

TOWN OF BUTTERNUTS

Regular Meeting

September 9, 2026

Meeting was called to order at 7:00 pm by Supervisor Bruce Giuda. Pledge was said by all at Public Meeting held just prior.

Minutes by Town Clerk Penny Klingman.

Board Members present: Supervisor Bruce Giuda, Council Members Keith Lilley, John Hill, Paul Irwin and Teresa Winchester. Highway Superintendent David Haynes also present.

Visitors present: Barbara Lilley Planning Board Secretary, James Polhemus, James Powers County Representative, Jamie Champion, Marsha Nelson, Rebekah Huff

Privilege of the Floor: Jim Polhemus reported on the Rabies Clinic held earlier at Copes Corners Park, excellent turnout with 67 animals vaccinated. James Powers reported county budget seems to be increasing 5% every year as a standard increase. The county voted to name the Tower Site after Jerry Madsen.

Keith Lilley made the motion to dispense with the reading of all minutes for August, Paul Irwin seconded the motion, all agree, motion carried.

Teresa Winchester made the motion to approve the August 12, 2026 special meeting/public hearing minutes, Bruce Giuda seconded, all agree, motion carried.

Bruce Giuda made the motion to approve the August 12, 2026 regular meeting minutes, Keith Lilley seconded, all agree, motion carried.

Reports: See Reports. Supervisor Giuda let everyone know that in reference to Highway Report item #2, there is already a Bridge Reserve Fund that was started a few years ago. Supervisor Giuda gave a verbal report and let the board know that he is starting work on the budget, there are 659 exemptions in the Town totaling \$17,098,622 and 107 exemptions in the Village totaling \$1,336,124. Highway Superintendent Haynes asked about the Highway Winter Policy, Keith Lilley made a motion to approve the Highway Winter Policy as amended, John Hill seconded, all agree, motion carried. Bruce Giuda made the motion to accept all reports, John Hill seconded the motion, all agree, motion carried.

Committee Reports: Building Committee reported they have started reviewing building requirements.

- Old Business:**
1. Moratorium on Battery Energy Storage Systems – Keith Lilley made a motion to accept the Local Law for a Moratorium on Battery Energy Storage Systems as amended from public hearing by changing Town Code Enforcement Officer to Towns’ Code Enforcement Officer, John Hill seconded the motion, all agree, motion carried.
 2. Moratorium on Development and Construction of Data Centers – Bruce Giuda made a motion to accept the Local Law for a Moratorium on the Development and Construction of Data Centers as amended from public hearing by changing Town Code Enforcement Officer to Towns’ Code Enforcement Officer, John Hill seconded the motion, all agree, motion carried.

- New Business:**
1. Facebook Page for Town – Teresa Winchester made a motion create a Town Facebook page, no comments allowed, Town Clerk would be the administrator, not to be public shareable, Bruce Giuda seconded the motion, all agree, motion carried.
 2. Fuel Agreement with Fire Department – the policy was reviewed.
 3. Keith Lilley made the motion to approve Vouchers 26252 – 26280 for \$134,688.93. Paul Irwin seconded the motion, all agree, motion carried.
 4. FOIL Form TOB F-20260903 – form was updated to include verbiage per advice from New York Department of State Committee on Open Government after a request came to over 500 clerks. Bruce Giuda made a motion to approve the form, Teresa Winchester seconded the motion, all agree, motion carried.
 5. Board of Assessment Review – Keith Klingman handed in his resignation from the Board of Assessment Review. Keith Lilley made a motion to accept Mr. Klingmans resignation, John Hill seconded the motion, all agree, motion carried.
 6. Financial Reports August – Keith Lilley made a motion to table approval of financial reports, Teresa Winchester seconded the motion, all agree, motion carried.

7. Cleaner for Town Hall – Marna Dunham handed in her resignation effective the end of December 2026. Bruce Giuda made a motion to accept Mrs. Dunham's resignation, Teresa Winchester seconded the motion, all agree, motion carried. Will have a Job Description/Duties document for the next meeting. Will also require a change to the Building Use Policy as the Custodian will no longer have keys to the offices.

8. Copes Corners Park – Bruce Giuda said he has been questioned about the Park being open for October, the Park will officially close for the year at the end of September he has put in many extra hours and does not want to have to worry about it in October. Mr. Giuda asked the rest of the board to think about the future of the Park and what options are there. They need to consider the amount of time the Town Supervisor is putting in as well as the cost of any upgrades or improvements that may be needed.

9. Planning Board Minutes – Barbara Lilley asked for guidance on when the planning board minutes need to be to the Town Clerk for posting as well as whether draft minutes need to be posted or just approved. Bruce Giuda let her know we have contacted the NYS Assoc of Towns for guidance, but have not heard back from them yet. Suggested for now to have the approved minutes (prior months meeting minutes) to the town clerk by the Tuesday after the planning board meeting and we will get back to her on the draft minutes.

Board Discussion: The Butternut Valley Grange sent an invitation to the Town Board for a "Meet the Candidates Night", to be held on Oct 22nd at 7 pm at the Grange Hall. Town of Butternuts candidates will be introduced even if running unopposed and may speak to the group if they care to. Others invited to make presentations that evening include: candidates for Otsego County Sheriff, District 2 County Representative for the Towns of Butternuts, Morris and Pittsfield, Senate candidates for District 51 and Assembly candidates for District 121. Barbara Lilley submitted a request from the planning board to purchase a large monitor (60" or more) for use by the planning board in reviewing maps and could also be used by the town board during budget reviews. Don Hunt said he would be willing to install it. Keith Lilley made a motion to spend up to \$1,500 on a large monitor, John Hill seconded the motion, all agree, motion carried.

Privilege of the Floor:

Executive Session:

Bruce Giuda made a motion to enter into Executive Session for Contract Negotiations at 8:40 pm, Paul Irwin seconded the motion, all agree, motion carried.

Bruce Giuda made a motion to come out of Executive Session at 9:36 pm, John Hill seconded the motion, all agree, motion carried.

Bruce Giuda made the motion to adjourn the meeting at 9:37 pm, Teresa Winchester seconded the motion, all agree, motion carried.

Respectfully Submitted,

Penny Klingman