

THE TOWN OF CHENANGO TOWN BOARD MET AT WORK SESSION ON FEBRUARY 28 2018, AT THE TOWN OF CHENANGO TOWN HALL, 1529 NY RT. 12, BINGHAMTON, N.Y.

PRESENT: Harold Snopek, Supervisor
Russell Hemedinger, Councilperson (Absent)
Gene Hulbert, Town Councilperson
Jim DiMascio, Town Councilperson
Terry Kellogg, Town Councilperson

ALSO PRESENT: Donald G. Walls, Town Attorney
Lizanne M. Tiesi-Korinek, Town Clerk
Michael Kwartler, Highway Superintendent

The Town Board dispensed with their regular order of business except for committee reports of department heads and Resolutions.

BID OPENING: None

PUBLIC HEARING: None

Michael Kwartler – Highway Report

- Parking Tickets - There was a stoppage of them being issued as Judge Fedish informed Don Walls that the Tickets needed to be updated as they did not contain a supporting deposition and possibly raising the ticket price.

Mr. Walls stated that he wanted to amend them and that we would need to change it by Local Law and we would need to have a Public Hearing on it.

After much discussion they decided to put this matter on hold as they needed to check to see if Mr. Kwartler could or does have the authority to possibly get the cars towed from the streets during the snow storms or do they proceed further with the tickets and the raising of the fee/charge for the violation.

- Roof on the Salt Shed across the street from the former Highway Garage on Castle Creek Road is in a bad state of affairs. We will probably have to go out to bid on fixing that as it will probably cave in if nothing gets done to it. He got an estimate for the repairs of \$64,000.00. It is the original roof and over 25 years old. It needs to be addressed before next winter.
- The extreme fluctuation in temperatures is taking a considerable toll on the roads. Water breaks – Highway has assisted several times when they have not been plowing snow.
- Shortage of salt. Had to use sand and the roads are looking pretty dirty from it. Hopefully Spring is right around the corner.
- Looking into buying a new vehicle without having to Bond for it. Looking at a smaller truck so it's not hundreds of thousands of dollars.

He would like to have a conversation about the New York Rising/Wallace Road/Smith Hill Creek project this evening. They decided to go to Department Reports first and then they will have the discussion.

Reports were given by the Department Heads.

Terry Kellogg – Planning/Zoning

Nothing new to report.

He was wondering if Mr. Kwartler could reach out to DOT and ask them if they could put some patch at the bottom of S. Morningside Drive around the drainage grate.

However, he attended the Association of Towns Conference in NYC last week and felt that it was a very positive experience. He brought home a lot of good information.

Also at the Zoning Board Meeting we discussed the procedural issues that were discussed in the past and it was well received. There was discussion on this new Appeals Form. What will be the process on this? Do we have to approve it as a Board or do we just have to give our blessing and say ok - you are free to use it.

Mr. Lumsden – He asked Terry if he could see it as he had not as of yet. Hopefully, it states the time frame to which they have to do it in. So that they know they only have 60 days to appeal it. They have to do it inside of the time frame.

Mr. Kellogg – it doesn't have a time frame on it.

Mr. Lumsden – just wanted the Board to know that last night went very, very well and he appreciates the chance to speak. When he mentioned the appellate jurisdiction, he got the deer in the headlight look. I am not sure that they are fully up to speed on it.

Mr. Kellogg – I think we can amend some things on this form and then we can use it. He will scan it in and forward it on to Don Phillips and the Board members for their review. As soon as he gets a response he will share it with the rest of you.

Jim DiMascio – Safety

He handed out the Disaster Emergency Preparedness Plan for the Board's viewing. He is in the process of updating this as it is so out of date and to make sure it is current to the Town's needs.

He has officially stated that he has contacted groups for Music in the Parks. Excited for another good season. Thought that last year went very well and only had one rain-out and got that one rescheduled.

Hal Snopek – Supervisor's Report

Gave a briefing on the DOT LED lighting on Route 81 and wanted approval to do a resolution approving this.

Mr. Kellogg – he wanted the under bridge lighting replaced and upgraded (Front St. and Castle Creek Rd.) so if that could be added to the contract too that would be great.

