

TOWN OF LINCOLN
6886 Tuttle Road Canastota, NY 13032
Town Board Meeting

Wednesday, May10,2023

Call to Order: 7:00pm

Pledge of Allegiance

Attendance: Supervisor Melissa During, Deputy Supervisor Doug Holdridge, Jayne Black, Peggy LeClair, and Doug Fusillo.

Others in Attendance: William Lollman, John Schoeck, Donnie Zupan, Anthony Domenicone, Mat Spendley, David Sadler, and Amanda Spendley

Introductions and Announcements:

Approval of April 2023 Meeting minutes were approved with a few spelling corrections.

Resolution 50-2023: Motion to approve Aprils Minutes made by Peggy LeClair, 2nd Jayne Black, carried unanimously.

The Town received an application from Donald New to continue the ZBA Board. His Term will be from 5/10/2023 to 12//31/2027. The Town Board also received an application from Jon Black for the Planning Board. John Black's term would be 5/10/2023-12/31/2026. The Board agreed approved both applications.

Resolution 51-2023: Motion to appoint Donald New as a ZBA Board member for the term 5/10/2023- 12/31/2027 made by Peggy LeClair, 2nd by Jayne Black, carried unanimously.

Resolution 52-2023: Motion to appoint Jon Black as a Planning Board Member for the term 5/1/2023- 12/31/2026 Doug Holdridge, 2nd by Doug Fusillo, carried unanimously.

The Town Board received a Resolution from the Town of Smithfield authorizing the sale of a 2012 Wacker Neuson 9503 Wheeled Excavator, Serial Number AJ03838 with a 24" digging bucket and a 60" ditching bucket for \$15,000. The Town Board agreed to allow the sale. Funds for the \$15,000 is to come from the Highway Equipment Reserve Fund.

Resolution 53-2023: Motion to Authorize the Purchase of 2012 Wacker Neuson 9503 Wheeled Excavator, Serial Number AJ03838 for \$15,000 out of the Highway Equipment Reserve Fund made by Doug Holdridge, 2nd by Doug Fusillo, carried unanimously.

Public Hearing for Property Maintenance and Nuisance Abatement Law.

Resolution 54-2023: Motion to Open Public Hearing at 7:15pm made by Doug Holdridge, 2nd by Jayne Black, carried unanimously.

Public comment from John Schoeck asked about the reason for going from \$250 to \$1000. NYS recommends the fee and bring our law current. William Lollman made a comment about debris for a neighbor on his property. Melissa During asked for him to wait for the Public Comments portion of the meeting.

Resolution 55-2023: Motion to close the Public Hearing at 7:15 pm made by Doug Holdridge, 2nd by Peggy LeClair, carried unanimously.

Amendment to Local Law 1 of 1997

Resolution 56-2023: Motion to move the adoption of a resolution declaring that the proposed local law amending Local Law Number 1 of the Year 1997, also known as the Town of Lincoln Property Maintenance and Nuisance Abatement Law, is an unlisted action for the purpose of SEQR compliance. The proposed action will not have a negative impact on the environment, involves no permitting authority outside the Town, and does not require the Preparation of a Draft Environmental Impact Statement made Doug Holdridge, 2nd by Peggy LeClair, carried unanimously.

Decision to Amend Local Law 1-1997 and such Amendment to be known as Local Law Number 1 of 2023.

Resolution 57-2023: Motion to move the adoption of a resolution approving the proposed amendments to Local Law Number 1 of the Year 1997, also known as the Town of Lincoln Property Maintenance and Nuisance Abatement Law, such amendments will be known as Local Law Number 1 of the Year 2023 made by Peggy LeClair, 2nd by Jayne Black, carried unanimously.

Williamson Law Contract that we receive every year for the Town Clerk support contact.

Resolution 58-2023: Motion to allow Melissa During to sign the yearly contract for Williamson Law software support made by Peggy LeClair, 2nd by Doug Holdridge, carried unanimously.

Last month the Town Board spoke about Glas during the workshop. The board agrees review it on May 25th 2023 with the attorneys.

Anthony Domenicone received the correct bid for the New Salt Storage Building for \$294,526 from Hybrid Building Solutions. The board agreed to move forward with the purchase of the new salt barn. Funds will come from Highway Fund and NYCLAS appropriation DA202.

Resolution 59-2023: Motion to allow Anthony Domenicone to sign the contract with Hybrid Building Solutions for \$294,526 for a new Salt Storage Building made by Doug Holdridge, 2nd by Doug Fusillo, carried unanimously.

Melissa received an agreement with Madison County for the Towns computer system. It would cost \$100 per computer for up to 10 computers being billed monthly. Also, included in the agreement is the phone system at \$4 per phone monthly. We have a total of 6 computers. The board agrees to pause on signing the agreement and compare other vendors since we currently do not pay for any services for the computers from the county. The board will relook at this in the next meeting.

Adam from Saturn Solar has been in front of the Board a few times and with all the materials he has presented it has made the Town Board relook at the Towns Solar Laws.

