

**THE TOWN OF CHENANGO TOWN BOARD MET WEDNESDAY, JANUARY 5, 2021  
AT 5:00 P.M. IN THE TOWN OFFICE BUILDING, 1529 N.Y. ROUTE 12,  
BINGHAMTON, N.Y.**

PRESENT: Jo Anne Klenovic, Supervisor  
Jim DiMascio, Councilperson  
Frank Carl, Councilperson  
Gene Hulbert, Jr., Councilperson - Absent

ALSO, PRESENT: Keegan J. Coughlin, Legal Counsel  
Lizanne M. Tiesi-Korinek, Town Clerk

Jo Anne Klenovic welcomed everyone via ZOOM teleconference.

**PLEDGE OF ALLEGIANCE TO THE FLAG -**

Jo Anne Klenovic asked everyone to join in the Pledge of Allegiance to the Flag.

Keegan Coughlin wanted to let everyone know that Councilman Hulbert was going to be unavailable for tonight's meeting – both the work session and the town board. He looks forward to rejoining the board next week.

**OPEN FORUM:**

- Mike Lumsden – The link is not live on the website and people are having difficulty signing onto the meeting.

Jo Anne Klenovic told Mike to have the people who are having difficulties call her office at Town Hall and she would talk them through it.

**PRESENTATIONS:** None

**ACTIONS TO TAKE:**

1. **Resolution Approving Abstract No. 25.** Motion made by Frank Carl, seconded by Jim DiMascio. Hulbert was absent, Carl voted aye, Klenovic voted aye and DiMascio voted aye. Motion carried by the following: 3 Ayes, 0 Nays, 1 Absent – Gene Hulbert, Jr.
2. **Resolution Agreeing to a Tentative Agreement Between the Town of Chenango and AFSCME Local 1912-B, Council 66 AFL-CIO.**

Keegan Coughlin explained that clarification which is different from normal is because there are only three (3) board members available, Frank Carl's normal conflict of interest with this does not apply because it is in the best interest of getting business done when there is not a direct financial impact for himself.

Motion made by Jim DiMascio, seconded by Frank Carl. Hulbert was absent, Carl voted aye, Klenovic voted aye and DiMascio voted aye. Motion carried by the following: 3 Ayes, 0 Nays, 1 Absent – Hulbert.

**COMMITTEE REPORTS:**

**Frank Carl – Assessor Liaison/Public Works/Planning Board**

Public Works Report

- Repaired 4 curb boxes
- Water well drawdowns were done for December
- There were 11 after hour call-outs for December
- Hauled millings from town land fill to Cherry Lane for water main break material
- Hauled wood chips out of the sewer plant to Cherry Lane/Town Landfill

- The pipe was removed from the creek below Wolfe Park
- Parks Department continues cleaning mowing equipment
- Lights in the garage have been changed out to LED
- Sink/Faucet has been changed out in the community room
- Electric outlet added behind TV in Community Room
- The Sewer project has gone out to bid.

### **Updates on Maplewood/Applewood:**

Emergent Containment samples continued for Applewood Well. As of 12/25/2021 we have had non-detect levels of 1-4 Dioxane and have stayed historically consistent on PFOA/PFOS.

Water Department will continue to sample town wells at a minimum of once a year if not quarterly. We will follow the recommendations from the Broome County Health Department.

### **Planning Board:**

The meeting that will be held on January 10, 2022 there will be two applications under New Business:

Creekside Family of Companies – Deanna Youells & Brian Gollogly – 356 Kattelville Road. An Application for a special permit for a home occupation in the Neighborhood Commercial Zone & a Short EAF.

Sandbags Unlimited – Luke Tokarz – 667 Brooks Road. An Application for site plan update to place a new 72' x 248' (17,856') accessory structure in an Agricultural Zone and a Short EAF.

### **Advisory Opinions/Referrals**

Sandbags Unlimited – Luke Tokarz – 667 Brooks Road. An Application for site plan update to place a new 72' x 248' (17,856') accessory structure in an Agricultural Zone and short EAF.