Mr. Hulbert – had a question on financial responsibilities of these lights. These are on State Highway Roads which go across State Highway Bridges. Why is the Town undertaking the financial responsibilities?

Mr. Snopek – the State has turned the lighting over to the Town and it is the Town's financial responsibility.

Mr. Kellogg – the way it normally works is that it is the Town's responsibility to fix them once the State installs them. This is a onetime offer by the State to make the repairs to get them up and working if we commit to pay for the electricity for ten (10) years. They will still do the maintenance for ten (10) years for instance if one of them gets hit or if a bulb blows they will fix it.

Mr. Snopek – when some of the lights were hit, Don Benjamin went to the State to notify them and they turned them off so we have not been paying for lighting on Rt. 81 for a couple three years.

After much discussion the Board gave their approval to have the resolution prepared for the following monthly meeting.

Mr. Hulbert – Highway

Had nothing more to add because of Mike Kwartler's report.

Mr. Snopek- turned the meeting over to Mr. Kwartler for discussion on the NY Rising Wallace Rd. /Smith Hill Creek project.

Before he gets started on the NY Rising project he wanted to inform the Board that he did a little digging in regards to our Hazard Mitigation Plan. The Town submitted these Hazard Mitigation proposals as a five year update. This plan was approved by the Federal Government in June 2013 and the Town by way of resolution adopted this plan on Oct.7, 2013, Resolution No. 88. There is a list of six objectives – No. 1. Wallace Road Storm Sewer Installation – sources of funding – Grant Funding with local cost shared – Priority High. It is number 1 on this list – it is our own Hazardous Mitigation Plan. Wallace Road is the only one on here with a “High Priority” the rest is medium priority. The key is Grant Funding with local cost share! He thinks we have lost sight of 100% grant funding but he told the Federal Government that this is our plan. So this is on record with the Federal Government No. 1. This is one of Town's highest priorities on our Hazardous Mitigation to fix this issue.

Mr. Hulbert – is asking why he keeps emphasizing and bringing it up right now.

Mr. Kwartler – because Grant Monies come from State and Federal Entities, correct? So they are aware of what we are looking at. He is not sure if the NY Rising money is coming from the State or the Federal Government – he has kind of lost sight of everything after four year of meetings and planning as well as you people. He just wants to basically ask – today we are one month away from the construction season – four years down the road so basically are we going to do the project or not? That is my first question – where does this project stand – are we going to have a dialogue on how we can afford to do this or are we going to scrap it and go to plan “B”?

Mr. Snopek – Mike, number 1. - there are about 50% of those letters returned to us. So that means about 50% of the people **did not** return the letters. Therefore, that is bad because it would take another couple of weeks to try and round up these people-knock on their doors and find out why they didn't return them. As he told him the other day, there are people who will not let us go on their property. At least two that he knows of that won't allow us on their property.

Mr. Kwartler – ok then so you will be borrowing about the same amount of money to fix the problem and it is not going to make it any better, it is just going to collapse. So Alex told me this afternoon, if you take out the Trash Racks, take out the SEFCU money and whatever else.

Mr. Snopek – why do you keep bringing up the SEFCU money? Because, that money does not belong to us. They are going to waiver that money anyway.

Mr. Kwartler – originally that was part of the overage. So if you subtract that \$200,000.00 and the cost of the Trash Racks – that is a quarter of a million dollars right there.

He suggests that you take 25-30 thousand dollars from his highway drainage budget for the next ten years-that's another quarter of a million dollars to three hundred thousand dollars – now you are down to 3.3 million. The overage is 3-4 hundred thousand dollars – I think the Town can afford that. Or am I wrong?

Mr. Snopek – what are you going to do with the people that said they would waiver their money?

Mr. Kwartler – he is talking about- even if you pay the 50/50 split on the money. The people that donated it back weren't the ones entitle to a lot of money – they did it out of the goodness of their

heart. So, if you decide to pay everyone, you can still reduce this number and get this job done correctly instead of just band aiding it. If you abandon this project and if you go to plan "B" – you fix lift stations, you buy a generator for the Town Hall-which is on our Hazardous Mitigation Plan as priority No. 6 (create and maintain a command center for the disaster response at the Town Hall with a medium priority). So, we went from No. 1 to No. 6 (from a high priority to a medium) Out of that three million dollars, you are going to give back two million dollars that you are not going to spend after four years of work? That does not make any sense to him – two million dollars give back and then turn around and have the Town borrow (even if we only had to borrow three hundred thousand) give back millions of dollars and borrow money to fix their problem? How can you tell people that you are going to give back two million dollars and tell these people, well sorry that you have promised them this for four years- we don't want to pay \$600,000.00? Maybe he is just too passionate about it.

