public Safety Building, Industrial Wind and Solar Project Update and Strategy** - With regards to the former public safety building, the county has been attempting to sell for several years, they are now actively seeking reuse proposals. The hope is that a candidate with a feasible plan for the property will come forward and that the county can help facilitate the transfer of ownership and possibly even help arrange some grant funding should the interested parties need more funding. On the update of the solar project update, Mr. Federice provided information about the acreage currently being looked at for solar farms in the county, and then provided a brief explanation of the resolution the county has put forward to the towns for approval. It will establish a uniform set of fees and contracts for those companies seeking to scope areas for suitability, which will obligate at least a specific dollar amount to the towns in question, just for making formal inquiries and surveys as they are extremely resource consuming. Supervisor Federice made a motion to accept the resolution which was seconded by Mr. Kelly Smith. A roll-call was taken and Councilman Fancher, Proudman, and Smith all responded Aye as did Supervisor Federice. Councilwoman Mattice was not present.

13. Town Business

- a. Supervisor's November and December Financial report – Kelly Smith made a motion to accept the Supervisor's financial report. This was Seconded by Robert Proudman. Motion Carried.

- b. Short Term Rental Regulations – This was a brief discussion of what are required of towns where short-term rental properties exist. Moving forward the town will look at writing some local guidance for those looking to let out their property, including things such as annual inspections.
- c. DEP Resolution Request – This resolution was regarding the DEP posting no hunting signage 500 feet from the property at 396 Culkins Road. Supervisor Federice made a motion to accept the resolution which was seconded by Mr. Robert Proudman. A roll-call was taken and Councilman Fancher, Proudman, and Smith all responded Aye as did Supervisor Federice. Councilwoman Mattice was not present.
- d. CEO Interview Scheduling – The town will be conducting interviews for the position of Code Enforcement Officer at a special session on the 24th of February at 7:00 pm.
- e. Audit Update Document – There will be a review of the Audit Update Document at the special session on the 24th of February at 7:00 pm.
- f. JCAP Grant Update – The Justice Court Assistance Program grant which Justice Durkin submitted for will provide the town with half the funding for an updated heating and cooling system, new floors, and cypher locks for the doors. The town will have 180 days to use the funds provided or return them.
- g. Highway Employee Retention Bonus – Supervisor Federice proposed the dissolution of regular part time highway department positions, while leaving room for on-call part time positions and maintain four full time positions. The funds that have historically have been used to pay the regular part time employees will be added to the current \$2,000 annual retention bonus received by the full-time employees, and that bonus will be raised to \$10,000. Supervisor Federice made a motion to accept this proposal, Carl Fancher seconded the motion. Robert Proudman, who had voiced his disagreement with the plan prior to the vote, stating that the hourly wage is what should be raised abstained from voting.

- h. Town Historian Appointment – Supervisor Federice proposed the appointment of Kimberly Young to the position of Town Historian. A motion was made by Robert Proudman and was seconded by Carl Fancher. Motion Carried.
 - i. Board Member Input – N/A
 - j. Judges Annual Report – Motion was made by Carl Fancher to accept the Judges annual report, this was seconded by Robert Proudman. Motion Carried.
 - k. Review Invoice – A motion was made by Kelly Smith to review the invoices which was seconded by Supervisor Federice. Motion carried.
- 14. Adjourn** – Supervisor Federice made a motion to adjourn the meeting. This was seconded by Kelly Smith. Motion carried.

DRAFT

Town of Conesville
Streaming and Recording Policy for Public Meetings

The purpose of this policy is to identify a process for those citizens who wish to livestream or record Conesville Town Board Meetings. The intent is to reduce or eliminate misunderstandings and to have a clear understanding of what is expected of the Town and of those who wish to livestream or record Town Board Meetings.

There are two wi-fi routers at Conesville Town Hall. One is exclusively reserved for Town Business. The other router is a public wi-fi, currently known as *conesvilleny*. The Town will make the *conesvilleny* router available to those persons wishing to livestream meetings.