Donald Edwards – 20 Wightman Drive - Application for a double area variance to construct a carport exceeding the maximum size from 200' to 351' and with less than required side yard setback from 10' to 2' in a Residential Zone and a short EAF.

On December 31, 2022 he received and forwarded to the board an e-mail from Alan Blythe. He is resigning from both the Chair Person and Planning Board Member as a whole; effective January 11, 2022, which is one day following the January meeting. In the interim he contacted Mike Boland who is the alternate member, who sometimes in the winter is not always available. He will be available for the next few meetings to be able to cover the numbers that they need to conduct their meetings.

### **Assessor:**

John Endress and Keegan are both on to answer any more questions that he knows here. The Governor signed an executive order making it possible for senior citizens and persons with disabilities to have their 2022 property exemptions renewed without filing renewal applications. We have gone through quite a bit of work to get this lined up for both the seniors and the disabled. Our options are a motion or a resolution to simply waive the requirement – meaning that they would be automatically submitting for the exemption based on their qualifications based from two years ago. This is a day to day situation which means he would have to continue to accept applications through March 5<sup>th</sup>; so, it is a day to day slip from when we enact a ruling on it. Even if we do the waiver it would be a very small amount of people that would not actually benefit from the changes that we are putting in place and those few could be handled by the board of assessment review, if needed. Based on what he hears from John and Keegan it would be in the single digits. If John or Keegan have any extra to add, please feel free.

John Endress said that Frank did a great job. It would have been nice if the Governor would have applied this order the week prior to. So, it is what it is. He is creating a list and ready to apply the

income levels that we had on file. Our numbers should be ready by the end of the month. If somebody wants to find out what their numbers where they can call the office.

Keegan Coughlin added that there needs to be a motion or a resolution to accept the Governor's executive order to opt in as opposed to last year it wasn't a choice.

Jim DiMascio said to do it by motion so that we can move this process along.

Frank Carl said he agrees and said he is fine with doing it right now.

Keegan Coughlin read the following:

A motion to grant the Town Assessor authority to grant exemptions on the 2022 assessment role and that the Town Board of the Town of Chenango pursuant to the authority granted by executive order 11.1 issued by the Governor of the State of New York does hereby direct the Assessor of the Town of Chenango to grant exemptions on the 2022 assessment role in accordance with the executive order. Motion was made by Frank Carl, seconded by Jim DiMascio. Hulbert was absent, Carl voted aye, Klenovic voted aye and DiMascio voted aye. Motion carried by the following: 3 Ayes, 0 Nays, 1 Absent – Hulbert.

### **Jim DiMascio – Highway/ZBA**

- The tops of catch basins were cleaned off during the middle of December.
- Crew were dispatched to cold patch potholes on five occasions. A water break on Wallace Rd was also patched with cold patch.
- Ditches were cleaned out on Mix Rd and Warner Rd.
- Woodchips were hauled to East Hill Rd. Grindings were hauled to the Kelly Rd project.
- Brush was mowed back during the early part of the month.
- Signs were straightened and repaired on Columbine Dr, Fuller Rd, Pinewood Dr and Willis Rd.
- The guardrails were repaired on Mix Rd and Water St.
- Trees were removed on Poplar Hill Rd and S. Morningside Dr.
- Yardwaste collection continued till the middle of the month. Christmas tree pickup began after the holidays.
- The crews were dispatched on 10 different occasions to respond to wintery conditions.

### **Zoning Board of Appeals:**

New Business:

Donald Edwards – 20 Wightman Dr. -Application for a double area variance to construct a carport exceeding the maximum size from 200' to 351' and with less than required side yard setback from 10' to 2' in a Residential Zone and a short EAF. The Application was accepted and sent to the Planning Board for advisory and then back to the ZBA for a Public Hearing in January.

Luke Tokarz – 667 Brooks Road – Application for an area variance to construct an accessory structure exceeding the maximum size from 1500' to 17,856' in an Agricultural Zone and a short EAF. The Application was accepted and sent to the Planning Board for advisory and then back to the ZBA for a Public Hearing.

