

**TOWN OF FORESTPORT
REGULAR TOWN BOARD MEETING MINUTES
OTTER LAKE FIRE HALL
13853 State Rte. 28, Forestport, N.Y. 13338
June 21, 2023 @6:30**

PRESENT: Supervisor Entwistle
Councilwoman Kardash
Councilwoman Verschneider
Councilwoman Abrial
Councilman Scouten

ABSENT: No members of the Town Board were absent.

RECORDING SECRETARY: Tracy Terry, Town Clerk

CALL TO ORDER

. ABSTRACTS:

WATER DISTRICT #1:

A motion was made by Councilman Scouten and seconded by Councilwoman Abrial to pay Abstract #6, Vouchers #78- #89 in the amount of \$1,635.19

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

BUCKHORN WATER:

A motion was made by Councilwoman Abrial and seconded by Councilwoman Kardash to pay Abstract #6, Vouchers #22- #26 in the amount of \$371.86

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

SEWER DISTRICT #1:

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Kardash to pay Abstract #6, Vouchers #47- #53 in the amount of \$476.28.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

GENERAL:

A motion was made by Councilwoman Kardash and seconded by Councilwoman Verschneider to pay Abstract #6, Vouchers #265- #324 in the amount of \$33,205.25.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

HIGHWAY:

A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to pay Abstract #6, Vouchers #185- #210 in the amount of \$201,875.74.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

- The stone, oil and paving are in these vouchers. Supervisor Entwistle mentioned the roads behind White Lake Inn look good.

PLANNING BOARD ESCROW:

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Kardash to pay Abstract #6, Vouchers #6- #8 in the amount of \$200.00
5 ayes/ 0 nays/0 absent MOTION CARRIED

TOWN CLERK MINUTES:

A motion was made by Councilwoman Abrial and seconded by Councilwoman Kardash to accept the minutes from the:

Town Board Regular Meeting- May 17, 2023
5 ayes/ 0 nays/ 0 absent MOTION CARRIED

REPORTS

WATER DISTRICT #1

WATER DISTRICT #2

SEWER

TOWN CLERK REPORT

JUSTICE REPORT

PLANNING REPORT

DOG REPORT

SUPERVISOR REPORT

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Kardash to approve the reports as a whole.

5 ayes/ 0 nays/0 absent MOTION CARRIED

NOCCOG:

Lisa Bellinger, of NOCCOG went over the monthly announcements.

OLD BUSINESS BOARD:

- **Lucas water certification:** He will be taking the certification class in July. Ted has been making rounds with Lucas and stated Lucas has the day-to-day operations under control. Supervisor Entwistle is in conversation with Oneida County Civil Service over Lucas' paperwork. He is going to have to take a Wastewater Trainee and Water Trainee civil service exam.
- **Chlorine/ Fluoride Complaints:** There have been numerous inquiries regarding the town water systems and use of chlorine and fluoride. The town has never put fluoride in the water. The state mandates water sources to be chlorinated. Reports are sent to the Health Department and are monitored at the four locations daily. There is an annual drinking water quality report. The chlorine is at the bare minimum of the requirement.
- **Grant Contract:** The grant contract has been executed for the improvement project. Jack Dodson has included new pumps in the wastewater project.

- **Planning Board of Appeals:** The first meeting is this Monday at 6:30 at the Town Hall. There are no variances on the docket, and this is an introductory meeting. Steve Addison, Jeffrey LeBuis and Susan O'Meara are on the PBA. Recently the Town Board has created a PBA to manage use variances, area variances, interpretation of code matters, if there is new construction in a flood plain and is denied at the Fema level, they can try their case in front of the PBA. They will meet on the last Wednesday of the month.
- **Groomer:** this has been discussed for several months. The groomer was bought by the town in 2001 through a grant. Trackside Blazers has discussed it and they all agreed to sell the groomer for \$1. The town Attorney has drawn up a bill of sale for it.

