**PUBLIC HEARING and REGULAR MEETING - March 13, 2025**

**TOWN OF COLUMBUS**

A Public Hearing and Regular Meeting of the Town Board of the Town of Columbus, County

of Chenango and the State of New York was held starting at 6 pm at the Town Courtroom, 4340 State Hwy 80 in Columbus on **March 13, 2025.**

BOARD MEMBERS PRESENT:

Diane Scalzo Supervisor

Jane Prohaska Board Member

Alexis Wilcox Board Member

Judith Lowe Board Member

Gretchen Robinson Board Member

RECORDING SECRETARY:

Elizabeth Vermeulen Town Clerk

ALSO PRESENT: Kevin Cross Highway Superintendent

Susan LaFever Deputy Town Clerk

OTHERS PRESENT: Jill Robinson Unadilla Motocross

**PUBLIC HEARING:**

At 6 pm, Supervisor Diane Scalzo called to order the Public Hearing on proposed Local Law #2 of 2025 entitled “A Local Law Repealing Local Law # 2-2012 Entitled Town of Columbus Sanitary Regulations Local Law”.

The clerk read the following Legal Notice which was published in the Evening Sun newspaper:

*PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the*

*Town of Columbus on March 13, 2025 at 6:00 p.m. at the Town Courtroom, 4340 State Highway*

*80, Columbus, NY regarding a local law entitled “A LOCAL LAW REPEALING LOCAL LAW*

*NO. 2-2012 ENTITLED TOWN OF COLUMBUS SANITARY REGULATIONS LOCAL*

*LAW.”*

*TAKE FURTHER NOTICE that the environmental significance, if any, of the proposed*

*local law will be reviewed by said Town Board incident to and as a part of said public hearing.*

*Persons with disabilities who require assistance in attending said public hearing, or in*

*furnishing comments and suggestions, should contact the undersigned to request such assistance.*

*Communications in writing in relation thereto may be filed with the Town Board or at such*

*public hearing.*

*Dated: February 25, 2025*

*Elizabeth Vermeulen, Town Clerk*

*Town of Columbus*

**Summary of Public Comments:** There were no public comments

At 6:06 pm, Gretchen made a motion to close the Public Hearing, and Jane seconded the motion. All Ayes.

The Regular Town Board meeting was called to order by Diane Scalzo, Supervisor, with the Pledge of Allegiance; and the Clerk called the roll.

**Supervisors Report by Diane Scalzo:**

* Deposits for the month were reviewed, and transfers were explained.

**Board of Health:** Nothing to report.

**REVIEW OF PRIOR MEETING MINUTES:**

Feb. 13, 2025 Regular monthly meeting

Motion was made by Jane and seconded by Gretchen to approve the minutes of the Feb 13, 2025 meeting.

Discussion – Diane requested some changes to the draft minutes.

* + On pg 2 under Highway Superintendents Report, “utilize” should be replaced with “fund”. The sentence will now read: “ He described the unit and explained the specific budget accounts to fund this purchase.”
  + On pg 6, add “Public Hearing”. The sentence will now read: “Jane made a motion, which was seconded by Gretchen, to set the date for the Public Hearing on the Battery Energy Storage Systems (BESS) Local Law to Feb. 24, 2025 at 5:30 pm.”

All Ayes. None opposed. Motion passes and minutes were approved with the specified changes.

Feb. 24, 2025 Public Hearing on BESS Law

Motion was made by Gretchen and seconded by Jane to approve the minutes of the Feb 24, 2025 meeting.

Discussion:

* Judy stated that the roll call votes listed Lexi as absent, which was incorrect.
* Diane requested that on pg 2, the second sentence in the Summary of Public Comments be revised to read: “It was clarified to all that the town has no information on any solar projects currently planned. There has been a 12-month moratorium for battery energy storage systems.”

All Ayes. None opposed. Motion passes and minutes were approved with the specified changes.