Mr. Hulbert – Mike we never promised the residents anything other than trying to get it solved. He doesn't appreciate it that you are telling it this way – like the Board promised or you promised that it was going to fix the problem. This will not fix the problem it is a band aide at best because it is only going to address a 50 year storm. We have five of these a year.

Mr. Kwartler – you are telling me that this four million dollar plan is a band aide?

Mr. Hulbert – yes, I am absolutely telling you that it does not even fix the problem.

Mr. Kwartler- by putting in box culverts that are four times larger than what is there. I am not saying that they are never going to flood again but they are not going to flood for a long time. So what did Delta get paid all this money for? Yes or no is this project-are you still even considering doing this project-or are you just walking away – just say it – yes or no and then I will be quiet. I will respect your decision if you walk away from it. He won't like it and he wants to go on record for saying Mike Kwartler as Highway Superintendent, I think the Town should pay the overage, should pay the people and get the project done correctly. Maybe he doesn't understand everything. He's been working on it and talking to the people. For example right here today, I just received this telephone message- 42 Wallace Road- what do we do with the pipe that is collapsing? I've been telling these people it's going to get done. Every time he's out around Town people are stopping him-what's happening, etc. What would you like me to tell these people? Sorry weren't doing it-seriously what would you like me to say or he'll just give them your telephone numbers. Again, I am sorry for being passionate about this. He is the one who sees all these people around Town not the Board. I do not think that if he knocked on doors in that neighborhood, I bet that there will be some very unhappy people. You think they will say sorry, I know you tried. I don't buy it. Are you doing the project or what do you want me to tell this guy tomorrow who left the message from 42 Wallace? He had two holes in his backyard today six (6) feet deep from the collapsing pipe. Do you want me to tell him sorry we are not going to fix it?

Tami Carl – what would you do if you did not have NY Rising money?

Mr. Kwartler – I would fix what was collapsing. It would still flood! We will fix SEFCU parking lot, he'll fix the collapsing pipe on Wallace Road and every time it rains more than two inches an hour no one down there is going to sleep and hopefully we don't get a flood again. That is what we will do! Is that what you all want? (questioning and gesturing to the people in attendance) they all replied "NO". This is one of the reasons I did not retire. I want to see this project done – complete. I am sorry that it is a million dollars over budget. There is still ways – Julie has said we have enough money in the general fund to pay for it without raising taxes.

Terry Kellogg – the concern he has is that if we had five million dollars sitting here for this project. I still do not feel it is viable right now because there are certain people that do not want us to do anything/do not want us going on their property. So without everyone's consensus.

Mr. Kwartler – So what if we had four million dollars – two people are going to hold up this project?

Mrs. Bendzel – so because of two people – we don't get piece of mind.

Mr. Kellogg – part of the problem that we are dealing with is that this is not a typical situation where you have public infrastructure going down a right of way that we can work on unimpeded without having to buy access without having to get easements. Understand that this is in back yards that people who are being asked to go onto their property are not the ones who are being affected in many cases - so they are reluctant. They will take the money on one end for the easement but yet they don't want us to do what is shown on the drawing. It is a difficult situation. I don't think that Delta, with all the deadlines, that at this time can offer any change to appease someone for the fact that their pool is going to have to be moved or if the width of the channel is too wide compared to what it is now. That is Mr. Kellogg's biggest frustration is how did we get to the ninth inning and these people along the way did not know that this was going to happen. In the end we had to get their permission whether we paid them for it or not.

Mrs. Bendzel – It's because there has not been enough communication between you-the Board and us –the residents involved. It's been four years and we have not heard much since just recently. All of a sudden within the last three months we've been told - Oh we have to make a decision right now!

