

August 18, 2021

REGULAR MEETING

The regular meeting of the Martinsburg Town Board was held on Wednesday, August 18, 2021 at the Municipal Offices on Cemetery Road and called to order at 7:00 PM. Present were: Supervisor Terrence Thisse; Board members Brad Allen, Darren Jantzi, Janusz Karelus and Michael McGrath; Attorney Mark Gebo; Town Clerk Mary Kelley; County Legislator Greg Kulzer; Matt Cooper, Barton and Loguidice. Absent: Highway Superintendent Tyler Jones; Attorney Joseph Russell.

MINUTES

The minutes of the last meeting were emailed to the board members prior to the meeting. Councilman Karelus made a motion, seconded by Councilman Allen to approve as amended. All were in favor. Motion carried.

BILLS – Abstract 8-2021

General:	Voucher #162-183	\$ 10,170.51
Highway:	Voucher #135-155	\$131,657.20
Glenfield Water:	Voucher #50-55	\$ 85,692.04
Glenfield Sewer:	Voucher #32-34	\$ 154.74
Martinsburg Water #1:	Voucher #46-50	\$ 1,188.28
Street Lighting:	Voucher #14-15	\$ 694.41
Whitaker Park:	Voucher #44-55	\$ 2,130.00

Discussion was held on a few highway bills and questions asked. Councilman Jantzi made a motion, seconded by Councilman Karelus to pay the bills as presented. All were in favor. Motion carried.

TOWN CLERK REPORT

The Town Clerk Report for July was presented to the board. Councilman Karelus made a motion, seconded by Councilman Allen to approve the report. Total State and Local Revenues totaled \$22,001.81. All were in favor. Motion carried.

COUNTY LEGISLATOR REPORT

Mr. Kulzer discussed grants that are available – Small Business Microenterprise Grant, CARES Act Money and Street Façade Grant.

COOPERATIVE TUG HILL COUNCIL

Supervisor Thisse read the announcements from the CTHC.

- Lewis County Planning land use training workshop
- NYSDOT funding for multi-use, non-motorized transportation related programs
- JCAP grants are available
- Preservation League of NYS technical assistance grants

HIGHWAY

Supervisor Thisse discussed bonding for the new plow truck. Attorney Russell's office will get a quote on a five year bond. Discussion was held on how to use the American Rescue Plan funds when we receive them.

GLENFIELD WATER PROJECT UPDATE

Mr. Cooper gave an update on the water project:

- Distribution System Improvement Project is complete
- Well Investigations is complete. FD-3 well drilled to 251 feet. 72 gpm pump rate sustained. NYSDOH reported no contaminants above limits with current results. Still waiting for some results. Iron and manganese results were below normal levels for required treatment. Water is very hard.

- Discussed options for treatment plant – new plant or renovate old plant. Location of new plant could possibly be at Sewer Plant.
- Discussed water withdrawal permit.
- Water softening at the municipal level was discussed.
- Property acquisition (3-G) is 60% grant funded
- Actions left to do: select treatment plant location, select treatment option and property acquisition

GLENFIELD SEWER IMPROVEMENTS UPDATE

Mr. Cooper gave an update on the UV Disinfection and Expanding WWTP capacity project. Total project budget is \$1,217,900.

Discussion was held on funding options and schedule to meet DEC Compliance.

LED STREET LIGHTING

Discussion was held on National Grids' 5 million dollar liability requirement which will cost \$2,600 more a year. Maybe could do an umbrella policy with other towns. Councilman Allen made a motion, seconded by Councilman Karelus authorizing Supervisor Thisse to purchase the liability insurance required for the LED Street Lighting Project and to arrange for a Letter of Credit for disconnect security. All were in favor. Motion carried.

8:05 PM Councilman Michael McGrath arrived.

Discussion was held on water and sewer billing for the Glenfield Trailer Park. The Town of Martinsburg can give notice to the Town of Turin that water service will be turned off to the trailer park September 4 due to lack of payment. We can take Town of Turin to small claims court if payment is not made.

