

Town of Lincoln
6886 Tuttle Road, Canastota, NY 13032
Town Board Meeting

July 14, 2021

Call to order time: 7:00 pm

Pledge of Allegiance

Members Present: Supervisor Yvonne Nirelli, Councilor Jayne Black, Councilor Melissa During, Councilor Doug Holdridge

Member Apologies: Councilor Russell Blanchard

Others in Attendance: Town Clerk, Amy Becker, Highway Superintendent Anthony Domenicone, Bill Wilcox, Mat Spendley, Peggy LeClair, Jenn Farwell

Others in Attendance Via Zoom: John, Pam, Chuck Ghosin, PMBecker, Cassandra LeClair, JSchoeck

Supervisor Nirelli welcomed all.

RESOLUTION #98-2021: Councilor Doug Holdridge made a motion to accept June 9, 2021 Minutes with the correction on #92-2021 “mediatory” to “Mandatory”

Councilor Jayne Black seconded the motion.

Carried unanimously.

Clerk’s Report: Read by Amy Becker, Town Clerk

RESOLUTION #99-2021: Councilor Melissa During made a motion to accept the June Clerk’s Report

Councilor Jayne Black seconded the motion.

Carried unanimously.

Code Officer’s Report: Turned into clerk, emailed to Councilors on file at TOL.

Dog Officer’s Report: Turned into clerk, emailed to Councilors on file at TOL.

Supervisor’s Financials Report:

June General Fund: Beginning Balance: \$45,127.89, Receivables: \$27,791.43
Disbursements: \$33741.76, General Savings: \$506,025.39, Ending Balance:
\$39,177.56

June Court Fund: Beginning Balance: \$3,332.00, Distributions: \$208.00,
Receivables: \$208.00, Ending Balance: \$3,332.00

June Highway Fund: Beginning Balance: \$207,922.49, Receivables: \$3.80
Disbursements: \$27,314.85, HWR: \$87,649.55, HWS: \$347,952.15, Ending
Balance: \$225,171.00

June Street Lighting Fund: Beginning Balance: \$6,672.07, Receivables: \$.11
Disbursements: \$194.49, Ending Balance: \$6,477.69

Joyce has officially retired as of July 1st. She has helped the new bookkeeper, Stephanie Garlock, get caught up to the books.

RESOLUTION #100-2021: Councilor Doug Holdridge made a motion to accept the Supervisor's Report

Councilor Jayne Black seconded the motion.

Carried unanimously.

Highway Supervisor's Report: Read by HWS Tony Domenicone. Worked on Bruce Road, just needs to put on shoulders. Worked on Culverts. Paved with Oneida and Smithfield in return we get their millings. Repairs to equipment and starting on the 2nd round of mowing. Called Tenco re: the box, they were sold. He asked the board if they want to go with Henderson for \$7,606. A difference of \$1,231 from Tenco.

RESOLUTION #101-2021: Councilor Doug Holdridge made a motion to approve the purchase of the Truck Dump Box from Henderson for \$7,606.00

Councilor Jayne Black seconded the motion.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN	ABSENT
Supervisor Yvonne Nirelli	X			
Councilor Doug Holdridge	X			
Councilor Jayne Black	X			
Councilor Russ Blanchard				X
Councilor Melissa During	X			

Carried unanimously.

Tony will probably get to the Church parking lot in September. Melissa asked about the Clock Estate Trust Account. Supervisor Nirelli will check into the whereabouts of the account.

Correspondence:

- A. Received the annual Onondaga Water Report.
- B. Letter from Jeffrey Baxtor, energy advisor regarding renewable energy and how he can help us with future endeavors.
- C. Codes received a letter from a resident that wants to replace a trailer on a pad that is too big for a single wide. The code that dictates this is a NYS Code not Town of Lincoln code. The Pad cannot be any wider than the unit because of water that can run under it and end up with Mold and unsafe

conditions. Codes Enforcer Larry Cesario said that he should get an engineer to help him modify the pad to make it approved.

NYSAC inflation data information was in for 2022.

Old Business:

- A. Supervisor Nirelli stated that the water survey resulted in 217 postcards returned out of an approximate 712 surveys that were sent out. 16 returned for no address, 62 yes 139 no. Supervisor Nirelli asked if the Board wanted to look at the yesses by location. We will look at them next month.
- B. Supervisor Nirelli discussed the proposed Solar Local Law. Planning Board Member Mat Spendley discussed the law as presented. Attorney Richard Andino spoke via speaker phone to the Board about the proposed law.

RESOLUTION #102-2021: Councilor Doug Holdridge introduced proposed Local Law B-2021, “A Local Law to Amend the Town of Lincoln Land Management Law to Add a New Article Regulating Solar Power and Energy Systems in the Town”, which Local Law will permit and regulate the construction of solar energy systems in the Town of Lincoln in a manner that preserves the health, safety and welfare of the Town, while also facilitating the production of renewable energy, and made the following motion which was seconded by Councilor Melissa During

WHEREAS, proposed Local Law B-2021 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 617.3 and 617 of the Regulations relating to Article 8 of the New York Environmental Conservation Law 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 I action for purposes of environmental review under SEQRA; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Lincoln, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; and

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

NOW, THEREFORE, it is

RESOLVED AND DETERMINED that the enactment of proposed Local Law B-2021 is a Type I action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQRA review; 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-2017 at the Lincoln Town Offices located at 6886 Tuttle Road, Canastota, NY 13032 in the Town of Lincoln on August 11, 2021 at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN	ABSENT
Supervisor Yvonne Nirelli	X			
Councilor Doug Holdridge	X			
Councilor Jayne Black	X			
Councilor Russ Blanchard				X
Councilor Melissa During	X			

DATED: July 14, 2021

The foregoing resolution was thereupon declared duly adopted.

