

Town of Nelson – Town Board Meeting
July 13, 2017
7 p.m. – Nelson Town Office
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The July 2017 Town Board meeting was called to order at 7:05 p.m. with the Pledge of Allegiance.
Present: Supervisor Roger D. Bradstreet, Councilor Michael Costello, Councilor Tammy Hayes,
Councilor John Laubscher, John Sevier, Jr., Highway Superintendent and Deborah J. Costello, Town Clerk.
Absent was Councilor Jennifer Marti.

Minutes

A motion was made by Councilor Hayes and seconded by Councilor Costello to approve the June 2017 minutes as presented. There was no further discussion. All voted in favor. The motion carried.

Financials

Town Clerk - \$1,598.25

June Revenues - \$1,224.30

Conservation Licenses – DECALS Commission - \$7.45
Sixteen (16) Punch Cards @ \$0.35 each - \$5.60
Planning and Zoning Fees - \$325.00
Sixteen (16) Dog Licenses, original/renewal, spayed/ neutered @ \$6.50 each - \$104.00
Four (4) Dog Licenses, original/renewal, unspayed/unneutered @ \$14.50 each - \$58.00
Seven (7) Building Permits - \$664.00
One (1) Photocopy - \$0.25
One (1) Certified Marriage Certificate - \$10.00
Five (5) Certified Death Certificates at \$10.00 each - \$50.00

June Disbursements - \$373.95

Conservation Licenses - \$127.55
New York State Dept. of Agriculture & Markets, Dog Licensing Fees - \$28.00
Madison County Treasurer – 16 Punch Cards @\$13.65 each – \$218.40

Operating Statement - period ending June 30, 2017

General Fund A Expenditures - \$37,189.26	Highway Fund DA Expenditures - \$49,769.05
General Fund A Revenues – (\$5,416.98)	Highway Fund DA Revenues - \$86.71
Erieville Lighting District Expenditures – \$322.33	Nelson Lighting District Expenditures – \$207.33
Erieville Lighting District Revenues - \$0	Nelson Lighting District Revenues - \$0
Erieville Water District Expenditures - \$1,007.56	
Erieville Water District Revenues - \$1,244.34	

Highway Superintendent's Report

Summer projects are behind schedule due to the weather. Work continues on Chaphe Hill Road. Highway Superintendent Sevier has not met with the engineer as of this meeting. There was minor damage to several roads from the rain storms including North Lake Road. A portion of Greene Road was lost and is now passable. There were plugged culvert pipes in some areas. We are trying to resolve these issues as quickly as possible. The new parking lot at the Blue Canoe was briefly discussed.

Peres McCarthy, 3722 North Lake Road, has been in contact with Supervisor Bradstreet and Councilor Costello regarding recent flooding issues at his location. There had previously been some discussion about installing a pipe between the McCarthy property and the neighboring property. It was brought to the Boards attention that the neighboring property owners were not in favor of that option.

Gary Omans, 533 Tuscarora Road (Maple Grove), spoke to the Board about the latest flooding issue from the July storms. Pictures were presented to the Board. Mr. Omans resides on a county road and noted the runoff is coming off Chaphe Hill Road. Mr. Omans noted this is the sixth time the property has been flooded. Gary also pointed out that the water started at the Town and didn't make it to the county storm sewer and noted his stand pipe was working. Supervisor Bradstreet will submit the photos to the Madison County Highway Superintendent for review.

Don Lake, 361 Funk Road discussed recent flooding on Funk Road. Mr. Lake noted minor damage probably didn't have to happen because the system probably has adequate capacity if it were properly elevated. Mr. Lake stated there was some loss of capacity due to the amount of water. Water was flowing across Funk Road into the lake. If water cannot get into the catch basins, it flows to the catch basin on the Lake property. That catch basin cannot take it all because the catch basin is taking more water than it may be designed to handle. In addition, Mr. Lake gets runoff from the road, all of the garages and side lots.

