**PUBLIC HEARING and REGULAR MEETING, TOWN OF COLUMBUS, Aug. 14, 2025**

A Public Hearing and the Regular Meeting of the Town Board of the Town of Columbus, County of Chenango and the State of New York was held at 6 pm at the Town Courtroom,

4340 State Hwy 80 in Columbus on **Aug. 14, 2025.**

BOARD MEMBERS PRESENT:

Diane Scalzo Supervisor

Jane Prohaska Board Member

Alexis Wilcox Board Member

Judith Lowe Board Member

Gretchen Robinson Board Member

ALSO PRESENT: Elizabeth Vermeulen Town Clerk

Kevin Cross Highway Superintendent

OTHERS PRESENT: Charles Edmonds

Ruth and Dick Horton

Ralph Cavalieri

Jean Walbroehl

William Larchar

Anthony Cruz

**PUBLIC HEARING:**

At 6:00 pm, Supervisor Diane Scalzo called to order the Public Hearing on proposed Local Law #5 of 2025, a Local Law to Override the Tax Levy Limit.

The clerk read the following Legal Notice which was published in the Evening Sun newspaper on Aug.1, 2025:

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

*Town of Columbus on* ***August 14, 2025 at 6:00 pm*** *at the Town Courtroom, 4340 State Hwy*

*80, Sherburne, NY regarding Local Law #5 of 2025, a Local Law to Override the Tax Levy Limit.”*

There was no public comment.

At 6:05 pm, Gretchen made a motion which was seconded by Jane to close the Public Hearing. All Ayes.

**REGULAR TOWN BOARD MEETING**

The Supervisor called the Regular Town Board meeting to order with the Pledge at 6:05 pm, and the Clerk called the roll. All present.

**Supervisors Report by Diane Scalzo:**

* A building permit was issued for residential construction on Hemlock Rd.
* There was an EMS meeting.
* Diane attended this year’s County Agriculture Tour.
* The month’s deposits and transfers were reviewed.

**Board of Health:** nothing to report

**REVIEW OF PRIOR MEETING MINUTES:**

July 10, 2025

Motion was made by Jane and seconded by Gretchen to approve the minutes of the July 10, 2025 meeting.

Discussion:

* On page 4 under Park, regarding the weeds on the walking path, it should be clarified that we would need to hire a licensed professional for herbicide spraying.
* On page 5, under Old Business, New Berlin EMS, it should state “invoice not yet received”.
* Also on page 5 under New Business, 2026 EMS, the beginning of the paragraph should read: “The cost of EMS services is potentially not going to be subject to the 2% tax cap. The Senate and Assembly passed a bill to exempt EMS from the property tax cap, although this has not yet been signed by the governor. …”

All Ayes.

Motion carried and minutes were approved with noted changes.

July 21, 2025

Motion was made by Gretchen and seconded by Judy to approve the minutes of the July 21, 2025 meeting.

Discussion:

All Ayes.

Motion carried and minutes were approved as written.

**Communications**:

* Clerk received an email from a person wondering how one would volunteer to help families with the developmentally disabled in our town. Discussion of several organizations. Gretchen suggested that the clerk forward the message to her for response, since she has knowledge of the various relevant local organizations.
* The clerk has had much communication from the NYS Division of Cemeteries and others regarding the Columbus Center Cemetery. She summarized the current situation and recommended that our town attorney review General Municipal Law Section 165A and Town Law Section 291, laws allowing town boards to assist with cemetery maintenance. She requested that the town board cover the cost of the required legal notices, which is the first step towards having the cemetery get reorganized and prevent its abandonment. She also requested that the town board consider covering the cost of mowing and trimming the cemetery for the balance of this year and next year. She stated that these expenses would be much less than what the town would incur if the cemetery is legally abandoned.
* We received a Hazardous Mitigation Survey being conducted by Chenango County. It is encouraged that it be completed by everyone.

**Public Comment:**

* Ruth Horton felt it was important that the town help maintain local cemeteries and better roads. Town taxes have not gone up over the last several years, yet the prices of everything else is going up.
* Ralph Cavalieri feels that our town roads need improvement and an additional employee is needed.
* Dick Horton expressed his concerns about road quality.
* Bill Larchar expressed his concerns about road quality and whether he could count on his road being plowed so his milk could be picked up. He also expressed concerns about the future of Chobani in the town in light of their new operation.