- C. Attorney stated that the Moratorium expires in October for wind, and perhaps extending the moratorium for wind due to the restrictions from Covid during our current Moratorium. Would need a local law introduced at the August meeting to vote on in September.
- D. Supervisor Nirelli spoke of the sale of the Old Town Hall. Our attorney has been getting the documents together. Tony has been trying to get the well back on. Kincaid came to look at the issue stating there may be an issue with a leak in the pipe. A plumber then came out and attempted to purge the system and found the well is infested with water snakes. The Water construction company are testing the lines on Timmerman currently and hopefully get the Town Hall hooked up to City Water. So, we can either fix the well or hook up to city water. Our Attorney suggests that we do a permissive referendum for 30 days.

RESOLUTION #103-2021: Councilor Doug Holdridge made a motion to adopt the Permissive Referendum for the sale of the Old School House, 3849 Timmerman Road, Canastota, NY 13032

Councilor Jayne Black seconded the motion.

WHEREAS, the Town of Lincoln (the “Town”) has received a number of offers to purchase the former “Town of Lincoln Town Hall” tax parcel no. 52.10-1-37, being a 1.46 +/- acre parcel of property, including a building, on 3849 Timmerman Road in the Town of Canastota, and

WHEREAS, the Town Board has considered all offers and finds the purchase proposal of \$65,000.00, advanced by Ms. Thelma Musacchio of 4032 Seeber Road, Canastota, New York 13032 to be reasonable; and

WHEREAS, the Town has no public use for this excess property and is willing to sell the same to Ms. Musacchio for the proposed amount of \$65,000.00; and

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Town Board hereby approves the sale of the aforementioned property to Ms. Musacchio for the purchase price of \$65,000.00; and it is further

RESOLVED AND DETERMINED, that the proposed purchase price of \$65,000.00 is a reasonable market value for the subject parcel; and it is further

RESOLVED AND DETERMINED, that the Town will provide an up-to-date survey and abstract of title for the property to the buyer; and it is further

RESOLVED AND DETERMINED, that the sale of said property to Ms. Musacchio will be subject to the terms and conditions and provisions of the “Contract to Purchase” between Ms. Musacchio and the Town; and it is further

RESOLVED AND DETERMINED, that the Town will provide a warranty deed to the buyer; and it is further

RESOLVED AND DETERMINED, that this sale of publicly owned Town property is subject to permissive referendum.

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

RECORD OF VOTE				
MEMBER NAME	AYE	NAY	ABSTAIN	ABSENT
Supervisor Yvonne Nirelli	X			
Councilor Doug Holdridge	X			
Councilor Jayne Black	X			
Councilor Russ Blanchard				X
Councilor Melissa During	X			

The foregoing resolution was thereupon declared duly adopted.

Supervisor Nirelli will update the realtor and see what we can do with the water with the purchaser.

E. Supervisor Nirelli gave an update on the Water District. They have gotten their copper in and now hooking up those spots that can be tested and approved by OCWA. OCWA said they may allow hook ups in phases. No written decision from OCWA regarding this yet though. They have gone down Nelson and Knolls East. Rt 5 is not hooked up yet.

F. The Mandatory Referendum for the Justice position - the paperwork is being done and will be sent out to the BOE to make sure it is what NYS requires.

G. EV Charging Station 1st Deposit is due. We will get it back from NYSERDA at the end of the project's completion.

RESOLUTION #104-2021: Councilor Jayne Black made a Motion for the first installment of \$4000 to come from the contingency A1990.4

Councilor Doug Holdridge seconded the motion.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	ABSTAIN	ABSENT
Supervisor Yvonne Nirelli	X			
Councilor Doug Holdridge	X			
Councilor Jayne Black	X			
Councilor Russ Blanchard				X
Councilor Melissa During	X			

Carried unanimously.

New Business:

- A. 125 Anniversary of the Town of Lincoln and Service Dedications for Saturday, Aug 14th. Jenn Farwell has volunteered to spearhead this.

RESOLUTION #105-2021: Supervisor Yvonne Nirelli made a Motion to allocate \$500 from Contingency A1990.4 to be used for the Anniversary Celebration

Councilor Doug Holdridge seconded the motion.

Carried unanimously.

- B. The paperwork for the American Rescue Plan has been completed and sent in. The estimate is \$185,000.00 for lost services and services rendered that we did not get any use out of. Any cost we incurred for Covid prevention or in the future. Supervisor Nirelli stated that Bonadio is giving the Towns an analysis their inflation factor and loss of revenue factor. They are on an hourly rate if we would like to retain them. The Board members chose to wait until next month to decide.

- C. Supervisor Nirelli called the State Comptrollers and found out that we can still Zoom our meetings as we are still in COVID restrictions. If the quorum is physical, we do not need to record the meetings.

Public Discussion: Councilor Melissa During ask about the Town Clerk being deputy Supervisor, The Comptroller stated that she can be but does not have a vote. Also, a second signature does not have to be appointed. Supervisor Nirelli will check on the facts of this tomorrow.

Councilor Melissa During asked about the open Planning Board position. Supervisor Nirelli stated that no one has come forward for this position. She will check in with Tyler Farwell about filling the position. Councilor During would like to come up with an updated code of ethics and try to get an ethics committee together.

RESOLUTION #106-2021: Councilor Jayne Black made a motion to Pay Claims

Councilor Doug Holdridge seconded the motion.

Carried unanimously.

RESOLUTION #107-2021: Councilor Doug Holdridge made a motion to end the meeting

Councilor Jayne Black seconded the motion.

Carried unanimously.

Meeting was adjourned at 9:15 pm. Next meeting August 11, 2021

