

**TOWN OF FORESTPORT  
REGULAR TOWN BOARD MEETING MINUTES  
FORESTPORT TOWN HALL  
10275 State Rte. 28, Forestport, N.Y. 13338  
February 21, 2024 @6:30PM**

**PRESENT:** Supervisor Entwistle  
Councilman Addison  
Councilman Scouten  
Councilwoman Abrial  
Councilwoman Verschneider

**ABSENT:** No members of the Town Board were absent.

**RECORDING SECRETARY:** Tracy Terry, Town Clerk  
**CALL TO ORDER**

The meeting was called to order at 6:30PM by Supervisor Entwistle. The pledge was recited.

**ABSTRACTS:**  
**GENERAL:**

A motion was made by Councilwoman Verschneider and seconded by Councilman Addison to pay Abstract #2, Vouchers #53- #115 in the amount of \$40,294.05.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

**HIGHWAY:**

A motion was made by Councilman Addison and seconded by Councilwoman Abrial to pay Abstract #2, Vouchers #16- #59 in the amount of \$75,841.39

5 ayes/ 0 nays/0 absent MOTION CARRIED

**PLANNING:**

A motion was made by Councilwoman Abrial and seconded by Councilwoman Verschneider to pay Abstract #2, Voucher #7 in the amount of \$37.56

5 ayes/ 0 nays/0 absent MOTION CARRIED

**FIRE:**

**Forestport:** Abstract #2, Vouchers #1 in the amount of \$95,759.50

**Otter Lake:** Abstract #2, Vouchers #2 in the amount of \$79,434.00

**Woodgate:** Abstract #2, Vouchers #3 in the amount of \$80,953.50

A motion was made by Councilman Scouten and seconded by Councilwoman Verschneider to pay Abstract #2, Vouchers #1- #3 in the amount of \$256,147.00

5 ayes/ 0 nays/0 absent MOTION CARRIED

**AMBULANCE:**

**Old Forge:** Abstract #2, Voucher #1 in the amount of \$28,500.00

A motion was made by Councilwoman Abrial and seconded by Councilman Scouten to pay Abstract #2, Voucher #1 in the amount of \$28,500.00

5 ayes/ 0 nays/0 absent MOTION CARRIED

**WATER DISTRICT #1:**

A motion was made by Councilwoman Verschneider and seconded by Councilman Addison to pay Abstract #2, Vouchers #14- #24 in the amount of \$1,508.36

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

**BUCKHORN WATER DISTRICT #2:**

A motion was made by Councilwoman Abrial and seconded by Councilman Scouten to pay Abstract #2, Vouchers #5- #9 in the amount of \$1,749.48.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

**SEWER DISTRICT #1:**

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Abrial to pay Abstract #2, Vouchers #9- #17 in the amount of \$1,326.04.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

**TOWN CLERK MINUTES:**

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

January 17, 2024- Regular Town Board Meeting

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

**REPORTS**

**WATER DISTRICT #1**

**WATER DISTRICT #2**

**SEWER**

**TOWN CLERK REPORTS**

**JUSTICE REPORT**

**DOG REPORT**

**PLANNING REPORT**

**SUPERVISOR REPORT**

**PLANNING BOARD OF APPEALS**

A motion was made by Councilman Scouten and seconded by Councilman Addison to approve the reports as a whole.

5 ayes/ 0 nays/0 absent MOTION CARRIED

**NOCCOG:**

- Lisa Bellinger went over the monthly announcements. Supervisor Entwistle will be reaching out to get the traffic counters as it will be good data.

## **WATER:**

- **Lucas Kafka:** Lucas has received his certification from Oneida County for both water districts and sewer.