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

* Update on truck repairs.
* Various road, shoulder, culvert, patching and ditch work done on Balcolm Hill, Spurr St, Rock Calhoun, New Turnpike, Sheridan Hill, and Larchar Roads.
* CHIPS work: They cleared trees, ditched and installed pipes, and gravel paved Sheridan Hill Rd and upper Winton Rd.

**Dog Control Report –** No Report

**Planning Board** - No Report

**Committee Reports:**

**Communications/Community Engagement** byLexi Wilcox **-** No Report

**Park:** by Jane Prohaska :

* The playground climbing unit has been taped off due to an incident with stinging bees.
* The Stihl battery operated weed wacker and blower have been purchased and are in the assessor’s office.

**Infrastructure, Buildings and Facilities** by Judy Lowe **-** No Report

**Legal & Finance** by Diane Scalzo

* Reviewed ConnectALL status.
* Attorney Bob McKertich has left the firm of Coughlin & Gerhart to start his own legal practice.

**Resolution #45– 2025 Legal Services**

**Whereas,** Coughlin & Gerhart, LLP was appointed to provide legal services during 2025, and

**Whereas,** Robert H. McKertich, Esq. a partner in the Coughlin & Gerhart, LLC law firm has provided legal services to the Town of Columbus for a number of years, and

**Whereas,** Robert H. McKertich is establishing his own municipal law practice, and

**Whereas,** Robert H. McKertich will depart the law firm of Coughlin & Gerhart, LLC on July 31, 2025;

**Therefore, Be It Resolved** that the Town Supervisor is authorized to complete and sign the Client Response Form to indicate the Town of Columbus’s preference regarding future legal representation;

**Resolved** that the Town of Columbus requests that Robert H. McKertich continue as its attorney and authorizes the transfer of all or designated legal files (electronic, paper, or otherwise) to him.

* Resolution #45-2025 was moved by Diane and seconded by Gretchen.
* Discussion: Judy asked how long the town had been with Coughlin & Gerhart. Diane stated that the town has been working with the law firm for about 8 years . Robert McKertich’s new firm will be strictly municipal law, and the hourly rate will be less. The files belong to the town.
* Roll call vote:
  + D. Scalzo Aye
  + J. Prohaska Aye
  + A. Wilcox Aye
  + G. Robinson Aye
  + J. Lowe No
* Motion carried and Resolution passed.

**Resolution #46– 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;

**Therefore, be it resolved** that the budget be modified to increase A1670.4 Printing &amp; Mailing $600.00 and decrease A9060.8 Health Insurance $600.00; increase A3620.4 Safety Inspections $100.00 and decrease A9060.8 Health Insurance $100.00; increase DA5110.45 Consumable Equipment & Misc $1,000.00 and decrease DA9060.8 Health Insurance $1,000.00;

**Resolved** that adjusting journal entries be made to increase A2397.1 ConnectALL Grant Revenues $8,053.50 and increase ConnectALL Grant Account Receivable $8,053.50; increase DA3501 CHIPs State Aid $1,569.37 and increase CHIPs Account Receivable $1,569.37.

* Resolution #46-2025 was moved by Diane and 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

* Department of Public Health is sending out survey forms to review county needs, such as medical and transportation. It is really important to fill it out.
* The Hazard Mitigation Surveys are also important to complete. The current plan is on the County web page.

**ConnectALL Fiber Broadband**

* Milestone 1 has been submitted for reimbursement.
* Fiber is being hung up around town.
* The hut has electric connected.
* There was an article in the Evening Sun.
* The decision for the location of the hut was questioned in light of the trees that needed to be removed, and it was asked whether the electric line was considered when choosing the hut’s location. The neighboring property owner, when asked about the trees, saw value in having them taken down.

**OLD BUSINESS**

**Employee Recruiting Bonus Plan**: Resolution #29– 2025 Employee Recruiting Bonus Plan Policywas reviewed and discussed, since the 6-month probationary period of our newest employee ends on August 25 and the second installment of the recruitment bonus could be paid in the September 4th payroll.

