

On Monday, December 14, 2015, the Preble Town Board held its regular monthly meeting. The meeting was called to order by Supervisor, James Doring, with the salute to the flag at 8:00.

Board members present: Peter Knapp, Dave Morse, Linda Riehlman, Al Socha; Councilmen

Others present: Don Armstrong, John Steger, Dan O'Shea, Anne Henderson and Nancy Baldwin, Donnell Boyden and Richard Andino from Costello, Cooney, Fearon Law Office

CORRECTIONS/APPROVAL OF PREVIOUS MINUTES

Motion made by Linda Riehlman, seconded by Dave Morse

RESOLUTION #72: To accept the November 9, 2015 regular meeting minutes as submitted.

Peter Knapp(aye) Dave Morse (aye) Linda Riehlman(aye) Al Socha(aye)

COMMITTEE REPORTS:

DOG CONTROL: - 1 dog running at large; 1 adoption; 115 miles traveled for the Town.

JUSTICE REPORT -\$11,002.00 submitted to the Town for November

HIGHWAY REPORT: Roads:

-Jeff is asking the Board to consider passing the resolution for Local Transportation Funding. It is asking the Governor and Legislature to implement and fund a 5-year capital program for DOT. (Equal to the program he is supporting for the MTA)

Motion made by Peter Knapp, Seconded by Al Socha

RESOLUTION #73: To adopt the Local Transportation Funding Resolution to be presented to the Governor and Legislature to implement and fund a 5-year capital program for DOT.

Peter Knapp(aye) Dave Morse(aye) Linda Riehlman(aye) Al Socha(aye)

– Local Transportation Funding

WHEREAS, a reliable transportation infrastructure is vital for the safety of New York's traveling public and its economy; and

WHEREAS, 85 PERCENT OF New York's roads and bridges are maintained by local governments; and

WHEREAS, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

WHEREAS, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

WHEREAS, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

WHEREAS, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicated an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

WHEREAS, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

WHEREAS, THE New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

WHEREAS, in the 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

WHEREAS, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently, and

WHEREAS, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and
WHEREAS, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for MTA but not the DOT;

NOW THEREFORE BE IT

Resolved, that the Town of Preble calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2-16-17 state budget; and BE IT FURTHER

RESOLVED, that the Town of Preble calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and BE IT FURTHER

RESOLVED, that the Town of Preble calls upon the Governor and member of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

-At this time last year, the crew had already worked 8 days on weekends.
-They are catching up on small projects; namely sign maintenance.

Equipment:

-The check from the insurance company has been received along with the check covering the towing.
-The #3 truck (rolled over in June) is back (11/30) Working well so far.
-Everything but #43 is set for winter operations. With #4 not harnessed, some summer work type work can continue
-The Local Highway Inventory has been sent in

Shop:

-Jeff has ordered a full set of specs. Last week, Jeff hosted a meeting with Rick Fritz and the engineers. Some issues were found in the printed plans. Jeff will advise when everything is good to go.

Personnel:

Other:

-The Town Hall septic was pumped Friday (12/11).
-Jeff just heard that Homer Schools would still like to use the ballfield
-The referendum to replace a 25 year old firetruck passed.
Santa had 36 children show up Saturday(12/12)
-There was a vote for Fire Commissioner. Larry Nye was elected to another 5-year term.

RECREATION: - No report

COUNTY LEGISLATURE: Mr. Boyden thanked everyone who voted for him in the election. A new mandate of Workers' Compensation is to report any incident within 24 hours.

ZONING AND CODE ENFORCEMENT:

November Report

5 Building Permits Issued
143 Miles traveled for the Town
9 Building Inspections
38 Hours worked
2 Fire inspections
8 Complaint Follow-ups
27 Telephone inquiries

PLANNING BOARD – Meeting –December 16th - @7:00 (Wednesday)

ZBA - Meeting – January 7th - @7:30 (Thursday)

HISTORIAN: -

TOWN CLERK: -\$147.00 collected in November; disbursed \$135.00 to the Town of Preble and \$12.00 to NYS Ag & Markets

UNFINISHED BUSINESS

Zoning Code Revisions – Richard Andino, representing Costello, Cooney & Fearon, a firm from Syracuse working with the Zoning Ordinance committee was given the floor.

