

October 16, 2019

REGULAR MEETING

The regular meeting of the Martinsburg Town Board was held on Wednesday, October 16, 2019 and called to order at 7:00 PM. Present were: Supervisor Terrence Thisse; Councilmen Brad Allen, Douglas Dietrich, Janusz Karelus and Michael McGrath; Attorney Joseph Russell; Town Clerk Mary Kelley; County Legislator Greg Kulzer; CTHC circuit rider Beth Steria; Bette Lathan; Loren and Rhonda Allen; Anthony Young and Brett McVoy from Barton and Loguidice. Absent: Highway Superintendent Tyler Jones.

MINUTES

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

BILLS - Abstract 10-2019

General:	Voucher #234-264	\$14,017.99
Highway:	Voucher #161-181	\$40,309.18
Glenfield Water:	Voucher #72-76	\$ 1,216.62
Glenfield Sewer:	Voucher #44-47	\$ 723.49
Martinsburg Water #1:	Voucher #51-56	\$ 810.15
Street Lighting:	Voucher #19-20	\$ 745.85
Whitaker Park:	Voucher #61-68	\$ 921.75

Supervisor Thisse explained about the bills in General that were connected to repairs to West Martinsburg Town Hall. He also explained about a dog picked up at Whetstone Reservoir and taken to Countryside Vet. The town might be responsible for the vet bill.

Councilman McGrath made a motion, seconded by Councilman Karelus authorizing payment of the bills as presented. All were in favor. Motion carried.

PRIVILEGE OF THE FLOOR

Ms. Lathan thanked the board members for their support of all the Cemetery programs and the repair and stabilization of West Martinsburg Town Hall. Discussion was held on the steeple of the West Martinsburg Church and repair work that needs to be done there. Ms. Lathan explained that she is helping them apply for non-profit status so the church association can apply for grant money. Councilman Dietrich made a motion, seconded by Councilman Karelus giving permission to do steeple repair work to the West Martinsburg Church. All were in favor. Motion carried.

7:15 PM - Councilman Allen made a motion, seconded by Councilman Dietrich to open the Public Hearing to hear comments to override the tax levy limit. There being no comments at the moment, the Supervisor held the hearing open and moved on with the regular meeting.

TOWN CLERK REPORT

The September Town Clerk Report showed that the total State and Local Revenue collected was \$4,377.73 Councilman McGrath made a motion, seconded by Councilman Allen to accept the report as presented. All were in favor. Motion carried.

COOPERATIVE TUG HILL COUNCIL

Ms. Steria gave the following announcements:

- Phil Street will do training to assist local governments with minimum maintenance road issues
- Workshop "Fundamentals of Water and Wastewater Facilities for Municipalities on October 29

- NYS Archives workshop on grant applications on November 22
- Planning and Zoning training at JCC October 28
- Solar energy development training Oct 19 at Mohawk Valley Community College
- National Endowment for the Humanities grant due January, 2020
- Tug Hill Commission annual dinner meeting November 7 at Tug Hill Vineyards

LEGISLATOR REPORT

Mr. Kulzer reported that there will be 0% tax rate increase for Lewis County for 2020. He also discussed the electricity provider Mega Power.

HIGHWAY

- One employee has retired. Mr. Jones will be hiring a replacement
- F250 has sold
- Next CHIPS payment is expected in late December
- Whips to mark roadsides for winter plowing are being put up

GLENFIELD WATER IMPROVEMENT PROJECT UPDATE

- Drawings and Specs have been approved by DOH
- Contract was awarded to Stark's Gravel and Excavation, LLC
- Water service easements are still being collected
- Preliminary well investigations ongoing
- CDBG released funds on September 23, 2019
- Closing yet to be scheduled for NYSEFC Short Term Financing
- Construction started October 7, 2019
- Milestone Completion – December 20, 2019
- Substantial Completion – April 30, 2020

Councilman Dietrich stated that Blue Street residents were not notified when water was shut off during construction and there was a lot of air in line when turned back on. There have been hot water heater issues and need signage stating that "street closed".

TURIN WATER/SEWER DISTRICT FORMATION

The final order of the board is to be filed. Formation is nearly complete.

GLENFIELD SEWER STUDY

EFC has submitted \$15,000 – half of the grant money for the sewer study.

MARTINSBURG WATER #2

Discussion was held on increasing rates in Martinsburg Water District #2. A public hearing will be held in the future. Clerk is to put a notice with November billing informing them of impending rate increase.

Supervisor Thisse reported on a Lewis County water study. Information has been requested from towns for the possibility of combining water districts for future economic development.

Mr. Thisse reported on creosote running down the walls at the old Town Hall. Mr. Yancey suggested to check outside chimney clean out.

Mr. Yancey asked about the tax cap. Mr. Thisse reported that wind power revenues are declining. Mrs. Allen suggested using reserve funds instead of raising taxes.

Councilman Allen made a motion, seconded by Councilman McGrath to close the Public Hearing at 8:10 PM. All were in favor. Motion carried.

WHITAKER PARK

The park Superintendent has requested to purchase more tables and a rock rake. The tables can be purchased now for \$169 each. Mr. Yancey suggested buying a pallet of them. More research will be done with purchase being made in the Spring. A quote of \$1617 was received for a rock rake. Councilman Dietrich made a motion, seconded by Councilman McGrath to purchase the rock rake. All were in favor. Motion carried.

A Budget Hearing will be held on November 6, 2019 at 5:30 PM on the 2020 Preliminary Budget.

LOCAL LAW #1-2019

Councilman Karelus made a motion, seconded by Councilman Allen to adopt Local Law #1-2019 – A Local Law to override the tax levy limit established in General Municipal Law §3-c:

Be It Enacted by the Town Board of the Town of Martinsburg as follows:

Section 1. Legislative Intent. It is the intent of this local law to allow the Town of Martinsburg to adopt a budget for the fiscal year commencing January 1, 2020 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority. This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override. The Town Board of the Town of Martinsburg, County of Lewis, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgement shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective date. This local law shall take effect immediately upon filing with the Secretary of State.

Roll call vote: Supervisor Thisse – aye
Councilman Allen – aye
Councilman Dietrich – aye
Councilman Karelus – aye
Councilman McGrath – aye Motion carried.

There being no further business, Councilman McGrath made a motion, seconded by Councilman Dietrich to adjourn at 8:25 PM. All were in favor. Motion carried.

Respectfully submitted,

Mary Kelley, Town Clerk