

**TOWN OF FORESTPORT  
REGULAR TOWN BOARD MEETING MINUTES  
WOODGATE FIRE HALL  
August 19, 2020 @ 6:30 PM**

**MEMBERS PRESENT**

Councilwoman Kardash  
Councilman Scott  
Councilwoman Abrial  
Supervisor Entwistle

**MEMBERS ABSENT**

Councilman Scouten

Tracy Terry, Town Clerk

**GUEST SPEAKER**

Steve, Barton & Loguidice

**CALL TO ORDER:**

The meeting was called to order at 6:32 PM

**PRESENTATION FROM BARTON & LOGUIDICE:**

Steve, is a Technical Advisor to the Town of Boonville with their progress with APEX Solar. APEX Solar has proposed a Utility grade Solar Project in the Towns of Boonville and Forestport. The State requires them to provide the Towns with a reimbursement fee to hire legal and technical experts. Since this project spans to both Municipalities, the Town Boards and Planning Boards are working together to save money, simplify the process for both APEX and the Towns.

Barton & Loguidice is a legal firm and they do a lot of work with Municipalities that do larger projects such as solar projects. Solar projects are unique as there are certain factors that should be taken into consideration. Visual impact to adjoining property owners, and impact to agricultural land. Once these panels are in place, farming isn't going to take place for 25-35 years. What is this going to do an adjoining property owner if they were to sell; is that a hinderance? What about tax revenue for the towns? Some Towns do the Pilot Program (Payment in Lieu of Taxes). Those are primary impacts and Barton & Loguidice helps the Towns think through that. The municipalities could've been involved from the beginning, but now it isn't until the application is submitted. APEX is offering some funding. Supervisor Entwistle stated engineers from Barton have been engineers for the Horton road bridge project and it has been a pleasure working with this firm. He's urging the rest of the Board to contract with Barton & Loguidice because it will allow the Town to use that money to go further. Also, APEX has been a pleasure to work with as well.

A motion was made by Councilwoman Abrial and seconded by Councilman Scott to enter into a contract with Barton & Loguidice for the purpose of technical and engineering advice for the Alder Creek Solar Project.

Roll call Vote:

Councilwoman Kardash - yes  
Councilman Scott-yes  
Councilman Scouten- absent  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

They are going to pick a date for the Planning Boards and the Town Boards to meet together.

### **ABSTRACTS:**

#### **GENERAL:**

A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to pay Abstract #8, Vouchers #425- #481 in the amount of \$23,457.51

Roll call vote:

Councilwoman Kardash -yes  
Councilman Scott- yes  
Councilman Scouten- absent  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

#### **HIGHWAY:**

A motion was made by Councilwoman Kardash and seconded by Councilman Scott to pay Abstract #8, vouchers #187- #209 in the amount of \$72,177.13.

Roll call vote:

Councilwoman Kardash - yes  
Councilman Scott-yes  
Councilman Scouten- absent  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

The Highway Department has done a phenomenal job since the virus has hit in spending no money.

**PLANNING BOARD ESCROW:** A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to pay Abstract #8, Vouchers # 1-#2 in the amount of \$100.00.

Roll Call Vote:  
Councilwoman Kardash - yes  
Councilman Scott-yes  
Councilman Scouten- absent  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

**TOWN CLERK MINUTES:**

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

Regular Town Board Meeting- July 15, 2020

Roll Call Vote:  
Councilwoman Kardash- yes  
Councilman Scott-yes  
Councilman Scouten- absent  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

**TOWN CLERK'S REPORT:**

**JUSTICE REPORT:**

**PLANNING REPORT:**

**CODES REPORT:**

**DOG CONTROL OFFICER REPORT:**

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

Roll Call Vote:  
Councilwoman Kardash - yes  
Councilman Scott-yes  
Councilman Scouten- absent  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

## **NOCCOG:**

- Tug Hill commission has a survey on their website for planning and zoning board of appeal.
- NOCCOG is looking for a circuit rider. It is part time work. Harlan is retiring.
- There was an Executive Order, the Governor changed. It allows for Public meetings and hearings to be held remotely.
- There are a few webinars available through the Association of Towns and NYSEDA.
- Local Government Record Retention Schedule is being replaced.

## **OLD BUSINESS BOARD:**

- **Bear Creek Lodge:** Bear creek Lodge is lacking one deed release. Once it has been completed, they will pass it along to Riley. The Board is hoping to pass a Resolution at the September Board Meeting, to formally adopt Hemlock Road, Perch Pond Road and Deer Hollow Road as official Town Roads.
- **Buckhorn:** Al Candido, the President of the Buckhorn Lake Association wrote a letter to the Board thanking them. They are very pleased with the roads the Highway Department has done.
- **Code Enforcement Officer:** The Board is currently looking for a Code Enforcement Officer. This is a part time position. It is currently a 20 hour a week position, applicant needs to be highly organized, computer savvy, work well with the public, Town Attorney, Justice, and Supervisor. The individual should have a calm but firm temperament. There are some night and weekend appointments. Already certified is fantastic, but the Town will pay to have you certified which would take eighteen months. In the meantime, Supervisor Entwistle is filling in the Codes Office.
- **Site Review Law Changes:** Supervisor Entwistle thanked the Planning Board and Councilwoman Abrial. The signage part of the Law was very time consuming. The changes made should work in the Town and the Public's favor. The Planning Board is still tossing along a change to the Frontage Requirement. The Planning Board should reach an agreement by September.

A motion was made by Councilman Scott and seconded by Councilwoman Abrial to approve the amendments to Section 9.1 "Signs" of the Site Review Law and the Fee Structure for Building & Septic permits and Hearings & Subdivisions.