Mr. Kellogg – That's when we got notice as well.

Mrs. Bendzel – It should not have taken four years to get to the point we are at right now.

Mr. Snopek – He totally agrees with the residents but NY Rising had these guidelines on what we were supposed to do.

Mr. Kellogg – If you go back to the timeline from when it started to where we are today there have been major redesign elements that were added that we never dreamed would have to happen. Underneath Front Street without any participation from the State. Underneath Norton and those things, we did not have any expectations that any of those culverts would have to be increased. We had a few that we knew about. Under Smith Hill Road without any County funding those are things that not only changed the scope but Delta had to go through it, GOSHR had to go through it and give its blessing then they had to have three other people review it, then they came up with the easements at the eleventh hour and said you can't even get these people to do it then at the last minute they said you can get these people to donate it back. All of these things have escalated the cost.

Mr. Bendzel – if its only two people can't the Town go in and say ok we are going in there. Isn't it called emanate domain?

Mr. Snopek – it will take months to get that done

Mr. Hulbert – by that time we will be way past our deadlines for starting construction

Mr. Bendzel – so he will go and round up 75 people, everyone that got flooded, he is going to tell them to file paperwork with the Town to get their assessment reduced. Our houses are not worth anything as they have been flooded. He will personally go door to door to get these assessments reduced.

Mr. Hulbert – then why didn't you have the same attitude and go door to door and try to get these people to all sign as this is what was holding up the project.

Mrs. Bendzel – why didn't you tell us that?

Mr. Hulbert – We've had public meetings here.

Mrs. Bendzel – so I call you then the next time that I hear that it is going to rain and you will come down and clean up my basement for me?

Mr. Hulbert – no I won't

Mrs. Bendzel – well that's what I do now. I don't sleep when it rains and I haven't for so long

now since we've gotten flooded. We have to move everything up and I get up several times a night to make sure we do not get flooded because nothing has been done.

Mr. Hulbert – how is that a Town Board issue. This is private property. Unless this money had come through from NY Rising, we said four years ago that there was no way that the Town could take ownership of that creek or do anything in that. That project on that road was done four years ago. NY Rising came in and passed special legislation to allow the money to spent on private property to make this happen. It is not a Town issue.

Mr. Bendzel - yes it is. It is a drainage ditch. If you talk to the Broome County Soil and Conservation, that is classified as a drainage ditch. You maintained it with Boland for years – you went in and dug it out. In 2006 you decided you were not going to do it anymore but you never told anyone. That drainage ditch gradually filled up where there were no banks. We came to you in April 2011 and told you that and you told us to go fly a kite basically you were not going to do anything. Cannot do a thing as its on private property. Mike is the only one that went in there on his own and cleaned it out and made it half way decent. Then you made an agreement with the Town and County and re-did that ditch in 2012. The County trucks were in there along with Mike's digging it out. Mr. Kwartler agreed with Mr. Bendzel that they were both in there. Now you are telling me that you are not going to maintain that anymore?

Mr. Snopek – that's Mike's decision.

Mr. Kwartler – let me just clarify something – is it that we cannot proceed with the project because of the money/overage or is it because two people won't let us on the property.

Mr. Snopek – forget about the two people who won't let us on the property. What are you going to do with half of the people that won't even sign the letter we sent out.

Mr. Kwartler – that is news to me that 50 people didn't bring the letter back.

Mr. DiMascio – in all due respects we have been meeting. We have gone door to door to the people who did not respond and put hangers on and said you need to sign the letter and return it to us. We have tried to have discussion. A Board decision which was made months ago that the best way to fund this was a drainage district that is not new news. You are coming at us like you've never been spoke to about this and that we have not been doing anything about this. We've been working as hard as we can as part time council people to do what is right by you. Specifically, Terry, has been doing a tremendous amount of the leg work. That being said, you can agree or disagree with us – that is your right as voters and as our neighbors. We decided to form a drainage district to pay for this. That information was shared months ago. We tried to discuss having a committee. We put out a schedule that we talked about in great length about how we would get there and how we could make this happen. It is very ironic and I was going to bring this up as we passed our own goals. We passed the deadline. I do respect your passion but in the same breath your point is we are going to lose the 2 million when we do have the option of getting at least three projects done if we don't feel that this one is feasible. That is just a difference of opinion. You come at us as if we haven't been working on this and I am offended by it just to say it out loud.