Bill of Sale,

Know all Men by these Presents,

That

Town of Forestport, party of the first part,

for and in consideration of the sum of \$1.00, and other good and lawful consideration, hereby transfers a 2002 Bombardier BR180MP, serial number 908150578

Trackside Blazers Snowmobile Club., party of the second part,

the receipt whereof is hereby acknowledged, has bargained and sold, and by these present does grant and convey unto the said party of the second part, the heirs, executors, administrators, successors and assigns thereof.

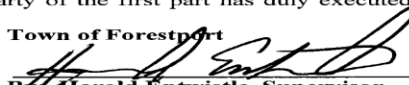
To have and to hold the same unto the said party of the second part, the heirs, executors, administrators, successors and assigns thereof forever. And the party of the first part does covenant and agree to and with the said party of the second part, to **Warrant and Defend** the sale of the said goods and chattels hereby sold until the said party of the second part, the heirs, executors, administrators, successors and assigns thereof, against all and every person and persons whomsoever.

Whenever the text hereof requires, the singular number used herein shall include the plural and all genders.

In Witness Whereof: the party of the first part has duly executed this bill of sale on the 21st day of June, 2022.

In Presence Of

Town of Forestport


By Harold Entwistle, Supervisor

L.S.

STATE OF New York,
COUNTY OF Oneida ss:

On the 21st day of June, 2023, before me, the undersigned, a notary public in and for said state, personally appeared **Harold Entwistle** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

TRACY M. TERRY
Notary Public - State of New York
No. 01TE6332928
Qualified in Oneida County
My Commission Expires Nov. 9, 2023

A motion was made by Councilman Scouten and seconded by Councilwoman Verschneider to sell the groomer to Trackside Blazers for \$1.00

5 ayes/ 0 nays/0 absent MOTION CARRIED

It was asked by someone in the gallery why the town would buy a groomer. Supervisor Entwistle stated the town was able to get a grant for the majority of the groomer.

- **Entry Door at Town Hall:** Supervisor Entwistle received a quote from JM Doors for \$11,037.00. Supervisor Entwistle will be getting a couple more quotes.
- **Curb cut for senior access:** A curb cut has been discussed for seniors accessing the meeting room for meetings and senior activities without having to walk down the hall. Supervisor Entwistle is still waiting on a couple of bids. Jen Hartsig, the Grant writer, was able to secure a \$5,000.00 grant from the Community Foundation towards a curb cut. This will be a Fall project.
- **Harris Variance:** Supervisor Entwistle went over the 5 factors.

Steven Harris
12-2023

VARIANCE
Factors considered

1. Whether undesirables change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting of the variance:

_____ YES ☒ NO

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a Variance:

☒ YES _____ NO

3. Whether the requested Variance is substantial:

_____ YES ☒ NO

4. Whether the requested variance will have an adverse effect or impact on that physical or environmental conditions in the neighborhood or district:

_____ YES ☒ NO

5. Whether the alleged difficulty is self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily not necessarily preclude the granting of the Variance:

_____ YES ☒ NO

A motion was made by Councilman Scouten and seconded by Councilwoman Abrial to approve the Harris Variance.

5 ayes/ 0 nays/0 absent MOTION CARRIED

NEW BUSINESS BOARD:

- **Liability insurance renewal:** The town is in the process of having the insurance renewed and they do not see any issues.
- **Records Management Grant:** Supervisor Entwistle stated they received word late this afternoon and the town received \$15,756 for preservation and digitization

of the minute's books. He thanked Tracy, the Town Clerk because the application is super competitive, and she put in a lot of work.

- **Community Hall / Woodgate School:** There has been discussion about the Woodgate School sharing water with the Woodgate Community Hall. The Community Hall was built in 1902 and the school was built around 1912. The Community Hall, owned by the library has received many grants. One of the things the library wanted to do was host programs there during the winter. They were able to figure out a system where they did not have to have the water on at the Woodgate School and the Community Hall could have water when they wanted. Years ago, there was a yearly agreement when it was a school. When the town took it over, there was a resolution that was made but hadn't been done in years. In the 1980's or 1990's, there was a request to put the easement in the deed from the Community Hall deed to make it permanent but was never accomplished. Supervisor Entwistle asked if there were any objections to having a water rights easement to the well put into the deed of the Community Hall.