CANNABIS LOCAL LAW

Discussion was tabled on this at July meeting. The Town must opt out by the end of the year, subject to permissive referendum, if they wish to and can opt back in any time later. More discussion was held on this regarding zoning. Supervisor Thisse polled the board to see how they felt about this issue. Councilman Karelus and Councilman McGrath responded that they would vote to not opt out. Supervisor Thisse, Councilman Allen and Councilman Jantzi would vote to opt out.

Attorney Gebo went over the short environmental assessment form with the board.

Councilman Darren Jantzi made a motion, seconded by Councilman Brad Allen to adopt the following resolution:

WHEREAS, Local Law No. 4 of the year 2021, a local law to Opt the Town of Martinsburg out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments in the Town of Martinsburg introduced by a member of the Board at a meeting thereof held on June 16, 2021 and by a majority vote of the Councilmembers present at such meeting, a public hearing was duly scheduled to consider Local Law No. 4 of 2021 for July 14, 2021 at 7:00 PM and

WHEREAS, notice of the public hearing was duly published and posted as required by law and on July 21, 2021, a public hearing was duly held to hear all persons interested in the subject matter of Local Law No. 4 of 2021.

NOW, THEREFORE, be it resolved by the Board of the Town of Martinsburg as follows:

1. The foregoing recitations are incorporated herein and made a part hereof as if fully set forth hereafter.
2. The adoption of Local Law No. 4 of 2021 is an Unlisted action pursuant to the New York State Environmental Quality Review Act and the regulations promulgated thereunder.
3. This Board has now completed its review of the proposed Local Law pursuant to the New York State Environmental Quality Review Act and has issued its determination that the proposed Local Law will not have an impact on the Environment.

4. *Based upon the foregoing, Local Law No. 4 of the year 2021 is hereby re-adopted and the Clerk is instructed to file the same with the New York State Department of State following the completion of the review and therefor under the statute as to permissive referendum.*

Roll call vote:

Supervisor Thisse – aye

Councilman Allen – aye

Councilman Karelus – nay

Councilman Jantzi – aye

Councilman McGrath – nay

Resolution duly adopted.

Discussion was held on a new telephone system. A quote was submitted by Jesse Lennox from Advanced Business Systems. Questions were asked such as internet reliability and does the Court need a separate line. Does the historian have a separate fax line. Supervisor Thisse will contact Mr. Lennox.

Supervisor Thisse gave an update on discussions regarding the uses for Glenfield Elementary School, which has been sold to a private business. There have been numerous meetings. It was asked if the playground could or would be separated and it will not be separated.

NYMIR

Recommendations from the Town insurance carrier have all been completed except bleacher upgrades.

Supervisor Thisse has started work on the 2022 budget.

A Junk Yard law was discussed. Attorney Gebo explained that a junk yard law usually applies to vehicles. The town has a Property Maintenance Law and a Clutter, Debris and Litter Law. The County has indicated they will be willing to take over and enforce a Junkyard Law. Questions were asked as to what the County would actually enforce. The Town needs to clarify before rescinding any of its laws. A Public Hearing will be needed to rescind any prior local law. The matter was tabled for the time being.

Supervisor Thisse reported on Flood Plain webinars. Discussed a prior proposed agreement with Mr. McGrath for an easement in Martinsburg Water District #1.

Donna Cobb has expressed an interest in buying a piece of property from the Town which is adjacent to her backyard. The Town would have to say it doesn't need the property now or in the future. After some discussion, it was the consensus of the board to not sell any property.

There was some discussion regarding having an electric vehicle charging station in the town. Supervisor Thisse suggested it might be worth looking into.

There being no further business, Councilman Jantzi made a motion, seconded by Councilman McGrath, to adjourn at 9:35 PM. All were in favor. Motion carried.

Respectfully submitted,

Mary Kelley, Town Clerk