Mr. Kwartler – I am not coming at you.

Mr. DiMascio – yes you are – your attitude is just as such. I am going to tell you so. You tell it like it is and I am going to come right back. I am offended like we have not done anything. This has been a part time job for at least the last 6 months. The four years, I am embarrassed to say, that three and one half of it was all this paperwork with Delta Engineers. I know it is hard to grasp and you don't have to believe us but it is the truth. We can document that in paperwork. We have tried to work with you and put out guidelines to make this feasible. Right, Wrong or Indifferent, we decided the best way to fund this would be a drainage district. We thought we had the community support that this was the way to go about it, we created a plan it just did not come to fruition.

Mr. Bendzel – You talked about the drainage district. You came to the three of us to talk and once we got a look at the paperwork, us three were not in the drainage district. I thought you were

going to go back and relook things over.

Mr. DiMascio – we tried too.

Mr. Kellogg – let me try to clarify it. The topography and the way the stream is supposed to collect the rainwater off the side of Smith Hill. It would never go to your houses unless there was an anomaly and that anomaly is when that stream bed had filled up with gravel from upstream and left its banks and started meandering down between Johnson and Wallace down the middle of the property lines and then also when it roared behind Kermidas' and then drifted over across to your house. So under normal circumstances, gravity working the way it should, it would not go upstream. What happened is that the creek filled up and it did something different than from what the elevation showed and that is why you weren't included because normally you would not have been affected on that side of Wallace Rd. That is also way some of the properties on Johnson Road were affected. Water never ran over to Johnson Road, it was the ground water that sank into the ground and the ground water went all the way to the Sewer Line on Johnson so that was an issue that we talked about. And the other issue is that if we can't get 42 people that are in the middle of this to agree that it is for the benefit of them, then how are we going to get the people up at the top of Smith Hill all the way to Glenwood to say sure sign me up where do I add to my taxes. Unfortunately, short of expanding that to a Town wide budget for it – it just wasn't going to work. That was the conclusion that Jim and he came to and shared with the Board. We just didn't see with the time element that we had that there was any way we were going to get anywhere with it.

Mr. Bendzel – Is the Town going to maintain the dredging of that.

Mr. Snopek – you ask Mike

Mr. Bendzel – I questions that, because when we came to you in April you told us that the Town was not going to do anything-that was April 2011. The Town was not responsible and that you were not going to do anything.

Mr. DiMascio – is that a legal issue or what?

Mr. Hulbert – we need to make two points here – 1. To continually do something here that is inappropriate and illegal by the Town to maintain property just because it has been done in the past does not mean it has to continue to be done in the present? At some point, someone has to stand up and say its right/its wrong you can't do it. My position is that it is not legal for the Town to spend the Town's money and resources on private property improvements.

Mr. Bendzel – you are just against it. You have been against it since the beginning so why don't you just say I don't want anything to do with it.

Mr. Hulbert – I haven't said anything different. I would have loved to have seen this project done as a district or user district.

Mr. Bendzel – you are telling me now that you guys are not going to maintain that creek anymore. You told us back in April that it was every persons responsibility to do it themselves.

Mr. Hulbert – it was never the Town Board that maintained that creek. It was the Highway Superintendent that did that with highway equipment and highway personnel.

Terry Kellogg – let me try to meander down this very carefully. I think that when Mike worked with the Broome County Highway Department we went through and got temporary easement from the people on whose property we were going on. We said we were going to clean it up, put in a gravel subbase underneath the lawns on the Smith Hill Side and we would do minor maintenance as required as Mike could afford to do within his budget on an emergency response basis. I think as a Board Member, I am comfortable with that commitment. But we as a Town Board cannot commit to hundreds of thousands of dollars' worth of annual maintenance. I think that there has to be a balancing act there. I want you to know from my perspective, when we did that, putting in that gravel road and putting in those resources along with County resources, that was an upfront expense that we shared with the understanding that if it needed to be cleaned out occasionally.