Ron Yackel, 359 Funk Road, explained that the water coming off of Kelsey Lane (private road) doesn't get to the catch basin there. Mr. Yackel noted this is the fourth time his driveway has washed out. Mr. Yackel suggested possibly paving the shoulder over to the catch basin when set up correctly. It was noted Funk Road is beginning to crumble along the edges of the road. Mr. Lake noted Funk Road was supposed to be moved over and there was a discussion about the engineering done on Funk Road some years ago.

Supervisor Bradstreet noted the Board will look at what's been recommended and continue to borrow the necessary equipment to clean out the catch basins and will review the engineering of Funk Road. The Board will discuss at budget time. Highway Superintendent added that the engineer hired to engineer the work on Chaphe Hill was going to talk to the County to see what they could do around that corner.

David Rezak, 3701 North Lake Road, inquired about the process of requesting a speed limit reduction. Mr. Rezak was advised to begin with a petition signed by property owners and submit to the Town Clerk.

The Board will approve the request and the Town Clerk will prepare the necessary paperwork and forward to the proper authorities. Highway Superintendent Sevier added that the engineer working on Chaphe Hill Road is going to follow up on the 35 mph speed limit on Tuscarora and the south end of Funk Road and see if it can be extended past the intersection of Chaphe Hill Road.

Correspondence

A new electric rate has been secured which will save the Town an additional \$92 a year.

Old Business

Cazenovia-Nelson proposed water extension

All of the paperwork has been filed and the 30 day permissive referendum ends July 14th.

Recreational Vehicles – Zoning Issue

The Board had a brief discussion regarding the trailer issue. The Board was reminded there are 2 separate zoning regulations regarding recreational vehicles. One is where a recreational vehicle can be parked and the other relates to the 30 day occupancy. The current law was intended for someone who had a recreational vehicle parked on a lot with a principal residence and was never intended to permit a recreational vehicle to be used on a vacant lot in which the recreational is the only residential facility on that lot. The purpose was to allow, for example, in-laws coming from Florida to visit and park in the backyard for 30 days.

Supervisor Bradstreet reminded everyone this is a town wide zoning regulation. However, the complaints received have been for two recreational vehicles parked on two separate vacant properties on Tuscarora Lake. Recreational vehicles can be parked on your property but have to be parked behind the front face of the principal building. The Board has previously discussed a permit system. Supervisor Bradstreet's opinion is not to come down hard on those wanting to use a trailer on their property on a short term basis but not long term. David Rezak, Tuscarora Lake Association Board member, felt there should be clearer guidelines and sanitation is a concern.

New Business

John Dunkle is preparing to submit an application for a "Recreational Trails Program" grant. A motion was made by Supervisor Bradstreet and seconded by Councilor Costello to approve Resolution No.031-2017, a Resolution Endorsing Application For Recreational Trails Program Grant. There was no further discussion. All voted in favor. The motion carried.

**RESOLUTION NO. 031-2017
OF THE TOWN BOARD
OF THE TOWN OF NELSON**

**RESOLUTION ENDORSING APPLICATION FOR
RECREATIONAL TRAILS PROGRAM GRANT**

WHEREAS, the Town of Nelson is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Recreational Trails Program for a trail project to be located on lands owned by the State of New York adjacent to the Nelson Town offices and park, which is located within the territorial jurisdiction of this Town Board; and **WHEREAS**, as a requirement under the rules of this program, this Town Board must acknowledge its approval of the project and application to OPRHP.

NOW, THEREFORE, be it resolved by this august body that the Town Board of the Town of Nelson does hereby approve and endorse the application of the Town of Nelson for a grant under the Recreational Trails Program for a trail project known as the proposed Nelson Swamp Trail Project and located within this community; and it is hereby further

RESOLVED, that the Town Supervisor be, and hereby is, authorized and directed to execute such documents, including, but not limited to the grant application and project agreement, as may be necessary and/or appropriate to facilitate the grant application of the Town of Nelson and the intent of this resolution.

