

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

Wednesday, September 11, 2024

Work shop

Call to Order: 7:00pm

Pledge of Allegiance

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

Others in Attendance: Amanda Spendley, Mat Spendley, and Albert Fowler.

Public Comment:

Albert Fowler addressed the Town Board in regards to the Landfill smell and how neighbors are considering selling their properties due to the on-going issue. Melissa During shared a response from a similar complaint from the Director of Solid Waste. The response stated there will be no health or environmental impacts due to the operations of the Landfill. They are working under strict environmental regulations and monitoring that include ground, air and ground and surface waters, as well as various DEC inspections. The Landfill and Madison County are taking measures to minimize the occurrences of smells due to weather conditions and wind directions changing. They are currently working on a 2024- 2025 dewatering project to increase the number of gases removed. The DEC has completed their report and Melissa During reported it was excellent.

Drew Thomas from One Digital introduced himself and what his responsibilities to the town with regards to employee benefits. The Towns renewal is coming up in May of 2025 and was looking to Anthony Domenicone for suggestions on what he would like to see out of the health insurance. The town is to investigate different plan options with a wider selection of coverages. New pricing was not available for 2025.

Approval of August 2024 meeting minutes with no corrections.

Resolution 72-24: Motion to approve August 2024 meeting minutes made by Peggy LeClair, 2nd Doug Fusillo, carried unanimously.

Financial Reports: Were provided and on file in the clerk's office. Doug Holdridge sent a question in regarding the insurance reimbursement and budget lines that were over. Brynley Wilcox sent a response that generally funds that come into the town are placed under revenue lines only rarely would money come in get expensed to an expenditure line. Any insurance money the town receives gets put under A2680 or DA2680 depending on the claim. Any budget amendments that were brought to the board and approved were communicated from the

Town Clerk to her, if any were missed, she will look in to those and coordinate with the Town Clerk for the resolutions. Typically, at the end of the year she will do 1 budget amendment to bring all budget lines current.

Correspondence: Indeed AD, Kinsella Quarries flyer, Pipeline safety survey,

Supervisors Announcements and Updates:

Comptroller Auditor was able to obtain the paperwork the Town was looking for to send the former Supervisor Yvonne Nirelli a letter. Melissa During just sent the information to Jon Karp. She is to follow-up with the Jon Karp to be sure it is sufficient information.

A resident reached out to Melissa During regarding his building permit that is now voided and a refund. One of the inspections was completed by codes and has been over 1 year since the permit was issued. The Town board agreed no refund will be issued as it states in the April 1, 2023 fee scale the permit is valid for one year and non-refundable. Melissa During will reach out to the resident.

Melissa During received letters from Madison County EMS. One letter was for a Proposed Emergency Response Standard presentation on 9/24/2024 at the Hamilton Central School District. The other letter was for a Permanent Certificate of Need and requested a letter of support to be included with their application to the Emergency Services Council. The board agreed they do not support Madison County EMS as Greater Lenox Ambulance Service holds our Certificate of Need for the Town. They agreed not to send the letter they are requesting.

Melissa During asked Anthony Domenicone to return the unused products to reliable that were unapproved and dropped off to the Highway Department.

Deputy Supervisor Announcements and Updates:

Peggy LeClair stated the Fall Fest was coming along and has a car show planned, Craft Vendors, GLAS, Fire Demonstration and Chicken BBQ, and Dad's Ice-cream. The event will take place September 28, 2024 from 11am-4pm. Anthony Domenicone will block off the roads and cone the roads for a safer traffic flow during those hours.

The Fire Department is asking for the Town's help October 26 at 5pm for a trunk or treat. They wish to decorate trunks and hand out candy, they also have Browns BBQ to be there. They also asked about a tree lighting event as well more details to follow. The Parade of Lights was mentioned and a consensus to attend was given.

Comprehensive plan is moving along. Jessica and Peggy LeClair have started to draft the now plan.

The generators have a recommended yearly maintenance. Peggy LeClair provided 2 quotes to the board for review. One from Starctec and one from Myriad. Myriad has not completely fixed the issue with the exhaust fumes entering the building through the air intake vent in the

Supervisors office. Pat Murphy is to come in and look at the air intake vent. Myriad stated they can remove the air intake vent from being used when the generators are running. More information to follow once the Pat Murphy comes in to look at the generators.

No county updates because Peggy LeClair does not have access to the meetings through zoom anymore. Melissa During is to take over on the updates going forward.

Department Reports/Updates:

Clerks report given and on file in the Clerk's office.

Resolution 73-2024: Motion to approve Clerks Report made by Peggy LeClair, 2nd by Jayne Black, carried unanimously.