Mike has kept an eye on it ever since that happened. That we committed to doing that but I think you have to be careful on what the expectation is. I think that if annual clean up when we see a belly washer and we see some aggregate of stone that has showed up at inlet. He has gone up there and he has taken care of it promptly. I think that that's the expectation.

Mr. Bendzel – Yes that's correct. Now, my question is - when Mike retires who is going to do it? The Town Board is telling me that the guy doesn't have to do it.

Mr. Snopek – I think that Mike made the agreement that Mike would maintain it.

Terry Kellogg – it is an interesting dynamic as we have the right to develop his budget but we as a Board cannot tell him what to do. We can urge the next guy after Mike to do the same thing and I certainly will.

Mr. Hulbert – Terry, I think at some point we have to address that we are expending tax payer money for a private issue. There are 50 people over there and thousands of other residents that are paying for that in the Town that don't want to pay for that.

Mr. Bendzel – how much money was spent over there in Chenango Bridge on that drainage project?

Mr. Hulbert – that was on Town infrastructure.

Mr. Bendzel – well what is the difference with this?

Mr. Hulbert – it's not on Town infrastructure.

Mr. Bendzel – I am going through with contacting everyone that got flooded and having them file to lower their assessment.

Mr. Hulbert – you should pursue every avenue you have available to you.

Mr. Kwartler – 2006 is your classic flash flood and up to that point that was probably the largest Town wide damage – not just Morningside, but Perry Rd. We had a lot in Chenango Bridge too. We were still battling the private bridges. We couldn't get back there – this and that. We had a lot of battles and I had hundreds of pictures of the bridges blocking the creek. 2006 should we say “tuned up the people” a little bit. We dredged the creek and cleaned it out. We had several good years of good weather and the people got a little lax and the bridges started coming back across the creek. Then 2011 came and fine -tuned everyone. All the bad bridges were all gone that is when we got together with the County/Debbie Preston-we all agreed that Smith Hill was a County Road – we had no problem going in there but we needed to get back there. We made a gravel road where we could (behind 42 Smith Hill), we dredged it out pretty good and since then we went on the other side since there was a blockage on the right hand side of Smith Hill Road, behind Boland's-we cleaned that out last Fall. It is flowing about as good as it can right now and because we made that gravel road, like Terry said, every year, around August, we go back there. It usually takes us two to three hours and we clean out the gravel and everything is fine. That will continue. As long as he is in office he will continue to do this at a very low expense to the Town – that is fair. We do have to fix what is collapsing-old Town Hall parking lot and the part of Wallace Road. Again it will continue at a very low cost to the Town. Routine maintenance for the Highway Department.

Mr. Kwartler again apologized to the Board he was not coming at them he was just very frustrated. He is just wondering where we go from here.

Mr. Kellogg – we are facing a deadline and we either have to move forward or we have to go to plan “B”. The problem is we had letters that said respond in ten (10) days that came and went then we went door to door and left placards and we said we really need you to respond. I don't know what else it would take; we cannot summons them in here and say why are you saying no and not responding.

Mr. Snopek – Tami and he went door to door. Some people got back to us and some got back to Chris Mabe with Delta too.

Mr. Kellogg – it kills him to not have this project move forward. The obstacles that we are being faced with by GOSR. It looks like it's a freebee-a handout but it comes with so many strings attached. He is looking at what can we do starting today with BMTS to get money for those culverts for under Smith Hill (that are already too small) for underneath Front Street and try to figure out how it makes what is left for us a million dollar project. When this whole thing started it was less than a million dollars. Like Mike said back in 2006, what has changed in that area – the millennium pipeline went up over the mountain. There is 150 feet of open land now. Roadways to go up there and all that water came down onto Smith Hill. Now we know where that water goes to – down Smith Hill into the trench and comes down Wallace Creek. How do we get the people that need to anti-up? We cannot do everything we need to do in the short time frame that they are telling us we have to. That is just so frustrating. I just don't know what else we can do?

Mr. Snopek – he is going to a BMTS meeting tomorrow and he is going to see what he can do.

Mr. Hulbert – one thing that bothers him is that the Federal money that comes down stream that is regulated by the Federal Laws that are written into government projects like these – they hand tie us to very specific criteria. We can't sit there and talk to our neighbors and say this is for the betterment of you. They say you have to do it this way. There is no leeway. They have lawyers in Washington writing the laws that say it has to happen this way, this way and this way. You just can't do that with these types of projects.

