THE TOWN OF CHENANGO TOWN BOARD MET AT WORK SESSION ON MAY 23, 2018, AT THE TOWN OF CHENANGO TOWN HALL, 1529 NY RT. 12, BINGHAMTON, N.Y.

PRESENT: Jim DiMascio, Deputy Supervisor
Russell Hemedinger, Councilperson
Gene Hulbert, Town Councilperson (late)
Terry Kellogg, Town Councilperson

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

Department Head Reports

Michael Kwartler- Highway

- Received the New Sweeper with regards to the Grant/Fred Akshar ($246,000.00). It is state of the art. Sent Employees to Rochester to train on it and our machine was used in the training. The old sweeper will be sold and the money obtained from the sale will be put towards future equipment purchases.
- Hired a Summer employee. He will start Tuesday May 29th.
- Employees attended some classes: Dig Safely and a Defensive Driving course
- Replaced crossover pipes on Meadowood Lane one of the roads that will be milled & paved which should take place around June 5th/6th. We will then do Maplewood & Terrace then to Chenango Bridge and do Montague & Avalon
- All the water breaks have been paved and we finally found the water break on Panorama Dr. which was very difficult to find because of the low pressure line on the side road.
- Continuing with yard waste and chipping two full days each – hopefully that will slow down
- Beaver took up residency below the pipes on Clarendon Dr.-hired game warden/Dale Stockton and within 12 hrs. he was gone-all 42 lbs. of him-got proper permit from DEC-$100.00 to set the trap and $200.00 to dispose.
- Performing regular maintenance and replacing stop signs-preparing for Summer.

Terry Kellogg –

The only thing that he has is that he had a Zoning Board Meeting last night and the topic of the proposed LED signs/Big "E" Tire. There was controversy over the interpretation from Br. Co. Planning about it and they reported it as denied with a laundry list of conditions and a note to move cautiously. There was just a four (4) member board so based on the County's recommendation for denial it was tabled until next month on the consent of the applicant-so that is pending. The other one that was heard was Kidz Kingdom and that was approved.

Russ Hemedinger – Public Works

Nothing much, Lizanne just informed him that the server was being worked on today by Jon from Computer Emergency Room.

Don Benjamin also wanted everyone to know that Harold Guernsey/Parks Department was home recovering from his motorcycle accident but he has taken a turn and is back in the hospital not doing well. Thoughts and prayers are with him.

The Wendell proposal – numbers are way lower and he put in the extras that we asked for. Karl said we could do a resolution pending the acceptance by their office. Russ looked it through it and it appeared complete enough to him. It is much more reasonable and geared much more to what was recommended that we do.

Jim DiMascio – His quote without contingency was $755,000.00 and with contingency with the 15% was $840,000.00. What was a little disappointing to him was that Karl didn't say Aye or Nay to either number. So we could pass a resolution contingent upon it being accepted. Do you want to do that for June?

The Board all agreed. Jim will forward to Mr. Walls the information for him to draw up the resolution for the June 4th Board Meeting. Russ wanted to know if the Board/Town should formally ask GOSR to pay the extras. If we don't ask they probably just won't offer to do it. Jim thought yes it would be in our better interest - (the preliminary design work/approx. $14,500.00) Gene thought it was not just the preliminary cost but the whole cost of the design. All of the design costs should be included in our request-after further discussion they agreed to put in for the full cost of design. Jim asked Gene to send him something in an e-mail to assist him in the request for reimbursement in the design that he will send to Karl.

Gene Hulbert – Highway

Mike just gave his report so he had nothing else to add at this time.

Jim DiMascio – Safety –

He received a request from the Partners/NYMIR, it's our annual review and they've asked for a copy of our budget and list of inventory. We are working on putting that together and getting it back to them. We finally got conformation from Peter Moles that he will be training on June 21st from 7 – 12. Silica training is the big one that we have been wishing to do as well as three (3) others. That should catch us up on all the training for 2018.

Just a reminder, we will have three Public Hearings for the June 4th Board Meeting.

Drainage at SEFCU – Jim volunteered to meet with Mary from SEFCU. She is the facilities manager out of Albany and he had a lengthy conversation with her regarding the situation of us sharing a culvert under the parking lot for storm water drainage. There is a defined line where the Town of Chenango's responsibilities begins and ends and becomes SEFCU and we as a public entity cannot work on their property. After that conversation, she had asked if we could send her the plans that show those definitions to her then she would speak with her senior management and speak about the next steps. So she had no interest in coming down here and meeting and walking through vs. getting the plans which for her made more sense. Since Alex is on vacation this week, he will speak with him early next week to move that along.

