

April 15, 2020

REGULAR MEETING (VIA TELEPHONE CONFERENCE)

The regular meeting of the Martinsburg Town Board was held on Wednesday, April 15, 2020. In response to the ongoing COVID-10 public health emergency, New York's governor Cuomo signed Executive Order 202.1 on March 12, 2020 allowing meetings of public bodies to be held remotely by conference call or similar services, provided the public has the ability to view or listen to the proceedings and that the meetings are recorded and later transcribed. This meeting was held by ZOOM telephone conference. The meeting was set up by the Tug Hill Commission. The meeting was called to order at 7:00 PM. Present via phone were: Supervisor Terrence Thisse; Councilman Janusz Karelus, Michael McGrath, Darren Jantzi and Brad Allen; Highway Superintendent Tyler Jones; Town Clerk Mary Kelley; Attorney Joseph Russell; Matt Cooper, Barton and Loguidice; Robert Jones, Martinsburg Vol. Fire Department; Angie Kimball, Tug Hill Commission, moderator of the Zoom conference meeting.

MINUTES

The minutes of the last meeting were emailed to the board prior to the meeting. Councilman Karelus made a motion, seconded by Councilman Jantzi to approve the minutes as presented. Roll call vote:

Supervisor Thisse – aye
Councilman Allen – aye
Councilman Jantzi – aye
Councilman Karelus – aye
Councilman McGrath – aye Motion carried.

BILLS – Abstract 04-2020 (Abstracts were emailed to the board prior to the meeting)

General:	Voucher #80-97	\$13,208.62
Highway:	Voucher #60-73	\$ 7,013.30
Glenfield Water:	Voucher #40-43	\$ 808.59
Glenfield Sewer:	Voucher #14-16	\$ 287.69
Martinsburg Water #1:	Voucher #19-22	\$ 690.90
Street Lighting:	Voucher #5-6	\$ 790.03

Councilman McGrath made a motion, seconded by Councilman Allen to approve payments of the bills as presented. Roll call vote:

Supervisor Thisse – aye
Councilman Allen – aye
Councilman Jantzi – aye
Councilman Karelus – aye
Councilman McGrath – aye Motion carried.

PRIVILEGE OF THE FLOOR

Robert Jones, Chief of the Martinsburg Volunteer Fire Department had questions regarding PILOT payments by the Maple Ridge Wind Farm. Supervisor Thisse explained how the PILOT (payment in lieu of taxes) affected the tax roll. PILOT payments are based on assessed values of the towers. Discussion was held on the possibility of raising the fire tax for the whole town in order for the fire departments to receive more money.

The Town was at 100% assessed value and now the Supervisor reported we are down to 93%. Mr. Thisse plans on meeting with the assessor to go over and try to understand the equalization rate and why it is down. Mr. Jones asked if the solar projects being built in the Town of Martinsburg would generate more PILOT money. He asked if the Town would negotiate with the developers of the Solar arrays to get more money for the fire departments. Supervisor Thisse said he would review this request with the town attorney.

Robert Jones asked if the town had made a decision on the request from the fire department to be granted authority to provide public emergency medical services. The Clerk reported she had not heard back from NYMIR, the town's insurance company, about guidance on this issue.

TOWN CLERK REPORT

The Town Clerk reports for February and March were emailed to the board prior to the meeting. Total State and Local Revenues for February were \$1,292.06 and March \$10,945.67. Councilman Karelus made a motion, seconded by Councilman Jantzi to accept the reports as presented. Roll call vote:

Supervisor Thisse – aye
Councilman Allen – aye
Councilman Jantzi – aye
Councilman Karelus – aye
Councilman McGrath – aye Motion carried.

HIGHWAY

Supervisor Thisse asked the board if they could think of any shovel ready projects in case there is stimulus money coming to the town because of COVID-19. This may involve a study. Some ideas were Martinsburg Water District #2 waterline extension; Glenfield School and LED street lights.

SNIRT RUN

Discussion was held on what if the previously cancelled SNIRT Run is held in June. The Roaring Brook Wind Project developers are concerned about traffic where they are working on that Saturday. It was the opinion of the majority of the board that the developers could have the workers take that one day off.

GLENFIELD SEWER

An initial bid of \$11,000 was received to pump tank. Mr. Cooper stated he is looking for other people to give a quote.

REAL PROPERTY TAX EXEMPTION

Discussion was held on a real property tax questionnaire received from Lewis County Real Property. Councilman Karelus made a motion, seconded by Councilman McGrath authorizing the Clerk to sign the Tax Exemption Questionnaire stating there would be no changes for the next year. Roll call vote:

Supervisor Thisse – aye
Councilman Allen – aye
Councilman Jantzi – aye
Councilman Karelus – aye
Councilman McGrath – aye Motion carried.