DATE: JULY 13, 2017

Supervisor Roger D. Bradstreet
First

Councilor Michael Costello
Second

(Carried 4 Rejected 0 Tabled 0)

A motion was made by Councilor Costello and seconded by Supervisor Bradstreet to approve Resolution No. 032-2017, a "Resolution Making A Negative Declaration Under The New York State Environmental Quality Review Act With Respect To An Application For A Recreational Trails Program Grant" and naming the Town of Nelson Lead Agency. There was no further discussion. All voted in favor. The motion carried.

**RESOLUTION NO. 032-2017
OF THE TOWN BOARD
OF THE TOWN OF NELSON**

**RESOLUTION MAKING A NEGATIVE DECLARATION UNDER THE NEW
YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT WITH
RESPECT TO AN APPLICATION FOR A RECREATIONAL TRAILS
PROGRAM GRANT**

WHEREAS, the Town of Nelson is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) York adjacent to the Nelson Town offices and park, which is located within the territorial jurisdiction of this Town Board; and

WHEREAS, the project envisions the construction of a 3000 +/- lineal feet, ADA compliant walking trail to originate at the Nelson Town Hall and park property on Nelson Road and extend through the lands of the Nelson Swamp Unique Area owned by the State of New York to U.S. Route 20; and

WHEREAS, the Town Board of Nelson has reviewed the short environmental assessment form and desires to make findings to comply with the New York State Environmental Quality Review Act (“SEQRA”).

NOW, THEREFORE, be it hereby resolved by the Town Board of the Town of Nelson that the proposed Nelson Swamp Trail Project and the application to the OPRHP is an unlisted action as defined by SEQRA’s implementing regulations, that the OPRHP and the New York State Department of Environmental Conservation are other involved agencies, that this will be an uncoordinated review under SEQRA, and that the action will not have any significant environmental impacts. The reasons supporting this determination are that the proposed project will provide increased public access and awareness of the unique natural features of the wetlands, but constructed with minimal disturbance of the natural setting in a manner that protects the flora, fauna and habitat.

DATE: JULY 13, 2017

Councilor Michael Costello
First

Supervisor Roger D. Bradstreet
Second

(Carried 4 Rejected 0 Tabled 0)

Skunk Hollow Day – Fay Lyon

This year’s Skunk Hollow Day will be held August 5th from 1-4 p.m. A Town Ball Game between the Towns of Nelson and Fenner will be held at 1 p.m. There will be 14 on a team and it was noted the rules have changed a little. If there are more than 14, substitutions can be made to allow everyone a chance to play. The Town of Fenner would like to see an equal number of women on both teams. In addition to the ball game there will be games and free ice cream.

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Fay Lyon also noted they will continue with the Citizen of the Year award. A new plaque will be purchased. It's possible any one year could be omitted if there are no nominations. Supervisor Bradstreet reminded everyone there will be food available from 11-2 and a free concert at 4 p.m. the NelsonOdeon

Mad Cow 5K

Dick Benner did not have the registration numbers as of tonight's meeting but everything is moving forward. The tents will be set up Thursday or Friday.

Council Updates

Councilor Michael Costello, Highway Liaison, Erieville Water District Liaison and Madison County Sewer Board: The inter-municipal agreements need to be prepared for the takeover of the Madison County Sewer District by the Town of Cazenovia. The takeover should happen by the end of 2017 or beginning of 2018. The plant processed 25 million gallons of sewage and met the EPA and DEC permit requirements. There are new energy efficient motors on the aerators.

Empire Brewery is trucking their sewage to Morrisville College where it's being land spread. The operation is controlled by the DEC (Department of Environmental Conservation). For now nothing is coming into the treatment plant that's affecting the BOD's (biochemical oxygen demand) and the levels of BOD's have dropped. The Brewery uses cleaning chemicals for the tanks that are not all environmentally friendly to the plant.