Tami Carl – if the Town developed this project on their own. It would have been done a whole lot cheaper and it would have gotten done three years ago. But, it wasn't the Town of Chenango developing the project.

Mr. Bendzel – so can the Town of Chenango do it?

Mr. Hulbert – I don't think we can because we in order to do that we would have to have a user district. So we are still back to the people who are benefiting from it having to pay for the cost of it. What still baffles him is that he doesn't understand why the people are just not signing on. There is not even 100% agreement with the people that have had the damage and the hardship. They aren't all saying I want it! He sees a lot of hurdles in the future if we try and develop a use district on it. Those have to be population driven.

Mr. Bendzel – If you people will just commit to keeping that drainage ditch cleaned out. I've lived there 40 some years and it was always cleaned out.

There was further discussion back and forth on this.

Mr. Snopek – I just want to say that if he did not think that was a good deal four years ago when they approached him and didn't believe that we could get this project off the ground, we would not have spent hours and hours trying to get this done. When you all got flooded, I told Mike we have to done something for these people and he has tried. He has made out applications for FEMA – rejected. Four years of screwing around with this project – they want so much out of us that you just wouldn't believe. Hal is very sorry that is has come to this but he doesn't know how to make it go.

Mr. DiMascio – gives Hal and Terry a lot of credit for all the time and energy spent on this.

Mr. Snopek – again, he is going to the BMT meeting tomorrow and he is going to look into trying to get some funding on this situation. He is not promising anything. Let's just see what happens.

Mr. Coon – He as well has gone door to door after the last meeting and even people that I've talked to who got flooded wanted the \$295.00 and won't sign the waiver for it. My questions is are we still looking at the District thing that we were talking about or do you think it's done.

Mr. Kellogg – He thinks it has no way for success, unfortunately. He would rather focus on out of

the 42, the ones that aren't, and try to focus on the ones to try and find out what it would take – do we have to buy you out to make you say yes to know what that number is because that is the only other option. If they are in the way what would that number be to the project?

Mr. Coon – when he spoke with Dick Trebilcock who is his brother-in-law. He said family or no family why would I vote for that when I am up on top of the hill and I have nothing to do with it. That's the kind of response you are going to get from the majority of people looking at it. He is truly disgusted with the reaction of the people who have gone through two floods and they won't show up for a meeting.

Mr. Kellogg – He going to try to talk to the County and say what do you need to do to upsize and put some pipes up on the ditch side to collect some of what you are dumping down there to take the pressure off that creek. He is going to reach out to Leslie at the County to see what she can do for us.

Mr. Snopek – I don't think we are just going to stop and forget it we are going to try and keep going to see what we can do.

Mr. Bendzel – so you are not just going to just drop it?

Mr. Kellogg – not in pursuit of a solution no.

Tami Carl – Senator Akshar seems to be able to come up with money all over the place for some things. Maybe we should lean on him.

Mike Kwartler – he will do whatever he can to get a machine in there, but if he cannot get a machine in there it's not getting done. He is not going over fences, stone walls, through garages etc. He will continue to do what has been done since 2012 and 2006, which is the minimum amount of maintenance for a very small cost to the best of our ability. We will fix the collapsing pipe on Wallace Rd. (which we can do ourselves), the old Town Hall Parking Lot that is going to have to be engineered and gone out for bids because the pipe has to be upsized, there has to be two custom made catch basins, there is drainage that comes in from the apartments that above and beyond the normal maintenance that the Highway Department can do.

Mr. DiMascio – Like Terry said we need to look further for support from our local agencies like DOT and the County.

Mr. Kellogg – He wished he had better news. From the bottom of my heart, there is no one that really wanted this more than he.

Mr. Bendzel – He just wants to say that Mike has been fabulous. He couldn't have done a better job for us.

Mr. Kwartler – he reaffirms them that he will continue to do what he can do for them within reason.

The meeting ended at 6:50 p.m.

Respectfully submitted by,

Lizanne Tiesi-Korinek, Town Clerk
TOWN OF CHENANGO