## **OLD BUSINESS BOARD:**

- **Buildings and Grounds Truck:** The truck is currently out to bid until March 19<sup>th</sup>. At this time, there have been no sealed bids.
- **Phone System replacement:** A suggestion was made to look into Northland Communications as the town has been experiencing issues with the current phone system. Councilman Addison has been in charge of handling the inquiry with Northland Communications. Northland Communications has agreed to do a one-time installation fee of \$1,000 for both buildings. The monthly bill will be under \$500. Frontier's bill is about \$900 a month. Northland Communication is also cloud-based.

A motion was made by Councilman Addison and seconded by Councilwoman Verschneider to move forward with Northland Communications.

5 ayes/ 0 nays/0 absent MOTION CARRIED

Supervisor Entwistle stated he did get in touch with Spectrum, and they will be doing a site survey. That should be done by Friday afternoon unless they have to come out and do work.

- **Hometown Heroes:** There is a maximum of 55 applicants and there are currently 10-15. Supervisor Entwistle is accepting applications until March 20<sup>th</sup>.
- **Comprehensive Plan:** The Committee is making final tweaks. There is a public engagement meeting April 16<sup>th</sup> at 6PM. There will be a handful of them over the next 6 months to a year. There will be a zoom link for those who can't attend. The survey should be out in the next month- month and a half. A paper copy will be available around Forestport. Paper copies can be left where they complete them or in the drop box. Once the survey is live, Supervisor Entwistle would like to have the seniors come eat lunch and fill out the survey to get their participation.

## **NEW BUSINESS BOARD:**

- **Camp Nazareth:** Dave George is the new liaison. Camp Nazareth will be keeping the town's rate at \$300 a child. Last year parents were asked to contribute \$50 a child and will do the same this year. It will be open to 20 children, first come, first serve.
- **Summer Recreation:** Councilwoman Verschneider thinks there should be a minimum number of kids to have it because there were just a few last year.

Councilwoman Abrial stated it's hard because people travel and make plans. Supervisor Entwistle said if they can get 15 kids to actually sign up they will have it. He would like to advertise it soon.

- **Art Club:** The Art Club will be ending the second week in March. Supervisor Entwistle would like to see what they spent last year and put an actual budget number on it. By the end of March, it would've cost \$5500.
- **Fuelmaster Quote:** The Highway Clerk retired at the end of the year and former Board Member, Nancy Kardash along with Supervisor Entwistle have been helping Bill Gardner at the Highway Barn. One thing they utilize is a fill up system, Fuel Masters. The software is over 30 years old and is on a floppy disc. It's come to Supervisor Entwistle's attention that the fuel prices aren't being changed frequently. He has reached out to several companies to replace the software and hardware. Most of the other companies supply fleet cards where each driver has a credit card that can go to a local gas station to fill up. They also require GPS tracking and dash cams. The Fuelmaster quote to upgrade what they do have, is \$14,000. Councilman Scouten said the town hasn't spent a lot of money this year with sand, salt and overtime. It's a cellular enabled service and Fuelmaster enters all the vin numbers and user keys. Tony Sege asked about having each individual member of the Fire Department have their own unique ID. Right now, the entire Fire department has one ID.

A motion was made by Councilman Scouten and seconded by Councilman Addison to accept the FuelMaster quote for \$14,000.00.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

Supervisor Entwistle stated the money will come out of the Highway contingency fund because it was not budgeted for.

- **Summer Maintenance Help:** The Board agreed to allow Dominic to return this summer at thirty hours a week.
- **Planning Board:** The Planning Board has been working on making an amendment to existing Wastewater treatment systems in the Site Review Law. One issue is a lot of smaller lots have been in the ground for a very long time and replacement systems are finding it difficult to meet the setbacks. A couple situations have gone to the Planning Board and the Planning Board of Appeals. Supervisor Entwistle stated he liked all of it except "a designed professional may not be required for an absorption field". Supervisor Entwistle stated anyone who has a leach field, or an absorption field has to have an engineered plan because it takes the Code Enforcement Officer off the hook from becoming an engineer and mediator. Attached is a copy of the proposal. Supervisor Entwistle will be making changes and giving it back to the Planning Board for their review and they will let the Attorney look at it. There has been discussion that the Planning Board should be taken out of the equation. If they cannot meet the setbacks, it would go directly to the Planning Board of Appeals. They would not review design issues.