RESOLUTION #74:

RV uses – Proposed Local Law A-2015 (A Local Law to Amend the Zoning Ordinance of the Town of Preble to Amend Certain Definitions, to Amend the Purpose of the Residential Lake Side District (R1L), to clarify the uses permitted in the Residential Lake Side District (R1L) and to Add a New Section Prohibiting the Use of Recreational Vehicles as a Dwelling)

Councilor Socha introduced proposed Local Law A-2015 to amend the existing Town of Preble Zoning Ordinance with respect to the purpose and clarifying permitted uses in the Residential Lake Side District (R1L), as well as adding a new section a new section prohibiting the use of recreational vehicles as a dwelling, which was seconded by Councilor Knapp.

WHEREAS, Proposed Local Law A-2015 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Sections 17.3 and 617 of the Regulations relating to Article 8 of the New York Environmental Conservation of New York (SEQRA), requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the adoption of said Local Law is a Type 1 action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a Full Environmental Assessment Form (EAF) shall be required in connection with this matter; and

WHEREAS, the said Full EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, IT IS

RESOLVED AND DETERMINED that the enactment of this proposed Local Law is a Type 1 Action under SEQRA, and it further

RESOLVED AND DETERMINED that no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of Local Laws in the Town of Preble, such that there are no other involved or interested agencies within the meaning of the New York State Environmental Quality Review Act(SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter, and it is further

RESOLVED AND DETERMINED that the Town Board of the Town of Preble has reviewed the Full Environmental Assessment Form and hereby determines the proposed action will not have a significant adverse effect on the environment and this resolution hereby adopts the Negative Declaration attached hereto for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617 et seq. for the reasons contained herein and in the appended Attachment "A"; and it is further

RESOLVED AND DETERMINED that the Town's legal counsel, distribute and publish the attached Negative Declaration pursuant to the requirements of 6 N.Y.C.R.R. Part 617; and it is further

RESOLVED AND DETERMINED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law A-2015 at the Town of Preble Town Hall, 1968 Preble Road, Preble, New York on January 11, 2016, at 7:45 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard.

The question of the foregoing Resolution was duly put to a vote and, upon roll call, the vote was as follows:

Peter Knapp(aye) Dave Morse(aye) Linda Riehlman(aye) Al Socha(aye)

Al Socha made the motion to hold a public hearing of Local Law A-2015 on January 11, 2016 at 7:45, seconded by Peter Knapp. All in favor.

The foregoing Resolution was duly adopted.

During some discussion, Linda stated that she has a camper and they do use it in the summer because it is air conditioned.

RESOLUTION #75:

Outdoor Wood Boilers – Proposed Local Law B-2015 (“A Local Law Regulating Outdoor Wood Boilers in the Town of Preble”)

Councilor Knapp introduced Local Law B-2015 to ensure that outdoor wood boilers are utilized in a manner that does not create a nuisance and in recognition of the impact that outdoor wood boilers have on the health, safety and welfare of the citizens of the Town of Preble, which was seconded by Councilor Riehlman

WHEREAS, proposed Local Law B-2015 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, Volume 6 N.Y.C.R.R, Sections 61.3 and 617 of the Regulations relating to Article 8 of the New York Environmental Conservation Law of New York (SEQR), requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the adoption of said Local Law is a Type 1 action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a Full Environmental Assessment Form (EAF) shall be required in connection with this matter; and

WHEREAS, the said Full EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, IT IS

RESOLVED AND DETERMINED that the enactment of this proposed Local Law is a Type 1 Action under SEQR, and it is further

RESOLVED AND DETERMINED that no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of Local Laws in the Town of Preble, such that there are no other involved or interested agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and it is further

RESOLVED AND DETERMINED that the Town Board has reviewed the Full Environmental Assessment Form and hereby determines the proposed action will not have a significant adverse effect on the environment and this resolution hereby adopts the Negative Declaration attached hereto for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617 et seq. for the reasons contained herein and in the appended Attachments “A”; and it is further

RESOLVED AND DETERMINED that the Town’s legal counsel, distribute and publish the attached Negative Declaration pursuant to the requirements of 6 N.Y.C.R.R. Part 617; and it is further

RESOLVED AND DETERMINED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law B-2015 at the Town of Preble Hall, 1968 Preble Road, Preble, New York on January 11, 2016, at 7:55 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard.