A motion was made by Councilman Scouten and seconded by Councilwoman Verschneider to approve deeded water rights to the Community Hall through Woodgate Library to the Woodgate School.

5 ayes/ 0 nays/0 absent MOTION CARRIED

The Town Attorney will draft a resolution for the next board meeting.

- **Bower Road:** Supervisor Entwistle stated the residents on Bower Road have voiced their concerns to him regarding issues they are experiencing. Their neighbors children are running up and down the road on 4-wheelers with modified exhausts and making figure 8 tracks on posted property. The police have been notified and have been there. It was stated it is not just on Bower Road, it can be heard on Trestle Road. Supervisor Entwistle has spoken with the State Troopers and the Sherriff's office.
 - The State Police are reluctant to enforce a Local noise ordinance. The Sherriff does not have a problem enforcing a Local noise ordinance. The ideal situation would be for law enforcement to catch them on the road.
 - A woman from the gallery handed out documents to the Town Board and read them aloud. Discussion took place.
 - Supervisor Entwistle stated the town is willing to do what they can. He is going to contact Sherriff Maciol and have an in-person meeting with him. A noise ordinance is a possibility. The Attorney can draft the Local Law to be available for review at next month's meeting. A Public Hearing will be set for the August meeting if it is agreed upon. It would be for the entire town, not just Bower Road. When you enact a local ordinance it stays in effect after the specific problem is resolved.
 - Someone from the gallery asked if anyone had called CPS. It was suggested to continue to call the Sherriff and State Troopers.

- **Forestport Dam complaints:** Supervisor Entwistle stated for some reason there has not been water going over the dam. The problem is it affects the ecosystem and property values below the dam. It is difficult to call someone who has control of this. He has finally been able to contact the liaison for the hydroelectric plant in relation to their license renewal. The hydroelectric company has meetings, and this lady is allowed to attend. Supervisor Entwistle will be giving her contact information to MaryBeth from the gallery. He has also been in touch with the DEC on ecosystem preservation. They are currently up for relicensing. There are a couple other issues in regard to Alger Pond.
 - Tom, from the Gallery listed 4 occurrences since last year. They were March 2021, December 2021, May 2023 and June 6, 2023, and he thinks there was one in the fall, but does not have proof for that one. He has documented the gate above the dam. has been opened with tremendous waterflow. The waste gate has been open, so the water is diverted from above the dam downstream back into the river. They are regulated to have a certain flow. Art, from the gallery stated they were supposed to have an inch-inch and a half of water maintained and if not, there is supposed to be big a fine.
 - MaryBeth, from the gallery asked who is responsible for the falls. Supervisor Entwistle stated NYS Canal is responsible for the river, but with the addition of the hydroelectric plant in the area, it may be different. Discussion took place.
 - Tom, from the Gallery stated he was forwarded a letter from the United States Department of Interior Fish and Wildlife to the owner of the project. They requested information and studies to be done for their renewal that are serious studies. Supervisor Entwistle asked him to email the letter to him. There are copies of the questionnaire at the boat launch and aren't getting a high response.

NEW BUSINESS PUBLIC:

- Laurie, from the gallery asked what the fire inspection was for on the vouchers, as the Town has a fire inspection. Supervisor Entwistle stated the vouchers are inspections for the town owned buildings.

EXECUTIVE SESSION:

A motion was made by Councilman Scouten and seconded by Councilwoman Kardash to enter into executive session for Personnel matters.

5 ayes/ 0 nays/0 absent MOTION CARRIED

The Board returned from executive session at 7:56P.M. with no action taken.

ADJOURNMENT:

A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to adjourn the meeting.

5 ayes/ 0 nays/0 absent MOTION CARRIED

There being no further business, the meeting was adjourned at 7:57 pm by Supervisor Entwistle.

Respectfully submitted,

Tracy M. Terry

Forestport Town Clerk