Resolution 60-2023: WHEREAS, the Town of Lincoln has received applications for new commercial solar operations and solar utility substations within the Town; and

WHEREAS, the Town currently has a comprehensive Town Solar Policy and applicable Code provisions to help guide the Town when determining proper land use considerations associated with the request; and

WHEREAS, a commercial solar applicant has alleged to the Town that certain provisions of its Code may be unenforceable and moreover effectively prevent the siting of commercial solar arrays within the Town; and

WHEREAS, while not conceding to or agreeing with the validity of said allegations, the Town recognizes the need to study the matter further and to undertake a review of the Town's Solar Policy and Codes as a whole to determine whether a revision or replacement of the same is necessary;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Lincoln hereby sets a public hearing for May 25, 2023, commencing at 7:00 P.M., to consider the Proposed Town of Lincoln Local Law Number 2 of the Year 2023, enacting a one-year Temporary Moratorium on the consideration, approval, and development of any and all commercial solar array installations and commercial solar utility substations within in the Town of Lincoln for a period of one (1) year from the effective date of the Local Law, or sooner if new legislation is enacted either cancelling said moratorium or amending the Policy and Code of the Town of Lincoln with regard to the permitting and installation of commercial solar array installations and commercial solar utility substations. The purpose of this Local Law is to stay any and all actions, including but not limited to pending applications, regarding commercial solar array installations and commercial solar utility substations until the presentation and passage of amended Town Policy and Code provisions addressing the same. This proposed Local Law, if adopted, will not have any impact on new or existing individual residential solar installations.

Motion to accept made by Peggy LeClair, 2nd by Doug Fusillo, carried unanimously.

Correspondence

Received from Board of Elections there will be no Primary Election in 2023 for the Town of Lincoln. The General Election will be held Tuesday November 7th 2023 at the Town Hall. Received the Ag and Markets Report for the Shelter Report and our Dog Control Officer and all was satisfactory. School Budget Vote post card showing the changes in taxes and allocation of monies. and a few advertisements. Amanda Spendley presented the Board with a potential grant opportunity.

Clerks Report given and accept with no questions.

Resolution 61-2023: Motion to accept Clerks Reports made by Doug Fusillo, 2nd by Jayne Black, carried unanimously.

Town Clerks office hours are to change for the Summer Months of June, July and August 2023 to Tuesday and Wednesday 4pm-7pm, Friday 8am-12noon. Saturdays will be for appointments only. Public Notice to be sent to notify residents.

Dog Control Report was submitted and filed.

Assessor Report given by Mat Spendley accept and filed. He has made himself available for and issues or questions concerning their assessments per his Public Notice. Mat Spendley inquired about purchasing an application called Onyx for \$100 per year. The board looked over the investment report and decided to move funds to allow him to purchase the app for the Town. Budget transfer of \$2000 from the contingency line A1990.4 to A1355.4 for Assessor needs.

Resolution 62-2023: Motion to transfer \$2000 from A1990.4 to A1355.4 made by Jayne Black, 2nd by Peggy LeClair, carried unanimously.

Historian David Sadler presented his report and filed.

Anthony Domenicone talked with the Village of Wampsville and they asked if the Town of Lincoln would plow the village roads and Daniels Drive again for the winter of 2023-2024. Tony is to draw up a new contract to do so. Anthony Domenicone has completed his 284 Agreement for the Expenditure of Highway Moneys. He has not received a true letter from CHIPS. General Repairs- \$237,787.09 shall be set aside for primary work and general repairs upon 31.45 miles of town highways. Permanent Improvements to include Tuttle Road, Old County Road, Colegrove Road and Nelson Road. Black Top bid Public Notice is to be posted in the paper.

Resolution 63-2023: Motion to accept and sign 284 Agreement for the Expenditure of Highway Moneys made by Doug Holdridge, 2nd by Doug Fusillo, carried unanimously.

Public Comment

William Lollman owns property on Whitman Road brought to the attention of the Board encroachment to his property by a neighbor Lenhart. He would like a remedy to get him to clean up his mess on his property. Melissa During had Amanda Spendley give him a codes complaint form to be filled out and presented to Larry Cesario. Encroachment of the property would have to be delt with by his personal lawyer.

Donnie Zupan asked the Board if there were any ideas on the Water District grants. The Board notified him that once the surveys come out at the end of the month and come back B and L will start looking for grants if the Town proceeds with forming a water district.

Peggy LeClair had an update that the Town hall generator is coming in June and the Highway generator will be here in September. She will be meeting with the contractor after Memorial Day to see what steps are needed before installation.

Peggy LeClair would like to do a fall fest in the Town of Lincoln down at the green at the Fire Department to also encourage recruitment for the Fire Department. They are hoping to get vendors for crafts and food. Tentatively it will be Saturday October 7th. Peggy to check with the Fire Department to verify the date.

Resolution 64-2023: Motion to accept payment of Claims made by Peggy LeClair, 2nd by Jayne Black, carried unanimously.

Resolution 65-2023: Motion to adjourn at 8:31pm made by Doug Fusillo, 2nd by Doug Holdridge, carried unanimously.