DAIRY TRANSITIONS FARMLAND PROTECTION INITIATIVE

WHEREAS, Sidney, Beth, Bryan, & Marci Nafziger and Michael & Elizabeth Nemeth are the owners of Evergreen View Farm & Nemeth Farm, consisting of approximately 170 acres in tax parcel 258.00-01-16.000 & 258.00-01-15.100 in the Town of Martinsburg, Lewis County (the "Property"); and

WHEREAS, Tug Hill Tomorrow Land Trust as a New York not-for-profit corporation to accept, purchase, and hold conservation easements under section 170(h) of the Code and Treasury Regulation Section 1,170A-14(c); and

WHEREAS, the Property is located within Lewis County's Agricultural District 6 created pursuant to Article 25-AA of the New York State Agriculture and Markets. It is the purpose of the article to provide a locally-initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies of the local and state economies and as an economic and environmental resource of major importance; and

WHEREAS, the Property is located within Lewis County, which adopted an Agricultural Enhancement Plan in 2004, with an updated comprehensive plan addressing Agricultural and Forested land use in October 2009; and

WHEREAS, the Property is located with the Town of Martinsburg, which adopted a comprehensive plan on April 15, 2015; and

WHEREAS, the Property consists primarily of productive agricultural land. The Property, which is 170 acres, contains 167.2 acres in active crop production, 83 acres of prime soils and 61 acres of soils of statewide importance as defined by the U.S. Department of Agriculture's Natural Resource Conservation Service; and

WHEREAS, Tug Hill Tomorrow Land Trust determined that accepting this easement on the Property will enhance the long-term agricultural values of the Property and forward its mission of protecting the wildlands, working forests and farms of the Tug Hill region and surrounding areas, and to promote appreciation of the region's natural and cultural heritage, for present and the future generations; and

WHEREAS, Evergreen View Farm, Nemeth Farm and Tug Hill Tomorrow Land Trust agree the purpose of the agricultural easement will be to perpetually conserve viable agricultural land by preventing the conversion for non-farm uses. In achieving such prevention, the Property shall be forever reserved for continued agricultural use; and

NOW THEREFORE BE IT RESOLVED, that Martinsburg Town Board passed a resolution on April 15, 2020 at a regular Town Board meeting to endorse the submission of an application for a Dairy Transitions Farmland Protection Initiative Grant for the Evergreen View and Nemeth Farms by Tug Hill Tomorrow Land Trust. If funded, this grant will provide funding from the NYS Department of Agriculture and Markets to purchase the development rights (Agricultural conservation easement) on the Nemeth & Evergreen View Farms.

By Order of the Town Board of the Town of Martinsburg by the following vote thereon:

Supervisor Thisse – aye
Councilman Allen – aye
Councilman Jantzi – aye
Councilman Karelus – aye
Councilman McGrath – aye Motion carried.

Phil Damuth has asked if he can broadcast seeding in lieu of cropland rent in Martinsburg Water District #1. Councilman Allen made a motion, seconded by Councilman Karelus allowing Mr. Damuth to seed down the cropland in lieu of rent. All were in favor. Motion carried.

Supervisor Thisse gave an update on financial investments.

Kevin McArdle gave the board a bid of \$200 for a surplus fire proof file cabinet. Councilman McGrath made a motion, seconded by Councilman Jantzi to accept the bid. Roll call vote:

Supervisor Thisse – aye
Councilman Allen – aye
Councilman Jantzi – aye
Councilman Karelus – aye
Councilman McGrath – aye Motion carried.

GLENFIELD WATER

Mr. Cooper from Barton and Loguidice has submitted an amended agreement for engineering services on the Glenfield Water Improvement Project. The amendment will increase their Construction Phase fee by \$8,000 in the administration

of the construction contract. Councilman McGrath asked if the board had a choice. Attorney Russell said no, that our contract states that the Town pay for actual services. Councilman McGrath made a motion, seconded by Councilman Jantzi authorizing the Supervisor sign Amendment #1 to owner-engineer agreement with Baron and Loguidice for additional professional services of \$8,000. Roll call vote:

Supervisor Thisse – aye

Councilman Allen – aye

Councilman Jantzi – aye

Councilman Karelus – aye

Councilman McGrath – aye

Motion carried.

LED STREET LIGHTING

Discussion was held on the LED street lighting project. We are still waiting to get a street light acquisition pricing proposal from National Grid and the Supervisor is not sure how to get to the next step. The Clerk will reach out to them again. Councilman McGrath said to keep pushing forward and the board agreed.

Councilman Karelus made a motion, seconded by Councilman Jantzi to adjourn at 7:50 PM. All were in favor. Motion carried.

Respectfully submitted,

Mary Kelley, Town Clerk