**Public Comment**: None

**Communications**:

* We received the bill and agreement for the 2025 Sherburne Summer Youth Recreation program: Lexi made a motion which was seconded by Gretchen to allow the Supervisor to sign the agreement. All Ayes.
* Notice from Barb Strier, Deputy Treasurer at County Real Property Services Delinquent Taxes requesting any information on the 4 properties in Columbus facing tax foreclosure.
* Letter received from Bill Craine and Barb Strier outlining what the occupancy tax revenue has been.
* Rabies Clinic will be held in Columbus on May 13, 2025 from 5:30 to 6:30.
* Community Baby Shower to be held at Norwich Hospital on May 10 from 11-1. There will be medical information, local resources, and raffles.
* Notice from County that Nancy Lehman’s position on the Columbus BAR expired in Sept 2024. There will be mandatory training on April 10 for BAR members.

**Highway Superintendent’s Report by Kevin Cross**

* Equipment: The grader, roller, and pickup were serviced and several repairs done to get ready for spring work. Stress cracks on plows were welded.
* Roads: They have started to remove snow and ice from seasonal roads.
* CHIPS: They have started hauling crushed stone for paving projects. The Governor has held CHIPS funding flat in the state preliminary budget; with the rising cost of material, not as much can get done. He submitted for a CHIPS reimbursement for a March 14 payment.
* Personnel: The new employee is working out well.
* Kevin gave an overview of the 284 Agreement, and will submit the full report at the April meeting.

**Dog Control Report –** from Town Clerk.

Carol picked up a dog last week on Winton Rd and Rte 80 and returned to the owner on Winton Rd. Owner has 4 dogs, none licensed. There had been previous neighbor complaints about these dogs running loose, which Carol had responded to. The owner told Carol he is in process of putting up fencing.

We received a formal complaint from a resident on Casey Cheese Factory Rd regarding her neighbor’s loose dogs on her property, in her garage, and tearing up her garbage. This has been going on for a number of years. She submitted photos and copies of texts with the neighbor. I will be getting the information to Carol.

The clerk will send out dog license applications and rabies clinic information to both people.

**Committee Reports:**

**Communications Committee report** by Lexi Wilcox**:** Nothing to report

**Park Committee**  by Jane Prohaska: Nothing to report

**Highway Committee**  by Jane Prohaska: Nothing to report

**Infrastructure, Buildings and Facilities** by Judy Lowe: Nothing to report

Discussed broken railing and communication hut being built for broadband project.

**Legal & Finance** by Diane Scalzo

The attorney was contacted regarding some of the comments made at the BESS Public Hearing.

Diane moved **Resolution #31 – 2025 Budget Modifications and Adjusting Journal Entries**

**Whereas**, budget modifications are required from time-to-time to ensure adequate budget funding for necessary expenditures, and

**Whereas**, adjusting journal entries are required from time-to-time to correct prior entries for accuracy, and

**Whereas**, sufficient funds are available in the budget to make the modifications, and

**Whereas**, the particular expenditures are necessary for appropriate administration of town needs;

**Therefore, be it resolved** that budget modifications be made.

**Resolved** that the 2025 budget be modified to increase DA5130.2 Equipment Purchase $9,830; decrease DA5110.43 Dust Control $4,000 and decrease DA5110.46 Road Surface Material $5,830;

**Resolved** that adjusting journal entries be made to increase ConnectALL Grant Revenues Receivable $230,780.66 and increase A2397.1 ConnectALL Grant Reimbursement $230,780.66.

* The motion was seconded by Gretchen.
* Discussion:
* Roll call vote:
  + D. Scalzo Aye
  + J. Prohaska Aye
  + A. Wilcox Aye
  + G. Robinson Aye
  + J. Lowe Aye
* Motion carried and Resolution passed.

**Public Health & Emergency Preparedness** by Gretchen Robinson: Nothing to report

**ConnectALL**

* There was an RFP prepared for marketing the ConnectALL program. Bid opening will be on March 21st at 2pm in Sherburne. The primary goal will be to maximize subscriber enrollments and raise awareness of the program.
* There will be an informational meeting on March 20 at 7pm at the American Legion.
* Jill Robinson from the Unadilla MotoCross stated that high speed broadband is a priority for their business. She distributed 2025 Event dates.