Planning Board and Zoning Board update minutes were provided for the Town Boards review. Per the request of Melissa During the minutes are added into the Town board minutes as follows:

**TOWN OF LINCOLN
6886 Tuttle Road Canastota, NY 13032
Planning Board**

Tuesday, September 10, 2024

Call to Order: 7:00pm

Pledge of Allegiance

Members Present: Andrew Jeski, John Schoeck, Marva Smith, Jon Black, Justine Kelsey, and Timothy DeWolfe.

Others in Attendance: Mat Spendley, Amanda Spendley, Peggy LeClair, Donald and Deb New, Darrin Ball, Melissa Dailey, and Hannah Ball.

August 2024 minutes approved with no corrections.

Resolution 37-2024: Motion to approve August 2024 minutes with no corrections made by Justine Kelsey, 2nd Marva Smith, carried unanimously.

Old Business:

Deb and Donald New brought in the surveys and MYLAR maps for the current subdivision application SD 4-24. Donald New stated the prospective owners are looking to build on the lot

once the subdivision and sale have been completed. SEQR application reviewed and determined based on the information and maps provided the purposed action will not result in any significant adverse environmental impacts. Public hearing is set for October 8th, 2024 at 7pm.

Resolution 38-2024: Motion to approve SEQR application for SD 4-24 made by Jon Black, 2nd by John Schoeck, carried unanimously.

New Business:

SUP 5-24 application for Darrin Ball reviewed. John Schoeck asked for drawings of the site map to include driveway, parking, lighting and GML recommendation per Section 606.1-606.4 in the Land Management Law. Procedure of obtaining a Special Use Permit explained. Darrin Ball is to submit the new information requested and return in October.

John Schoeck asked about the SUP for Wolf Oak Acers. He has put a call in the town attorney and waiting for a response.

Resolution 39-2024: Motion to adjourn at 7:46pm made by John Schoeck, 2nd Justine Kelsey, carried unanimously.

**TOWN OF LINCOLN
6886 Tuttle Road Canastota, NY 13032
Zoning Board of Appeals**

Thursday, August 15, 2024

Call to Order: 7:00pm

Pledge of Allegiance

Members Present: Arron LeClair, Donald New, Jeannine DeWolfe and David Chorley.

Others in Attendance: Peggy LeClair, Mat Spendley, Infinity Solar, NB+C, Steve Fan and Amanda Spendley.

In the absence of Chair William Jarvis, appointment of Temporary Chair Arron LeClair for the duration of the August meeting.

Resolution 12-2024: Motion to appoint Arron LeClair as Temporary Chair made by David Chorley, 2nd Jeannine DeWolfe, carried unanimously.

Approval of July 2024 Meeting Minutes with no changes.

Resolution 13-24: Motion to approve July 2024 Meeting minutes with no changes made by Arron LeClair, 2nd David Chorley, carried unanimously.

SEQR for VAR 3-24 reviewed and found with the documentation and analysis of the information provided there will be no negative impact to the environment.

Resolution 14-24: Motion to approve the SEQR made by Donald New, 2nd by Jeannine DeWolfe, carried unanimously.

Public Hearing:

Infinity Solar public hearing opened at 7:05pm to all interested residents to ask questions. 3 unknown residents from Oxbow RD asked what the public hearing was about as they did not inspect the applications. Arron LeClair stated the residential ground mount solar system being placed in the rear of the residence needs a variance due to the size of the project exceeding the allotment of 10feet in height per Local Law 3-2023 Section 7.4. The Variance board reviewed the recommendation from the Planning Board. The Variance Board agreed the screening should be planted at 6ft minimum and maintained. Unfortunately, one of the 3 residents was not notified of the public hearing for unknown reasons. All residents have no negative comments and do not protest the Solar panels being installed. Public hearing closed at 7:11pm. The Variance Board approved the Variance application 3-24 for Infinity Solar with the height at 10 ft 2 inches maximum with the conditions of the evergreen screening minimum at 6ft and they are to be maintained by the resident.

Resolution 15-24: Motion to close the public hearing at 7:11pm made by Donald New, 2nd David Chorley, carried unanimously.

Resolution 16-24: Motion to approve application VAR 3-24 with conditions made by Donald New, 2nd by David Chorley, carried unanimously.

Application and SEQR for VAR 4-24 reviewed and found with the documentation and analysis of the information provided there will be no negative impact to the environment.

Verizon Wireless public hearing opened at 7:21pm. Verizon Wireless representative explained it is a cellular communication tower being placed on leased land from Jack Curtin on Ingalls corners road to increase cell service in the area. They are asking for a Variance for the setbacks, Area and Use Variance. No public comments. Public hearing closed at 7:27pm. Variance application VAR 4-24 approved with no conditions.