In the event there is insufficient bandwidth to maintain two simultaneous livestreams, any livestream conducted by the Town will take precedent if the Town is doing a livestream. If there is insufficient bandwidth for three livestreams, the Town will decide which party will conduct the second livestream with the intent of sharing the opportunity equitably among the public.

The Town will place its streaming and recording devices and equipment in the location it deems the most optimal for those viewing the meeting. Other parties streaming and/or recording the meeting may place their devices and equipment in the meeting room so that it does not interfere with or disrupt the meeting or the Town's streaming and recording.

For security reasons and to protect the Town's I/T assets from being breached, the Town will not allow under any circumstances non-Town owned equipment to be physically attached to or connected to the Town router assets unless specifically authorized by the Town Board. Further, members of the public will not be permitted access to the room containing the routers and other Town owned I/T equipment unless authorized by the Town Board. Non-Town owned equipment must be removed from Town Hall after each meeting.

In the event of an executive session by the Town Board or a caucus by Town Board members of the same political party, streaming and/or recording will be suspended while the executive session or caucus is being conducted. All equipment used for streaming and recording will be disconnected and removed from the building. When the executive session or caucus is concluded and the Board Meeting returns to its regular open meeting process, sufficient time will be given for the purpose of reconnecting the equipment to resume live streaming and recording.

The person conducting a livestream or recording has the same privilege of the floor as the public. Outside of exercising privilege of the floor granted under the Town of Conesville Privilege of the Floor Policy, the operator of the livestreaming or recording equipment will not narrate or otherwise make comments during the meeting.

The Town Board may from time-to-time revise this policy by majority vote of the Board.

The Town Clerk will post notice at Town Hall that this process for streaming and recording Conesville Town Board meetings is available on request and will also be made available at meetings.

Adopted by the Conesville Town Board February 14, 2022

Marie Stuber, Assessor
Town of Conesville
1306 State Route 990V
Gilboa, NY 12076

Office: 607-588-7211 Fax: 607-588-6832
Office Hrs. Tuesdays 10-1 November 1- March 31
or By Appt
conesvilleassessor@gmail.com

Town Board Report
February 14, 2022

Dear Town Board Members,

I am into the exemption renewal season and have had very few agricultural exemptions returned so far. I am assuming that is because I am requiring leases for the rented lands that are farmed or updated leases. I have to receive the renewal back by March 1. If I don't have a lease with a farmer for those who are letting farmers work their land, I will not be able to renew the agricultural exemption for this year per the guidelines the State has set. I have renewed the Partial Aged Exemptions per the resolution that the town approved. Most all of the forest exemptions have been returned. Usually in March-April the State will post the renewal lists for the Senior Star exemptions so we can update our system with the renewed exemptions.

It has come to my attention that the bill for mailing the exemptions thru the County Clerk mail room still needs to be addressed. I had provided it last month but am providing a copy of it again this month.

I have received the yearly list of arm's length sales for Conesville. There were 38 sales that were arm's length. These are the sales that are looked at for considering valuations in the town. One of the higher sales was double the 100% current assessed value.

2023 valuation update for the town is coming up and our State liaison has mentioned that it is suggested the town approves a resolution that supports the update to be completed for the 2023 rolls. The work on that will be done in 2022 for the 2023 rolls and will use the past 3 years of sales to determine what changes need to be made. When the weather gets to where it isn't frigid all the time I will be out reviewing the past 3 years arm's length sold properties to use the information for the update. I do support a resolution for this. The town should also take advantage of the DATA collection that will be coming available to every town thru the Grant the County received. I have come across on our County Real Property system a couple parcels so far that need information as the photos do not coincide with the DATA.