Public Hearings:

Reuben Finch – 60 Kelly Road – Application for a double area variance to construct a 24 x 24 garage ahead of the front line of the principal structure and with less than the required front yard setback from 30' to 20' in a Residential Zone and a short EAF. That variance was granted.

Application for Discussion

Reuben Finch – 60 Kelly Road - Application for a double area variance to construct a 24 x 24 garage ahead of the front line of the principal structure and with less than the required front yard setback from 30' to 20' in a Residential Zone and a short EAF. That variance was granted.

## **Gene Hulbert – Ordinance Department Liaison - Absent**

### **Jo Anne Klenovic – Supervisor’s Report/Safety/Security/Insurance**

- January 10<sup>th</sup> is the first week that Paychex’s will be issuing checks for the Town of Chenango. It will be running side by side with the old program for two pay periods to make sure that everything is coming out all right. Julie and Amy have been working diligently with the company to get us up and running.
- WWTP- January 10<sup>th</sup> – Board members are welcome to Zoom in on the pre-bid meeting – one at 10:00 a.m. and another at 11:00 a.m. if you are interested. Purely an informational meeting. There are about 25 – 30 companies expressing interest. January 31st is the bid opening. It will be both virtual and in person in our Community Room. We will take precautions for which every way with the COVID numbers.
- Article from Clean Water’s Magazine was forwarded to you all earlier. We are featured in an article there.
- Through the diligence of Eric Pond of B & L, Town of Chenango was awarded financing subsidies through the EFC, which we did not expect to get. We got a higher rating from the changes that we are making and they reviewed the project and they discovered that we are making such great impacts on our own community as well as other communities that travel the river basin that we qualify for more assistance. What this means is that our interest rate with EFC where we are doing our bonding is approximately 5%-this cuts it in half. It will save us 3.8 million dollars over the course of this bond. It will start in 2024.
- B & L will be here next week and they will be able to elaborate more on all of this
- December 28<sup>th</sup> the TOC Group (Jim DiMascio, Joy Kasmarcik, Derin Kraack, Alex Urda and Jo Anne) met with Senator Akshar, Assemblyman Angelino and a representative from the Governor’s Office. The details of our dilemmas with the flood and flood mitigation were discussed. We shared everything and Jim was very helpful in relaying the history of our flood issues with them. Joy expanded on the survey results and the FEMA experiences that we have had. We came away with two major take-a-ways – we need DOT’s assistance and cooperation in this project to make the immediate plans happen and Broome County is willing to partner with us. Secondly, we all agreed that it was too large to ask for everything all over the town so we thought we would take the area of Smith Hill Creek first and then move to Chenango Bridge in a three- or four-year phase where would could put in Town money and ARPA money and other grants that might be achieved. We will meet in another couple of weeks and we will get DOT in on that meeting as well.

Cindy O’Brien asked how the turnout for the surveys went.

Jo Anne replied that it was less than 10%. Everything we got was helpful but it was a very small percentage of the people that we asked for participation.

Cindy O’Brien asked if she went door to door would that help.

Jo Anne said that she appreciated Cindy’s office but she felt at this point if we could enhance the results of the tabulations to give to the Senator it couldn’t hurt us at all.

Cindy O’Brien also asked to be included in the meeting that you are going to have next week. We will touch base at a later moment.

### **Keegan Coughlin – Attorney’s Report**

- Nothing specific except with the Highway Union Contract. He did get the final version and he hasn’t had the time yet to fully review it. At a first glance it looks like the tentative agreement. Still keeping an eye on the ZOOM extension. It has not been passed yet but the rumor mill has it that it will be. That is all unless anyone has something for Keegan.