Date 2-11-24, 6:28 am

Draft that is in progress.

Paul Rejman chairman of the planning board has chosen to remain unengaged during this process. Repair and replacement septic systems will become a hot topic as the age of the current systems along with the lot sizes and lot layouts make current types of non-conforming systems next to impossible to be improved or upgraded. This allows some discretion to make those improvements to non-conforming systems as replacements/repairs become necessary.

Proposed law.

Wastewater treatment shall be in accordance with Section 10NYCRR (Department of Health) Appendix 75 A for individual systems and 6NYCRR for discharges subject to DEC regulations.

Replacement of individual residential on-site wastewater system components not in compliance with Appendix 75A may be granted a specific waiver (form DOH-4346) (do we want to use this form, because it is well defined by the state it fits?) at the discretion of the Codes Enforcement official only under the following circumstances:

- A)- Conditions at the site make it impractical to comply with these standards.
- B)- Disapproval will result in a significant hardship.
- C)- Appropriate protective measures to mitigate noncompliance are applied.
- D)- The engineered design if required, does not pose a health hazard or create environmental contamination.

Residential wastewater systems for NEW construction, not in compliance with Appendix 75 A Must receive an accepted Specific Waiver, from the Oneida County Department of Health prior to approval by the Codes Enforcement Officer. The use of the Specific Waiver for septic construction is intended to provide administrative flexibility to resolve cases when hardships exist and/or other circumstances that make it impractical to meet Appendix 75 A standards.

~~The repair or replacement of On-Site Wastewater System components "in kind" or like for like may not require the involvement of a licensed design professional. Whether a design professional is or is not required is a decision that the Codes Official must make. If the components of the system or the system design do not meet the current standards of 75A Appropriate protective measures to mitigate noncompliance must be applied. It is the intent of this law to provide additional protection to the environment, neighborhoods, surrounding neighbors, water sources, and wetlands, with concerns for the NYSDOH 75A, setbacks that are stated in the Forestport Site Review law, and guidelines A, B,~~

REMOVE

C, and D above, which are deciding factors for the Codes Official. If a component must be replaced and it has been determined by the Codes Official that no design professional is required when the replacement work and components and materials used must be acceptable to the Codes official based in part on 75A standards for conforming systems. However, a repair or replacement of any type of absorption field that involves relocating or extending an area to a location not previously approved for such, does require a licensed design professional. A licensed design professional is also required when the repair or replacement involves installation of a new subsurface system at the same location or the use of an alternative system (i.e., raised system, mounds, or sand filter) or innovative system design or technology. In no way may any replacement work on any component or system installation of any kind, be started without receiving approval by the Codes official. A stop work order and fines are at the discretion of Town Officials.

REMOVE

Systems that do not comply with Appendix 75A and/or with the Town of Forestport property line setbacks will be referred to the Planning Board of Appeals, which may grant a variance.

End of Law.

In the event the Planning Board and the Town Board agree on this, the only other method of approval of a repair or replacement component of a non-compliant system is to submit the Specific Waiver Application and deal with the red tape in the state system.

I would like to Thank TJ and Tony for donating their time on this matter and for stepping up for a better Forestport.

Dave Ultsch  
315-796-6168

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## **EXECUTIVE SESSION:**

A motion was made by Councilwoman Abrial and seconded by Councilman Scouten to enter executive Session to discuss a Personnel matter.

The board returned from Executive Session at 7:24 with no action taken.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

## **NEW BUSINESS PUBLIC:**

## **ADJOURNMENT:**

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

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

There being no further business, the meeting was adjourned at 7:25 pm by Supervisor Entwistle.

Respectfully submitted,

Tracy M. Terry

Forestport Town Clerk