Peter Knapp made the motion to hold a public hearing of Local Law B-2015 on January 11, 2016 at 7:55, seconded by Linda Riehlman. All in favor.

The question of the foregoing Resolution was duly put to a vote and upon roll call, the vote was as follows:

Peter Knapp(aye) Dave Morse(aye) Linda Riehlman(aye) Al Socha(aye)

The foregoing Resolution was thereupon declared duly adopted.

Supervisor Doring will contact the Cortland Standard on this item.

Highway Garage – Jeff stated that the final plans for the garage have been printed. The bids will go out in January and possibly have returns in 8 weeks which would be March. A special meeting could be held in March or at the April Board Meeting.

Name Plaque for Park – Peter presented the plaque for the park to the Board. Plans are to put it by the kitchen with a Plexiglas covering in the spring.

Homer Baseball – Supervisor Doring has received an email from Robert Nasiatka regarding the Preble ball fields. He would like to address some of the upgrades they would like to do to the field before spring. He has parents and players who will be doing the work. Their plans are to be on the fields every weekday and Saturday until the season begins. Supervisor Doring will ask what their intentions are for the future. Jeff thinks this could be permanent.

Contract with Country Acres Animal Shelter –The contract for the year 2016 needs to be signed. Motion made by Peter Knapp, seconded by Linda Riehlman - To grant authority to Supervisor Doring to sign the 2016 contract; all in favor.

NEW BUSINESS:

Monies received:

- \$538.17 from USPS
- \$131,521.00 NYMIR
- \$3,700.00 NYMIR
- \$4,313.85 County Plowing
- \$9,166.41 Mortgage Tax
- \$104,703.13 Third quarter Sales Tax (\$50,000. Above budget)

Year-end meeting – December 30th at 2:00 p.m.

Swearing In – January 1, 2016 @9.00 a.m.

Town Board Meeting time in 2016 – The Board has agreed to hold their monthly meetings on Monday nights @7.00 p.m. starting in February. The January meeting will be held @8.00p.m. following the two public hearings.

Tribute to Peter Knapp – Supervisor Doring thanked Peter for all his years of service and what he has contributed to the town since becoming a public servant in 1978 when he became a member of the Planning Board.

PUBLIC COMMENTS

Dan O’Shea thanked Peter for all he has done for the Town

Anne Henderson – Thanked Peter for attending many of her parties; she will also take a copy of the plaque and send it to Warren Rofe (Son of Elmo & Dorothy Rofe)

John Steger thanked Peter for being Supervisor and Deputy

Jeff Griswold thanked Peter for all he has done. He also mentioned that his father, Calvin ‘Jim’ Griswold will be 90 on January 1st. He would like to have friends stop by his home to wish his father a ‘Happy Birthday’ @3:00 p.m.

APPROVE GENERAL & HIGHWAY BILLS

Motion made by Linda Riehlman, seconded by Dave Morse
RESOLUTION #77: To pay the General Fund Vouchers, Abstract #12, Nos. 244 to 280 totaling \$29,026.30

Peter Knapp(aye) Dave Morse(aye) Linda Riehlman(aye) Al Socha(aye)

Motion made by Peter Knapp, seconded by Linda Riehlman
RESOLUTION #78: To pay the Highway Fund Vouchers, Abstract #12, Nos. 109 to 124, totaling \$42,549.68

Peter Knapp(aye) Dave Morse(aye) Linda Riehlman(aye) Al Socha(aye)

There being no further business, Jim asked for a motion to adjourn. Motion made by Al Socha, seconded by Peter Knapp; meeting adjourned at 9:17.

Respectfully submitted,

Unofficial 12/14/2015
Official

Jane W. Davenport
Town Clerk