### **OLD BUSINESS:**

- Town Board Vacancy – It was advertised on the website, in the newspaper and on the sign boards during the month of December. The sign boards were moved to various

locations throughout the town, so all areas were covered. The requirements are 18 years of age or more and must be a town resident having a local address. There were nine (9) individuals that submitted letters of interest to the Town Clerk. Jo Anne read the following names alphabetically into record: Alan Blythe, Patrick Doyle, Debra Hogan, David Johnson, Michael Keenan, Tom Pollak, Bruce Ressler, Chris Ruf and Craig Saeger. Jo Anne would like to use the meeting of January 12, 2022 to discuss this position with them all. She also felt that we each prepare 3-5 questions for these candidates. The idea is to learn as much about these individuals as we can. To take another step maybe we reduce it down to three and then we make our final decision on who we feel is most qualified. She then asked the other board members to comment.

Jim DiMascio felt he needed more time to digest this but if you have the nine people with five (5) questions each he feels that it would take too long to do it that way. He told everyone that he and Terry Kellogg participated in this process once and it was one person per board like we would do in an interview. He is more akin to a one and one interview like a job application.

Keegan said the way that you do this is all up to the board. It is your decision. To his recollection there was some opinions leading to a more public conversation given that this is an elected position. Ultimately it is a decision for all of you to make. Make sure that you make this a consistent process throughout.

Frank Carl questioned Jo Anne if she got more information as he doesn't know where half of these people live based on what Lizanne sent him.

Keegan replied that he and Jo Anne looked at the addresses for these folks on public records as a preliminary step and it his recommendation that we send all of these names and addresses to Broome County Board of Elections to make sure that they are all qualified.

There was discussion on what the next steps would be and how they should proceed. In the end they decided that once they were all verified by the Broome County Board of Elections then they would set each of them up to speak briefly (2 to 3 minutes) and introduce themselves at the January 12<sup>th</sup> meeting and tell us why they submitted their letter of interest and then go from there.

- Review of all the annual resolutions -

Keegan Coughlin went through all the resolutions one by one and asked each board member if there were any questions, comments, etc. to any of them. Keegan pointed out that the 4<sup>th</sup> Wednesday of the month was not filled in so it would be left optional and if the board wanted to take advantage of that it would just need to be scheduled in advance with the normal meeting procedures. He said that with a meeting notice there would be no advertising cost unless we were to have a public hearing.

Frank Carl wanted Amy to go into the Work Rules Resolution to make sure that the corrections/track changes in the margins were cleaned up.

Jo Anne added a comment to the Highway Resolution 284 that everyone needed to stop by the Clerk's Office and sign it for Derin.

Jo Anne confirmed at the end of the review that these will all appear at the next meeting.

### **NEW BUSINESS:**

- AOT 2022 Conference Attendance – Jo Anne said she got an e-mail back from AOT and they are monitoring the COVID situation and they are still waiting to see if they are going to go virtual or if there is a virtual option. There was discussion that if this did not go virtual and it is only in person does the board want to say to the staff that it is ok to go or is it the board's policy to prevent harm to the staff and suggest that they don't go. She just wanted to be clear on it because there has been a lot of opinion on it going back and forth on what was the right thing to do.

After a brief back and forth discussion they decided that everyone was adults and they could make their own decision and use their best discretion on this matter.

Frank Carl offered to be the deputy if it went virtual or by proxy.

**To be discussed items:**

- PDD-R Zoning – Nadine Bell – Frank has a tentative date of February 9<sup>th</sup> for an agenda item.
- Community Room Renovation – Issues are supply and demand and getting everything in there.
- Ethics Training – In the Community Room and it is on Keegan’s calendar for January 12, 2022 and if there was a significant snowfall it would be on the 20<sup>th</sup>. It is for all the staff.
- Mini Bids – Jo Anne spoke with Greg on this and we are taking this off and he is dealing with this on his own.

**Open Forum:**

- No one wished to speak

As no one else wished to speak, motion was made by Jim DiMascio, seconded by Frank Carl to adjourn the meeting. Hulbert was absent, Carl voted Aye, Klenovic voted Aye, DiMascio voted aye. Motion was carried by the following roll call: 3 Ayes, 0 Nays, 1 Absent – Gene Hulbert, Jr.

Respectfully submitted,

Lizanne M. Tiesi-Korinek, Town Clerk

Town of Chenango