**OLD BUSINESS**

**Sanitary Law Repeal**

SEQR – Diane made a motion which was seconded by Gretchen that the adoption of the proposed law constitutes a Type 2 action, legislative and not environmental.

All Ayes. Passed.

Diane moved **Resolution #33 – 2025**: **A RESOLUTION APPROVING LOCAL LAW NO. 2-2025**

At a meeting of the Town Board of the Town of Columbus, held on the 13th day of March, 2025, at the Town Courtroom, 4340 State Highway 80, Columbus, NY, the following resolution was offered and seconded:

**WHEREAS**, notice was given that the Town Board scheduled a public hearing for March 13, 2025 at 6:00 p.m. for Local Law No. 2 of the Year 2025 entitled “A LOCAL LAW REPEALING LOCAL LAW NO. 2-2012 ENTITLED TOWN OF COLUMBUS SANITARY REGULATIONS LOCAL LAW”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

**WHEREAS**, said public hearing was duly held on the 13th day of March, 2025 at 6:00 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(26) and (33).

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of Columbus hereby adopts said local law as Law No. 2 of the Year 2025 entitled “A LOCAL LAW REPEALING LOCAL LAW NO. 2-2012 ENTITLED TOWN OF COLUMBUS SANITARY REGULATIONS LOCAL LAW”; and it is further

**RESOLVED** that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and it is further

**RESOLVED** that this resolution will take effect immediately upon filing with the Department of State.

* The motion was seconded by Lexi.
* Discussion: The previous Sanitary Regulations are being repealed because sanitation control has been deferred to the county and they enforce state law. Clerk will do the necessary state filings for the local law.
* Roll call vote:
  + D. Scalzo Aye
  + J. Prohaska Aye
  + A. Wilcox Aye
  + G. Robinson Aye
  + J. Lowe Aye
* Motion carried and Resolution passed.

Text of Local Law #2 – 2025 is included at the end of minutes.

**NEW BUSINESS**

**Planning Board –** Discussed current open seats on Planning Board. Attorney has said that the Town Board could reduce the board to 3, with a quorum of 2. Reviewed the recently received application for membership from a town resident. Kay has requested that Jen Simons be re-appointed from alternate member to full member.

Judy made a motion to appoint Jen Simons as a full-term Planning Board member.

* The motion was seconded by Jane.
* Concerns discussed.
* Vote: 3 Ayes (Lowe, Prohaska, Robinson), 2 Nays (Scalzo, Wilcox)
* Passed

Gretchen made a motion to provisionally appoint Chris LaRose as a Planning Board member contingent on his attending a planning board meeting, at which point the Board could approve him.

* The motion was seconded by Jane.
* Discussion. This is a procedural issue, since generally a prospective member would attend a meeting before applying, and this may actually be part of Planning Board by-laws. Due to lack of quorum, the Planning Board has not been able to hold meetings for the past 2 months.
* Vote: All Ayes.
* Passed

Kay will let us know the terms of the new members.

**Holdridge Rd**

Diane moved **Resolution # 32-2025 CONFIRMING THE DESIGNATION OF HOLDRIDGE ROAD IN ACCORDANCE WITH TOWN LAW §64(9)**

At a meeting of the Town Board of the Town of Columbus, held at the Town Courtroom,

4340 State Highway 80, Columbus, New York on the 13th day of March, 2025, the following

resolution was offered and seconded:

**WHEREAS**, there exists a Town road located in the Town of Columbus, as depicted in

the attached Exhibit A, that was historically known as “Holdridge Road” consistent with historic

records on file with the Town of Columbus and Chenango County; and

**WHEREAS,** over time, the road has become referred to as “Holdredge Road” on Town

signage, without any official Town Board action changing the name of the road; and

**WHEREAS**, pursuant to Town Law §64(9), only the Columbus Town Board has

authority to designate, change and alter the name of streets within the Town of Columbus; and

**WHEREAS** the Town Board, through this Resolution, seeks to clarify and confirm that

the name of the above-referenced road is “Holdridge Road” and not “Holdredge Road.”