Gretchen made a motion which was seconded by Lexi to approve the second installment of the recruiting bonus plan upon receipt in writing from the Highway Superintendent to the Supervisor and all board members that the employee is in good standing and has successfully completed his six-month probationary period as of 8-25-25. All Ayes. Motion passed.

**Dog Control Officer #2:** Diane received the remaining paperwork from DCO2 at the end of July. Gretchen moved to pay DCO2 the full amount of $100 for July. This was seconded by Jane.

All Ayes. Motion passed. Diane will advise the bookkeeper to include the $100 for July in her August check.

**Park Playground:** The town decided to explore the hiring of an outside person to do the remaining playground work once Kevin said that he was not able to do it. This work would include installing the border, spreading mulch, pinning down mats, hanging swings, installing benches, and spraying walking path weeds. Since this is an improvement, not a repair, prevailing wage would apply. Diane will submit to the state to get the schedule for this type of work. If it is a one-person business, prevailing wage does not apply. Jane will contact contractors.

Diane made a motion to go into **Executive Session** for a personnel matter at 7:18 pm.

Once back in regular session, Gretchen made a motion to increase the hourly rate for Ryan Shader from $20 to $20.80 starting in the payroll that includes August 26, subject to receipt of notification from the Highway Superintendent that Ryan has successfully completed his probationary period. Lexi seconded the motion. All Ayes. Motion passed.

**NEW BUSINESS**

Diane moved **Resolution #47-2025 - A Resolution Approving Local Law #5 – 2025 to Override the Tax Levy Limit.**

**Now, Therefore be it Resolved that the Town Board of the Town of Columbus hereby adopts said local law as Law #5 of the Year 2025 entitled “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C”.**

Gretchen seconded the motion.

Discussion: Diane pointed out that there were no public comments at the Public Hearing, but during the Public Comment section of the Regular meeting, there was advocacy of people who were willing to pay whatever it took to improve the roads. Approving the Law does not mean that the board will definitely exceed the tax cap; it is a tool that the board can use if needed.

Diane asked how the board felt about tabling the resolution until “New Business Items 2 and 3” on the 2026 Highway and General Budgets were covered, since these discussions could directly impact the resolution. She asked board members to choose to table it, or to vote on the resolution now.

Gretchen: Vote now

Judy: Vote now

Jane: Table it

Lexi: Impartial, but then decided to Table it.

Diane said that she had voted “No” to tabling the Counties’ tax cap resolution, since the public had made their feelings known. It was again stressed that approving the resolution did not mean that the board will definitely raise taxes above the cap; it simply provided the ability to do it in the future if needed.

**2026 Budget for Highway and General.**

Reports and options were reviewed and discussed.

Gretchen made a motion to un-table the Tax Cap Resolution, and it was seconded by Lexi.

All Ayes. Motion passed.

**Resolution #47-2025 - A Resolution Approving Local Law #5 – 2025 to Override the Tax Levy Limit.**

* Discussion. It was again stated that this should be looked at as a budget tool; it doesn’t have to be used, but the board has it available if later needed. If the Board votes “No”, then the board should be prepared to work with a tax compliant budget.
* Roll call vote:
  + D. Scalzo No
  + J. Prohaska No
  + A. Wilcox No
  + G. Robinson Aye
  + J. Lowe Aye
* Motion Failed, so there will be no Local Law allowing the budget to exceed the tax cap. Diane will check with the attorney to see what could happen if the board later wishes to change its mind about a tax increase, after having failed a vote on passing the Local Law.

There will be another Special Budget Meeting on Monday, August 25th at 6pm.

The Clerk will post and publish the notice.

**REVIEW OF EXPENDITURES**:

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

GENERAL FUND – Abstract #8, Vouchers #205 - # 235 for a total of $77,196.38

HIGHWAY FUND – Abstract #8, Vouchers #109 - #123 for a total of $56,944.69

Motion to adjourn the meeting made by Gretchen and seconded by Judy.

All Approved.

Meeting Adjourned at 8:47 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.