Roll Call Vote:

Councilwoman Kardash - yes  
Councilman Scott-yes  
Councilman Scouten- absent  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

- **Resolution for Otter Lake Speed Study:** residents felt the speed limit in Otter Lake isn't appropriate because people are speeding despite the speed limit. The passing zone heading north is also a hazard. The Residents discussed it with the DOT and the DOT is requesting a Resolution from the Town Board to conduct a traffic study. Supervisor Entwistle read the following resolution aloud:

**Resolution No. 3 of 2020**

**Traffic Study for Hamlet of Otter Lake**

**WHEREAS**, the residents of the hamlet of Otter Lake feel that the speed limit within Otter Lake is not sufficient to safely protect residents and drivers, and

**WHEREAS**, several Otter Lake residents have requested the Town of Forestport petition the New York State Department of Transportation (NYSDOT) to reduce the speed limit within the hamlet of Otter Lake, as well as eliminate the passing zone at the southern end of the hamlet,

**NOW, THEREFORE BE IT RESOLVED:**

That the Town of Forestport is committed to working with the NYSDOT to initiate a traffic/speed study within the hamlet of Otter Lake to determine if a lower speed limit and the removal of the passing zone are warranted.

**RESOLVED** that the Town Supervisor is authorized to take all actions reasonable and necessary actions to initiate and carry out this study in conjunction with the NYSDOT.

Unanimously adopted,

I, Tracy Terry, Town Clerk of the Town of Forestport, do hereby certify that the foregoing is a true copy and the whole thereof, of a resolution duly adopted by the Forestport Town Board on the 19<sup>th</sup> day of August 2020.

  


A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to approve the Resolution.

Roll Call Vote:

Councilwoman Kardash-yes

Councilman Scott-yes

Councilman Scouten-absent

Councilwoman Abrial- yes

Supervisor Entwistle-yes

A woman from the Gallery mentioned when a Study was done around White Lake about 6 years ago, it was done in April. Supervisor Entwistle stated he would be speaking with the DOT.

- **Ambulance Services:** The Town is looking into adding a Tax line for Ambulance Services. Any questions can be asked to Supervisor Entwistle. Another Public Meeting is scheduled for September 10<sup>th</sup> at 6:30 at the Forestport Town Hall. Supervisor Entwistle is having a meeting Friday with the Supervisors from Trenton, Remsen and Steuben regarding the tax cap and the numbers of calls.
- **Horton Road Bridge:** It is on schedule and they are getting ready to put the top on it. The projection is an early September completion date.

#### **NEW BUSINESS BOARD:**

- **AMC Karate Contract:** There has been discussions regarding fees. This will be tabled
- **Audits:** Audits of the Town Clerk, Justice and Tax Collector have been completed and everything balances. The completion statements are on file and available for viewing upon request.
- **Budget season:** Sales tax is down. The Town of Forestport relies heavily on the sales tax to pay the bills. The town could survive a 5-10% cut. For some reason, Oneida county is withholding the sales tax. So far this year, they have received two small checks. There should've been \$600,000 and currently the Town has collected \$190,000. The town can't survive on lower or slow pay.
- **Subdivision:** A Surveyor was denied a Subdivision. According to the Surveyor, the Subdivision is not controlled by the Site Review Law. The Subdivision Law and the Site review Law are not in sync. The Surveyor stated the Planning Board should have the capability to resolve this issue and there should be an appeals process, like there are for variances.

A motion was made by Councilwoman Kardash and seconded by Councilman Scott to approve the Subdivision contingent upon the Planning Board and Attorney's blessing.

Roll Call Vote:

Councilwoman Kardash-yes

Councilman Scott-yes

Councilman Scouten-absent

Councilwoman Abrial- yes

Supervisor Entwistle-yes

- **Otter Lake Association:** Jim LaFountain, the President of the Otter Lake Association wrote a request to the Town Board. When the Otter Lake Fire Department sold their Fire Department, they eliminated the only public recreation in Otter Lake. They are asking The Town to help with the development of some sort of recreation. The Town will be looking into a Grant, or something they can do.
- **LGS-1 Resolution:** Supervisor Entwistle read the following Resolution aloud:



RESOLUTION NO. 4 OF 2020

RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT  
RECORDS (LGS-1) RESOLUTION

**RESOLVED**, By the Town Board of the Town of Forestport that *Retention and Disposition for New York Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed herein.

**FURTHER RESOLVED**, that in accordance with Article 57-A:

- (a) Only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described herein;
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Motion:

NK

Second:

DA

Unanimously Adopted,

I, Tracy M. Terry, Town Clerk of the Town of Forestport, do hereby certify that the foregoing is a true copy and the whole thereof, of a resolution duly adopted by the Town Board of the Town of Forestport on the 19<sup>th</sup> day of August, 2020. IN WITNESS WHEREOF, I have hereunto subscribed my name this 19<sup>th</sup> day of August 2020.

Tracy M. Terry

A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to approve the LGS-1 Resolution.

Roll Call Vote:

Councilwoman Kardash-yes

Councilman Scott-yes

Councilman Scouten-absent

Councilwoman Abrial- yes

Supervisor Entwistle-yes

**NEW BUSINESS PUBLIC:**

**ADJOURNMENT:**

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

Roll call vote:

Councilwoman Kardash-yes

Councilman Scott-yes

Councilman Scouten-absent

Councilwoman Abrial- yes

Supervisor Entwistle-yes

There being no further business, the meeting was adjourned at 7:18 pm by Supervisor Entwistle.

Respectfully submitted,

Tracy M. Terry  
Forestport Town Clerk