Resolution 17-24: Motion to open public hearing for VAR 4-24 at 7:21pm made by Jeannine DeWolfe, 2nd by Donald New, carried unanimously.

Resolution 18-24: Motion to close the public hearing for VAR 4-24 at 7:27pm made by Donald New, 2nd David Chorley, carried unanimously.

Resolution 19-24: Motion to approve VAR 4-24 for Area, Use and Setbacks made by Donald New, 2nd by Jeannine DeWolfe, carried unanimously.

Resolution 20-24: Motion to adjourn at 7:28pm made by Donald New, 2nd David Chorley, carried unanimously.

Dog Control report not provided for the month of August.

Codes report provided for review and on file.

Historian Report provided for review and on file.

Highway report: Anthony Domenicone stated it has been a quiet month overall. The highway crew has worked on the last of the roadside mowing. Has completed all the oil and stone projects with help from surrounding towns. Anthony Domenicone will be ordering salt shortly to prepare for winter. He has received a few letters from the state as they will be changing the process of CHIP's. Peggy LeClair asked about the electric mower and the grant and if they have approved the purchase. Anthony Domenicone explained they grant money will cover \$15,000 of the price of the mower and the remainder amount would be roughly \$15,000 the town is responsible for and his small equipment budget line DA5130.2 would cover it. Peggy LeClair asked about longevity of the mower. The battery has an eight-year warranty and the mower its self is a three-year warranty. Anthony Domenicone is looking into replacing it with another electric mower within the warranty period.

Assessor report: Mathias Spendley reported that training has been scheduled again for another session in January. Tax season has started and all residents have started receiving their school taxes. Mathias Spendley has been receiving phone calls regarding residents' taxes, exemptions, and assessments. He has continued updating property inventory. Melissa During asked how much more training he must do to complete his certification. Two more classes and the last training is quite a distance away and multiple days in a row. Travel expenses unfortunately will have a part in the last training session. Mathias Spendley is to have a rough estimate for the expenses for the budget workshop.

New Business:

Budget workshop is scheduled for October 1, 2024 at 7pm. Public Notice will be sent out by Town Clerk.

Resolution 74-2024: Motion to schedule the Budget Workshop for October 1, 2024 at 7pm made by Peggy LeClair, 2nd by Jayne Black, carried unanimously.

Old Business:

Unfortunately, B&L could not attend. Hopefully to reschedule for next month.

Local Law 2-24 Temporary Moratorium discussed last month on the Construction, Installation and Placement of Windmills and Wind Energy Conversion Systems within the Town of Lincoln; public hearing is set for October 9th 2024 at 7:15pm. Public notice will be sent out by the Town Clerk.

Resolution 75-2024: Motion to set public hearing for LL2-24 Temporary Moratorium on the Construction, Installation, and Placement of Windmills and Wind Energy Systems within the Town of Lincoln for October 9th, 2024 at 7:15pm made by Peggy LeClair, 2nd Doug Fussillo, carried unanimously.

Local Law 3-24 Overriding the Tax Cap Levy allowing the town of Lincoln to go over the Tax Cap; public hearing has been scheduled for October 9th 2024 at 7:20pm as a standard practice. The Town of Lincoln has not gone over the tax cap levy in previous years and is just a precautionary measure.

Resolution 76-2024: Motion to set public hearing for LL3-24 Overriding the Tax Cap Levy for October 9th, 2024 at 7:20pm made by Doug Fusillo, 2nd Peggy LeClair, carried unanimously.

Infinity Solar SUP 4-24 public hearing set for October 9th, 2024 at 7:30pm for BP 8-24 Installation of Residential ground mount solar.

Resolution 77-2024: Motion to set public hearing for SUP 4-24 for October 9th, 2024 at 7:30pm made by Peggy LeClair, 2nd Jayne Black, carried unanimously.

Payment of Claims: accepted as presented with no omissions.

Resolution 78-2024: Motion to accept payment of claims made by Peggy LeClair, 2nd Doug Fusillo, carried unanimously.

Public Comment:

Anthony Domenicone asked if anyone has asked for a roadside work permit on Colegrove Rd. None have been received by the Clerks office.

Jayne Black asked about the washed-out driveway and culvert on Seeber Rd. Anothony Domenicone is to try to fix before winter for the resident.

Executive Session:

Executive session opened for a discussion on a personnel matter at 8:17pm; closed at 8:26pm with no decisions.

Resolution 79-2024: Motion to enter executive session at 8:17pm made by Doug Fusillo, 2nd Peggy LeClair, carried unanimously.

Resolution 80-2024: Motion to exit executive session at 8:26pm made by Melissa During, 2nd Jayne Black, carried unanimously.

Resolution 81-2024: Motion to adjourn at 8:27pm made by Doug Fusillo, 2nd Peggy LeClair, carried unanimously.