ZBA and forms - The scoped a little bigger than expected but he thinks it is an important process. Where Oliver is at present is that he will be setting up meetings with the ZBA Board members themselves. It was his goal to have this wrapped up by June 1st but it has been delayed and now we are hoping for the middle of June.

Resolutions

Resolution Determining that the Proposed Town of Chenango Wastewater Conveyance and Treatment Improvements Project is a Type 1 Action and will not have a Significant Adverse Impact on the Environment, offered by Russ Hemedinger, Seconded by Terry Kellogg and carried by the following vote: 4 Ayes, 0 Nays.

Resolution on an Order calling for a Public Hearing to be held on June 4, 2018 improvements to Sewer District Nos. 2,3,4,5,7,7A,8 & 9, offered by: Gene Hulbert, Seconded by Terry Kellogg and carried by the following vote: 4 Ayes, 0 Nays.

Resolution Authorizing the Pavement of Road down to the Chenango Bridge Park by Broome Bituminous in the amount of $16,172.80, offered by: Russ Hemedinger, Seconded by Terry Kellogg and carried by the following vote: 4 Ayes, 0 Nays

Jim DiMascio asked if anyone from the audience wished to be heard.

Aleta Kinne – She isn't sure if this is where she should be coming with this but do you remember a while ago she brought up the fact that maybe some of our codes need to be update. Well she believes that one needs to be looked at – the Signs – she and others in the audience have a concern on the word "Animation". She realizes that technology has grown. She feels that our code does not include animation. At one of her trainings she got this booklet from NYS regarding Municipal Signs and it says that animated signs-any sign that uses movement or change of lighting that creates action or special effects etc. Then she read what our code recites. It does not explain "Animation".

Someone brought up the School Signs – they are exempt – they are a higher authority.

Someone mentioned the Church on River Road and Russ said that they had gotten a variance for that.

Allen Blyth said that it was just to have one script a day when they were given their variance.

Aleta said she was checking out the one on Rt. 12. She said it had about five (5) messages each about 10 seconds apart.

Frank Carl – said that one is running at the 8 second standard that the sign company quoted during the meeting which seems to be a fairly common standard. Cindy Paddick was going to attempt to re-draft that code because she did some research on advertising signs require billboard permit as they do not fall into the same definition as signs in front of your business. The only LED lights that you can have in the Town are the Gas Station price tags across all districts, across every zone. That really does need another look. It's been eight (8) years since that change and it needs to be brought up to the times.

Mike Lumsden – You are getting people coming into the Zoning Board asking for it so you need to look at your law to see how it will be getting out to the Public evenly and fairly for everybody.

Both Frank and Mike agreed that it should not have to be a variance every single time.

Mr. Walls suggested that Aleta talk with her fellow Board Members and if they want to recommend that the Board amends that section.

Gene Hulbert – doesn't particularly like those signs. Are you supporting it or do you want to change it?

Aleta Kinne – The recommendation from the County was to follow DOT. DOT's recommendation was that if we didn't follow them – then we should deny it. The conditions were no "Animation" the other brightness etc.

Russ Hemedinger – isn't that the purpose of the Zoning Board – is if we have a law and then someone can come and say we want an exception to that.

Mike Lumsden – correct but if you start getting to many of them then maybe you need to re-adjust the law. You may not be at that point yet to re-evaluate the law but that is what some of us are talking about.

Gene Hulbert – He just wants to be clear on this – the suggestion is to support LED sign or is DOT's recommendation to eliminate/not have them.

Aleta Kinne– No- not eliminate - just certain conditions

Mike Lumsden – Regulate them so you can put it in your Town Ordinance to say - that Frank or he want to get one, they go downstairs and as long as we meet inside this regulation we wouldn't have to go to the Zoning Board.

Discussion continued by and forth on this matter.

Mr. Walls – Put your heads together and make a recommendation to this Board.

Terry Kellogg – He thinks what makes this challenging is that we have exempt people that are expanding the definition. People taking liberties. So you have some that are grandfathered in, exempt signs and the new ones coming in and presenting to the Board and but see what is going on everywhere else and they say well why am I being scrutinized to this extent.

Frank Carl – We are in 2018 and to have a law that says the only LED lights in any zone that you can have within the Town is a gas station price tag. That is not right; it is not caught up with the times. But to Gene's point we don't want it to look like the Vegas Strip!

Cindy O'Brien – They are distracting and people get in accidents trying to read it.

Jim DiMascio – We will take it under advisement and we will see what they come back with and we will continue the conversation.

Mike Lumsden – He just wanted to make an announcement– he is not running. He just wants his seat saved right where he is and he will save the seat next to him for Russ if he is not running.

No one else wished to speak and the meeting concluded at 5:45 p.m.

Respectfully submitted by:

Lizanne M. Tiesi-Korinek
Town Clerk, Town of Chenango