Thank you,
Marie Stuber



TOWN OF CONESVILLE

BUILDING DEPARTMENT

Code Officer Activity Report: **February**

January 06th – February 13, 2022

- 1- Setting up an area of my home office for T/Conesville CEO responsibilities.
- 2- Familiarizing myself with T/Conesville practices and procedures.
- 3- Going through files. Separating into open, expired, incomplete and completed folders.
31 open permits, 8 expired (notifications mailed), 14 incomplete (older than one year- need CC, CO, inspections, etc).
- 4- Filing paperwork in the town SBL folders.
- 5- Preparing for the completion of the NYS required Annual Codes Report
- 6- Upcoming: Flood Insurance Program Community Call with NYS Encon

ACTIVITY	TOTAL	PROPERTY INFO
Building Permits	0	
Certificate of Occupancy	1	<u>Mihalic,</u>
Certificate of Compliance	1	T/Conesville,
Permit Renewal	0	
Property Search	0	
STR Permit	0	
Final Inspections		
Building/ Code Inspections	2	
Pre-work Site Visits	0	
Unsafe Building Notice	0	
No Permit Visits	0	
Complaint / Follow Up	0	
Compliance/Remedy Order	0	
Stop Work Orders	0	
Summons	0	
Fire/Safety Inspection	0	
Telephone/email inquiries	-----	light
Miles	131	

Town Clerk's Report for 14 February 2022

Dog License Renewals received: Five totaling \$30

Building Permit Renewals Processed: One totaling \$50

Tax Collection Totals

Town of Conesville
 Tax Year: 2022
 Fri, Feb 11, 2022, 10:32 AM

25 Zero amount tax bills
 290 Unpaid tax bills
 2 Partially paid tax bills
 1014 Fully paid tax bills

 1331 Total number of tax bills

971 payments collected by collector, 45 by Co Treasurer

Total to be collected this year: \$1,831,792.24

Tax Collector(s) Paid Amounts

Total base paid: \$1,364,661.65
 Total penalty: \$219.44
 Total late notice: \$0.00

 Sub total paid: \$1,364,881.09

Total refunds: \$0.00

Net Collected \$1,364,881.09

Treasurer Collect: \$65,681.41

Treasurer LateFees Col: \$0.00

Total unpaid: \$401,449.18

Breakdown of totals by Swis Code

# Bills	Tax Due	Base Pd	Collected(*)	Treas Collect(*)	Owed
432800	-Town of Conesville				
1306	\$1,831,792.24	\$1,364,661.65	\$1,364,881.09	\$65,681.41	\$401,449.18

* - Totals Collected represents the base amount paid plus penalties and late notice fees minus any refunds issued.



LVDV Operations, Inc.

CONTRACT OPERATIONS OF WATER AND WASTEWATER FACILITIES

Your Water Our Sacred Trust

January 2022

West Conesville Wastewater Treatment Facility Monthly Update Report

This is a monthly update for the West Conesville Wastewater Treatment Facility. These are the highlights in your sewer district for the previous month.

- The average daily flow for the month of January was 3,312 gallons a day.
- The Generator Transfer Switch is not working. Kinsley Power is working on repairing the Transfer Switch. We received an update from Kinsley Power systems on who informed us the parts have been ordered and will be here in mid-February.
- Pump Station #1 has had two pump failures due to grease build up on the pumps. We started to track down where the grease might be coming from in the collection system. We narrowed it down to the Bull Hill Road Section, above house #121. We then inspected each septic tank in the Upper Bull Hill Road Section. All septic tank filters were in place and working. We found some grease in House #129 and #160. The next step is to run the sewer camera down the sewer main, so we can be sure what lateral the grease may be coming from. The spare pumps that were ordered, have been delivered to the facility.
- LVDV Operator Travis Castle has taken over as the chief operator at the West Conesville Plant.
- The yearly NYSDEC SPEDES report has been completed, signed by the Town Supervisor, and submitted to the NYSDEC.
- Titan Well Drilling are scheduled to be onsite on Wednesday, February 2nd, to install the water treatment system for the facility potable water system.

We will be pleased to answer any questions you may have about the West Conesville Wastewater Treatment Facility. You can always contact us by phone 1-(845) 532-8079, (518) 928-7861, by email (tcastle@lvdvoperations.com), or in person.

Best regards,
Travis Castle (Chief Operator)

197 Elm Street

PO Box 610

Cobleskill, NY 12043

(518) 234-4028

Superintendents Monthly Report, January 2022

As the superintendent through January 2022, I am submitting a monthly report only because doing so is required. January was not a weather record maker, but it was cold. Our sand supply was running very short, so I requested the board allow me to purchase salt and I wanted to do an experiment with cleaner sand. I received feedback from 3 board members. 2 in favor and 1 against more expensive cleaner sand. I need 3 board members agree to a purchase. So, I chose to get the dirtier sand rather than run out completely. Well, now we have almost 500 yards of dirty sand that cakes up in the trucks, freezes tighter in the pile, even though the salt to sand ratio was increased, leaving chunks which must be broken if possible or dumped back out broken up and reloaded.

I am not sure how to straighten this mess out but the "sand" needs to be augmented with more grit. Carvers "washed Bs" would be the best for that. I think it would take 400 to 500 tons to mix in the crap to solve this. Carver price on county bid is \$9.40/ton + trucking \$7.50 leaves a cost of \$16.90 per ton. This makes the cheap stuff less desirable to me.

Attached is a photo of the chute on truck 203 that directs the sand to the distribution spinner, after only 1 day using this sand

We did have a 24" sluice pipe freeze and managed to get the water draining. The ice left behind in the road will take a while to melt.

200
705.



David Porter

Superintendents Monthly Report, Early February 2022

My first several weeks as Highway Superintendent have gone as expected. I believe "improving" the existing sand that was here when I took over with the "washed b's" for a much smoother application was an excellent improvement, ie: no chunks of sand either plugging up the chute or in the road. . I would encourage a similar approach moving forward. We also combined the material with the typical salt mix. The crew was in at 0500 hrs to begin plowing on the morning of the storm.

Several times this past week Dave Porter was good enough to come to the office and assist me with my transition as the paperwork and computers can be a little overwhelming! On Tuesday of last week, I was advised by Jason Wayman, Hwy Super in Broome, of a bad icing condition on our section of Bates Church Road. I accompanied Sean Best and we determined the culvert pipe was partially frozen/submerged and will require additional work in the near future.

Bill Amend

TOWN OF CONESVILLE RESOLUTION NUMBER 31

SCHOHARIE COUNTY RENEWABLE / INDUSTRIAL WIND ENERGY PROJECT PRE-APPLICATION
AND PILOT AGREEMENT FEE SCHEDULE

OFFERED BY: William Federice

SECONDED BY: Mr. Kelly Smith

WHEREAS, numerous Renewable Energy / Industrial Wind Energy companies have at least a speculative desire to site Renewable Energy / Industrial Wind Energy Projects in municipalities throughout Schoharie County; and

WHEREAS, the majority of the siting and regulatory burden is placed upon the Town and Village (Host Community) in which they are located, as the Town or Village (Host Community) is the lead agency and overseer of the Comprehensive Plan and Land Use Code(s); and

WHEREAS, municipalities and School Districts throughout Schoharie County intend to be cooperative with Renewable / Industrial Wind Energy companies in an effort to support the Renewable energy goals of the Governor, but desire fair and equitable uniformity; and

WHEREAS, much time, energy, administration and taxpayer dollars are necessary to accommodate Renewable Energy / Industrial Wind Energy companies' requests, while in some cases, the project does not proceed past a speculative stage for various reasons; and

WHEREAS, this process has placed yet another demand and burden on the limited resources of local municipalities with an essentially de facto unfunded mandate imposed by the State; and

WHEREAS, an unreasonably heavy burden is placed upon local Town Supervisors, Mayors, Clerks, Code Enforcement Officers, Counsel and County Planning employees whom are uncompensated for this additional workload that stress limited administrative capacities; and

WHEREAS, Towns/Villages receive no compensation should any speculative project not result in construction and operation; and

WHEREAS, Schoharie County Board of Supervisors agreed to pass an "Opt-In or Opt-Out" Resolution in an effort to assist municipalities create fair, equitable and consistent taxing agreements throughout the County; and

WHEREAS, this Resolution sets a fee schedule for municipalities to utilize in order to promote consistency and compensation for their time, effort and related expenses; and

TOWN OF CONESVILLE RESOLUTION NUMBER 31

WHEREAS, a pre-application fee of \$10,000 per rated mW project capacity will be required by Renewable Energy / Industrial Wind Energy companies, payable to the host Town/Village at a minimum compensatory rate of \$25,000 per rated project mW applicable to projects with rated capacities of less than 2.5 mW; and

WHEREAS, a maximum pre-application fee of \$150,000 will be required, payable to the host Town/Village for projects with rated capacities greater than 15 mW capacity; and

WHEREAS, the pre-application fee is held by Town/Village (Host-Community); and

WHEREAS, pre-application fees are 75% refundable contingent upon Schoharie County, School District and Town/Village's project approval, in addition to an accepted PILOT (payment in lieu of taxes) agreement with 25% of pre-application fees retained by the Town/Village; and

WHEREAS, if a project is not approved by Schoharie County, School District, and Town/Village within one (1) year of initial official inquiry, including an accepted PILOT agreement, the pre-application fee shall be non-refundable, unless otherwise agreed upon by the interested parties, including the County, School District and Town/Village. The pre-application fee will be distributed with 75% being retained by the Town/Village and 25% being allocated to the County; and

WHEREAS, official inquiry is defined as, "first contact, including introductory meeting(s), with project host-community officials by renewable energy developer(s) that requires an official host community written response of any kind"; and

WHEREAS, no Renewable / Industrial Wind Energy or other energy project planning, including site surveys, public hearings, etc. will be undertaken until pre-application fee is paid in full by project developer/owner; and

WHEREAS, in addition, a PILOT agreement will be negotiated and agreed upon between the County, School District, Town, and Village (where applicable) subject to a minimum of \$20,000 per mW, or full value taxation, payable to and distributed between Schoharie County, School District and Town and Village (where applicable); and

WHEREAS, this fee schedule does not include application fees required by the Code Enforcement Officer nor the inclusion of any accepted decommissioning plan which shall be distinct and separate from the pre-application fee and PILOT agreement; and

RESOLVED, that the Town of Conesville opt-in to the uniform agreement between Schoharie County and School Districts, Town, and Village governments and the Town Clerk is directed to provide a copy of this resolution to the Clerk of the Board of Supervisors with a copy of this Resolution.

TOWN OF CONESVILLE RESOLUTION NUMBER 31

<u>Board Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Fancher, Carl	<u>✓</u>	<u> </u>	<u> </u>
Federice, William	<u>✓</u>	<u> </u>	<u> </u>
Mattice, Laurel	<u> </u>	<u> </u>	<u> </u>
Proudman, Robert	<u>✓</u>	<u> </u>	<u> </u>
Smith, Kelly	<u>✓</u>	<u> </u>	<u> </u>

CARRIED ✓ NOT CARRIED

I hereby certify the above resolution is a true and exact copy of the resolution passed by the Conesville Town Board on

14th February 2022.



Carrie Sutton, Conesville Town Clerk

(SEAL)

TOWN OF CONESVILLE RESOLUTION NUMBER 32

Resolution Affirming Property Owner Request to DEP to Place No Hunting Signage 500 Feet from Property Owners Property Line

Introduced by: William Federice

Seconded by: Mr. Robert Proudman

WHEREAS the residence and property of Tyler Latta at 396 Caulkins Road in the Town of Conesville in Schoharie County shares a contiguous property line with the New York City Department of Environmental Conservation (DEP), and

WHEREAS Mr. Latta is concerned with hunting on that portion of DEP land within 500 feet of their shared property line, and

WHEREAS, the DEP has stated they would honor Mr. Latta's request for the DEP to post notices prohibiting hunting at points five hundred feet from the shared property line, and


WHEREAS, the DEP has requested the consent of the Conesville Town Council to Mr. Latta's request to post no hunting notices at five hundred feet from the shared property line,

THEREFORE, BE IT RESOLVED, the Conesville Town Council affirms its concurrence that the DEP post no hunting signs at points from the 500 foot distance from the shared property line of Mr. Latta and the DEP.

<u>Board Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Fancher, Carl	✓	—	—
Federice, William	✓	—	—
Mattice, Laurel	—	—	—
Proudman, Robert	✓	—	—
Smith, Kelly	✓	—	—

CARRIED **NOT CARRIED**

I hereby certify the above resolution is a true and exact copy of the resolution passed by the Conesville Town Board on 14th February 2022



 Carrie Sutton, Conesville Town Clerk

(SEAL)