

TOWN OF BUTTERNUTS
Regular Meeting – July 11, 2018
Town Hall
1234 State Highway 51
Gilbertsville, NY 13776

DATE: July 11, 2018-7:00 PM

Open Regular Meeting -

Pledge of Allegiance was said by all.

Present were: Bruce Giuda, Paul Irwin, Scot Lueck, Keith Lilley, Highway Superintendent Jim Polhemus

Meeting was recorded by Town Clerk (audio).

Privilege of the Floor: Linda Gover

Motion to dispense with the reading of the minutes of June 13, 2018 and June 27, 2018

Motion made by Scot Lueck

Seconded by Paul Irwin

Scot Lueck-Yes

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Motion to approve minutes of June 13, 2018 as presented

Motion made by Bruce Giuda

Seconded by Paul Irwin

Scot Lueck-Yes

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Motion to approve minutes of June 27, 2018 as presented

Motion made by Scot Lueck

Seconded by Paul Irwin

Scot Lueck-Yes

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Reports:

Town Clerk – copies are available

Town Justice - \$0 fines

Dog Control Report-Nothing

Assessor's report was not received

Highway Superintendent – Report was presented by Highway Superintendent Jim Polhemus and is on file with the Town Clerk

Motion to accept the report of the Highway Superintendent

Motion made by Keith Lilley

Seconded by Scot Lueck

Scot Lueck-Yes

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Supervisors Report: Received \$12031.08 from FEMA for damage incurred during winter storm Stella
Two CDs are going to renew –Unemployment Fund(\$6,755.97) for 12 months and
Highway Equipment Fund(\$166,570.81) for 6 months
Village has its own zoning and planning not subject to town site plan per town attorney
Procurement policy could go up to \$35,000 for materials and labor – will need 3 quotes- above \$35,000 will need to go to bids-could do project in phases-could use highest value bidding per town attorney
Donations to the town may not be solicited by town officials or employees per town attorney
Brendan (engineer) is moving ahead with design plans for the renovated highway building- may be able to put out bids in several weeks

Motion to accept the supervisor’s report

Motion made by Keith Lilley

Seconded by Paul Irwin

Scot Lueck-Yes

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Committees:

Finance, Laws, and Audit- working on audit of the park

Motion to accept the April and May financial reports from the supervisor

Motion made by Keith Lilley

Seconded by Scot Lueck

Scot Lueck-Yes

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Bldg. & Grounds – sink project – will put in new faucet with pull out hose

Personnel – still waiting for a copy of the new contract

Budget -not yet

Hwy & Machinery – issues with the mower- looking at options

Ethics – meeting this month

Parks – putting policies together – will send to board members by e-mail before next meeting

Community event check should be received shortly

Wi-Fi extender has been used for the park – need to buy another one

Motion to purchase a WiFi extender for the park at a maximum cost of \$100

Motion made by Scot Lueck

Seconded by Keith Lilley

Scot Lueck-Yes

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Jordan Clements from Otsego County Soil and Water Conservation District presented an Inter-Municipal Agreement to Develop a Countywide Stream Maintenance Program

Town Board (and public guests) reviewed plans for highway garage project

New Phone System (Magna) should be up and running July 16 or 17, 2018

Abandoning Law Road – first step needed is Letter to the Board

**Summer Rec Program – 25 children – bus driver has been found for field trips
4 counselors and a director**

Motion to approve \$15 per hour as rate of pay for summer recreation bus driver

Motion made by Bruce Giuda

Seconded by Paul Irwin

Scot Lueck-Yes

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Motion to adopt A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE RECONSTRUCTION OF THE TOWN-OWNED BUILDING LOCATED AT 617 STATE HIGHWAY 51, IN AND FOR THE TOWN OF BUTTERNUTS, OTSEGO COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$500,000 AND AUTHORIZING THE ISSUANCE OF \$500,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation

promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have a significant adverse impact on the environment; NOW, THEREFORE,

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Butternuts, Otsego County, New York, as follows:

Section 1. The reconstruction of the Town-owned building located at 617 State Highway 51, for use by the Highway Department, in and for the Town of Butternuts, Otsego County, New York, including site improvements, and original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$500,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$500,000 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 12(a)(3) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Butternuts, Otsego County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1)Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2)The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3)Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Motion made by Keith Lilley
Seconded by Bruce Giuda
Scot Lueck-Yes
Bruce Giuda-Yes
Keith Lilley-Yes
Paul Irwin-Yes
Motion passed

Hazard Mitigation Plan Update – Scot Lueck has the materials and will work on this project and will update at next meeting

Motion to adopt the following rates for Copes Corners Park 2019 season

RV – Season- \$1150	Tent Camping - \$15 per night
Month – \$ 440	Pavilion - \$60 – Large
Week – \$ 140	\$30 - Small
Night - \$ 25	

Motion made by Bruce Giuda
Seconded by Scot Lueck
Scot Lueck-Yes
Bruce Giuda-Yes
Keith Lilley-Yes
Paul Irwin-Yes
Motion passed

Gilbertsville Fire Department hired CPA firm to complete financials for 2017. When completed, they will be forwarded to the town as per contract.

The Town Planning Board is looking at “fine tuning” the site plan review application to include a list of conditions for approval.

Town Supervisor spoke about the need to add a “confidential bookkeeper” to next year’s budget and the need for more communication with the public.

PRIVILEGE OF THE FLOOR: Barbara Lilley, Heriberto Rodriguez

Motion to approve vouchers 18268 through 18284 in the amount of \$67,145.91

Motion made by Keith Lilley

Seconded by Paul Irwin

Scot Lueck-Yes

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Motion to adjourn at 9:36 PM

Motion made by Bruce Giuda

Seconded by Scot Lueck

Scot Lueck-Yes

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Submitted by,

Jacqueline Foster
Town Clerk