Councilor Costello spoke to several commissioners of the Erieville Water District and they noted the quarterly billing had been done and everything was going well. They felt a meeting was not necessary at this time.

Highway Superintendent Sevier was unable to get a final price of the roller before tonight's meeting. There are several small issues that will be taken care of. The roller does a good job. The rental cost will be applied toward the purchase price.

Councilor Tammy Hayes; Economic Development: The flower boxes are out at the Nelson Town Office, Peaks, Nelson Farms and Route 20 Sofa. Eventually the Nelson Garden Club will plant and maintain the boxes. The Streetscape Committee will be meeting to discuss future plans. A flower box will be placed at the Erieville Country Store. Several parties are interested in hosting a travelling library.

The Town of Nelson had a good showing at the Madison County Fair and took 4th place. Councilor Hayes thought she could get some assistance from the Erieville Nelson Heritage Society for next year's fair.

Councilor Hayes travelled Route 20 and noted you could tell which communities put a lot of effort into their communities. Many communities had flags and you could tell each community by the speed limits.

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A number of them had parks as tributes to servicemen.

Tammy Hayes read a report from Councilor Marti. Councilor Marti has discussed the pavilion with Lyle Malbouf, Madison County Mobile Work Crew Leader, and hopes to have the pavilion constructed in 2018. Councilor Marti has been in touch with Paul Amico, Forest Management, regarding logging the woods at the Erieville Ball Field. The forester will walk the area and develop a plan. The last time this was done it generated about \$52,000 which was used to regrade the Erieville Ball Field and install new fencing and some other things.

Supervisor Bradstreet followed up with Gary Mason regarding the sale of his corner property at Erieville Road and Route 20. Mr. Mason is not interested in selling at this time but would consider the Town of Nelson for right of first refusal. Mr. Mason has been approached by several other interested parties.

Councilor John Laubscher; Planning: The committee continues to review and work on the Comprehensive Plan. Nothing changes in the rural zone. The hope is to encourage more business. The survey is being worked on and will need to be revised. The Board was asked if they had any questions they would like to see added to the survey. There has been some discussion about a theme or niche for the community.

The point of the Comprehensive Plan is to give guidance when the Land Use Regulations are developed or changed and as things change you want to be able to adapt. The next meeting of the Smart Growth Committee will be held July 17th.

Town Attorney James Stokes has been contacted by Louise Gava, MEGA (Municipal Electric & Gas Alliance) inquiring if Nelson is interested pursuing the program. The first step would be for the Town of Nelson to choose MEGA Community Choice Aggregator, educate the public and adopt a local law. The Town of Nelson would be combined with other municipalities. Requests for proposals would be put out, a low-bid supplier is selected and the savings begin. It was emphasized that local residents can opt out. The Resolution will be drafted for approval by the Town Board for the August 10th meeting.

Councilor Hayes, informally, discussed using the Erieville Ball Field for a BBQ cook off. It would include professionals, semi-professionals, amateurs and would have different classes. A panel of judges would choose the winner.

Bills were prepaid from the following accounts for the period of May 18th through June 7, 2017:

General Fund A	\$14,825.47
Highway Fund DA	3,682.69
Erieville Lighting District SL	108.11
Nelson Lighting District SL	77.77
Erieville Water District SW	249.06

Trust & Agency Fund TA	<u>687.86</u>
Total	\$19,630.96

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Bills were approved and paid from the following accounts for the period of June 29th through July 12, 2017:

General Fund A	\$ 1,820.31
Highway Fund DA	25,600.92
Erieville Lighting District SL	214.22
Nelson Lighting District SL	129.56
Erieville Water District SW	<u>75.00</u>
Total	\$27,840.01

As there was no further business before the Board, a motion was made by Supervisor Bradstreet and seconded by Councilor Hayes to adjourn the meeting. There was no further discussion. All voted in favor. The motion carried. The meeting was adjourned at 9:19 p.m.

Respectfully submitted,

Deborah J. Costello, Town Clerk
Town of Nelson

