

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, March 4, 2021**, at the highway garage.

Supervisor Hogue called the meeting to order at 6:00 p.m.

Roll Call: Present – Daniel S. Hogue, Jr., Supervisor
Karen Ellsweig, Councilwoman
Susan Parks-Landis, Councilwoman
Steve Budofsky, Councilman

Absent – None

Recording
Secretary – Joanne K. Nagoda, Town Clerk

Others
Present – Richard Robbins, Planning Board Chair

PUBLIC COMMENT – None

MINUTES – Clerk Nagoda submitted minutes from the January 7 regular town board meeting, the February 4 special meeting and the regular meeting held on February 11 for review. MOTION by Councilwoman Ellsweig, seconded by Councilman Budofsky to accept all minutes as presented. