

TOWN OF BUTTERNUTS
Regular Meeting – September 11, 2019
Town Hall
1234 State Highway 51
Gilbertsville, NY 13776

DATE: September 11, 2019-6:55 PM

Present were: Bruce Giuda, Paul Irwin, Keith Lilley, Scot Lueck, Highway Superintendent B Jay Stebbins
Supervisor Giuda noted the following: 8 EMT/Paramedics, 60 Police Officers, 343 Firefighters, and 2997
Civilians died on this day in 2001.

Pledge of allegiance was said by all.

Meeting was recorded by Town Clerk (audio).

PRIVILEGE OF THE FLOOR: Molly DelGiacco, Aidan Woishnis, Barb Lilley, Carol Ralbag
(Blankenship), Michele Farwell

Danny Lapin from the Otsego County Conservation Association presented information on the
Butternut Creek Watershed Management Plan

Motion to dispense with the reading of the minutes of August 14, 2019 and August 29, 2019

Motion made by Scot Lueck

Seconded by Bruce Giuda

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Scot Lueck - Yes

Motion passed

Motion to approve the minutes of August 14, 2019 as corrected

Motion made by Bruce Giuda

Seconded by Scot Lueck

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Scot Lueck - Yes

Motion passed

Motion to approve the minutes of August 29, 2019 as corrected

Motion made by Keith Lilley

Seconded by Paul Irwin

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Scot Lueck - Abstain

Motion passed

Motion to approve vouchers 19368 through 19400 in the amount of \$43,961.22

Motion made by Bruce Giuda

Seconded by Keith Lilley

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Motion passed

Motion to table July and August Financial reports until September 19, 2019 meeting

Motion made by Bruce Giuda

Seconded by Keith Lilley

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Scot Lueck - Yes

Motion passed

Reports:

Town Clerk - \$398.82

Town Justice - \$100 fines

Dog Control Report –was received

Assessor's report was received

Town Supervisor read a letter from Alyne Trucking offering remuneration for damage to road caused by truck accident.

Highway Superintendent-report was presented by Highway Superintendent B Jay Stebbins and is on file with the Town Clerk.

Motion to accept the report of the Highway Superintendent

Motion made by Keith Lilley

Seconded by Paul Irwin

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Scot Lueck - Yes

Motion passed

Town Supervisor spoke about the following items:

September 11, 2019 – meeting with Brendon Becker, Engineer for HVAC/Plumbing and Electric pre-bid meeting. One contractor was present.

Salt shed plans are not available as promised for 9/11/2019.

Pad for propane tanks is completed.

Generator is installed. Electric is inside building.

Campground caretaker's incentive schedule needs to be revised.

Motion to accept the report of the Town Supervisor

Motion made by Scot Lueck

Seconded by Paul Irwin

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

COMMITTEE REPORTS:

Finance/Laws/Audits-nothing
Bldg. & Grounds – light bulbs have been replaced
Personnel-nothing
Budget-will start next Thursday (9/19/19)
Hwy & Machinery –supervisor is working with highway superintendent
Ethics – Nothing
CC Park – October 12, 2019 will be park cleanup day
 Materials for water line replacement project are at the park
 Last picnic table has been purchased
Hazard Mitigation/FEMA/Watershed -checking on redundancy of different agencies working on same information

Motion to have fall clean up at Copes Corners Park on October 12, 2019

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

Supervisor Giuda spoke about attending meetings concerning Emergency Medical Services in Otsego County.

RESOLUTION -AUTHORIZING THE TOWN OF BUTTERNUTS TO CONTRACT WITH MICHELLE KENNEDY, ESQ., FOR LEGAL SERVICES RELATING TO ACQUISITION OF A MUNICIPAL CERTIFICATE OF NEED TO OPERATE AN AMBULANCE SERVICE

WHEREAS, the Town of Butternuts (Town) relies upon its local volunteer Emergency Medical Services agency, Eagle Fire Engine & Hose Company (Gilbertsville Fire Department) for provision of emergency medical services;

WHEREAS, the Town recognizes the need to ensure that there is adequate backup support for its local volunteer Emergency Medical Services agency, including by contracting with Emergency Medical Services agencies located outside of the Town, for the health and welfare of Town residents;

WHEREAS, the Town, pursuant to New York State Public Health Law, requires a Municipal Certificate of Need (“Muni-CON”) in order to provide such backup Emergency Medical Services;

WHEREAS, the town requires professional legal services in connection with obtainment of such Muni-CON;

WHEREAS, the Town, in order to achieve cost efficiencies and savings wants to engage an attorney to provide such services jointly with the Town of Butternuts;

WHEREAS the Town of New Lisbon's Town Attorney, Ms. Michelle Kennedy, has experience relating to Muni-CONs and has the trust and confidence of both towns to provide such services;

WHEREAS, Ms. Kennedy has offered to provide such services to both towns in exchange for legal fees that are approximately the amount as would otherwise be charged to each of the towns were it to engage her independently of each other;

WHEREAS, the Town of New Lisbon and the Town share a common interest in obtainment by both towns of their own Muni-CONs and no conflict of interest would exist were the two towns to jointly engage Ms. Kennedy for this purpose;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Butternuts does hereby approve engagement of Ms. Kennedy to provide such services in exchange for payment of legal fees and costs not to exceed \$5000.00, said amount to be shared equally by the Town of New Lisbon and the Town.

Motion made by Keith Lilley

Seconded by Scot Lueck

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Scot Lueck-Yes

Motion passed

**RESOLUTION-AUTHORIZING THE TOWN OF BUTTERNUTS TO CONTRACT
WITH THE VILLAGE OF NEW BERLIN AMBULANCE FOR EMERGENCY
MEDICAL SERVICES**

WHEREAS, the Town of Butternuts ("Town") depends upon its local volunteer Emergency Medical Service ("EMS") Agency, Eagle Fire Engine & Hose Company (Gilbertsville Fire Department) for provision of EMS including ambulance service;

WHEREAS, the Town understands that the EMS provided by its local volunteer agency, Eagle Fire Engine & Hose Company (Gilbertsville Fire Department) are vitally important to the health and welfare of Town residents now and into the foreseeable future;

WHEREAS, the Town also recognizes the need to ensure that there is adequate backup support for its local volunteer EMS agency, including by contracting with another EMS agency located outside of the Town, for the health and welfare of Town residents;

WHEREAS, providing EMS by a means other than be contracting with an EMS agency located outside of the Town would be very high and would impose a great financial burden on tax paying landowners in the Town;

WHEREAS, the Village of New Berlin EMS agency, which is located outside of the Town, has been providing such backup EMS to the Town on a mutual aid basis but requires the financial support of the Town and other towns in order to ensure that it can continue to provide such services;

WHEREAS, the Village of New Berlin is willing to contract with the Town to provide such backup EMS 24 hours per day, 7 days per week, as a secondary response unit behind the local volunteer EMS agency for a per call response fee schedule of:

\$700 per response with patient transport by ambulance

\$100 per response with no patient transport by ambulance but some medical care is provided

\$50 per response with no patient transport by ambulance and no medical care provided

WHEREAS, such contract will provide for periodic reporting to the Town of bills and vouchers, profit and loss statements, call volumes and numbers of responses and non-responses, and other financial and operational information and data that may reasonably be requested by the Town;

WHEREAS, such contract will also include additional reasonable and customary provisions including but not limited to the right to terminate in the event of non-performance or other breach by either party;

WHEREAS, such contract will be for a term not to exceed five years;

RESOLVED, that the Town of Butternuts Board does hereby approve the execution of a contract with the Village of New Berlin for EMS including ambulance services.

Motion made by Scot Lueck

Seconded by Bruce Giuda

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Scot Lueck-Yes

Motion passed

Motion to buy a computer for use by the planning board at a cost not to exceed \$500

Motion made by Keith Lilley

Seconded by Paul Irwin

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Scot Lueck-Yes

Motion passed

Board discussed dog control issues in the town, adjusted town board meeting schedule to meet upcoming budget deadlines and talked about the park caretaker position for 2020. Councilman Lueck talked about the water line project for Copes Corners Park.

PRIVILEGE OF THE FLOOR: Aidan Woishnis, Barbara Lilley

Motion to adjourn at 9:30 PM

Motion made by Scot Lueck

Seconded by Keith Lilley

Bruce Giuda-Yes

Keith Lilley-Yes

Paul Irwin-Yes

Scot Lueck-Yes

Motion passed

Submitted by,

Jacqueline Foster
Town Clerk