**NOW THEREFORE BE IT RESOLVED** that, in accordance with its authority under

Town Law §64(9), the Town Board hereby designates the above-referend road as “Holdridge

Road” and all signage and references in official records shall be consistent with this designation;

and

**BE IT FURTHER RESOLVED** that, in accordance with Town Law §64(9), the Town

Clerk shall, within 10 days, provide notification of this Resolution to the Town of Columbus

Board of Assessors, the Town of Columbus Planning Board, the Chenango County Clerk, the

Chenango County Engineer, and the United States Post Office; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

* The motion was seconded by Gretchen.
* Discussion.
* Roll call vote:
  + D. Scalzo Aye
  + J. Prohaska Aye
  + A. Wilcox Aye
  + G. Robinson Aye
  + J. Lowe Aye
* Motion carried and Resolution passed.

**Clerk’s Office – Destruction of Records**

The Clerk’s office currently has a large quantity of records needing destruction. Records Destruction Authorization forms have been completed for all of these records

New York Local Government Records outlines the legal minimum retention periods for local government records under LGS-1, which was adopted by the Town of Columbus under Resolution # 33 – 2022. Only those records will be disposed of that are described in LGS-1

after meeting the minimum retention periods, and that do not have sufficient

value to merit retention beyond established legal minimum periods.

* Gretchen made a motion to allow the Clerk and Deputy Clerk to destroy the necessary records. The motion was seconded by Jane.
* Discussion.
* Vote: All Ayes .
* Passed

**Board of Assessment Review – BAR**

* The Columbus BAR currently consists of 3 members, but Nancy Lehman’s term expired in Sept 2024. Discussion on trying to get another member. There will be mandatory county training on April 10 for BAR members.

**REVIEW OF EXPENDITURES**:

Motion to Pay bills made by Lexi and seconded by Gretchen. All Approved.

GENERAL FUND – Abstract #3, Vouchers #53 - #74 for a total of $153,590.38

HIGHWAY FUND – Abstract #3, Vouchers #31 - #46 for a total of $ 32,856.59

Motion to adjourn the meeting made by Judy and seconded by Lexi. All Approved.

Meeting Adjourned at 8:04 PM.

Respectfully submitted,

Elizabeth Vermeulen, Town Clerk

NOTE: The Audible recording of the Town Board meeting is available from the Town Clerk as a FOIL request.

**LOCAL LAW # 2-2025 - A LOCAL LAW REPEALING LOCAL LAW NO. 2-2012 ENTITLED “TOWN OF COLUMBUS SANITARY REGULATIONS” LOCAL LAW**

Be it enacted by the Town Board of the Town of Columbus as follows:

Section 1. Legislative Intent

In 2012, the Town Board adopted Local Law No. 2-2012 known as the “Town of Columbus

Sanitary Regulations” Local Law. The purpose of the law was to establish certain local standards to govern the treatment of sewage and the design of sewage treatment systems within the Town. The Town Board now finds that the New York State regulations governing the treatment and design of sewage systems adequately protects the public health, safety and welfare. The County Codes Department regulates such systems and enforces the State Code on behalf of the Town, without the need for a local regulatory sewage official. Therefore, the intent of this Local Law is to repeal the local septic regulations and apply New York State septic regulations instead.

Section 2. Repeal

Local Law No. 2-2012, known as the “Town of Columbus Sanitary Regulations” Local Law,

is hereby repealed in its entirety. To the extent that Local Law No. 2-2012 revised Local Law 2-

1993, any remaining provisions of Local Law 2-1993 governing local sewage regulations are hereby also repealed.

Section 3. Remainder

Except as hereinabove implemented, the remainder of the Local Laws of the Town of

Columbus shall remain in full force and effect.

Section 4. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence,

subsection, word, or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any

person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and as if such person or circumstance, to which this Local Law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary

of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.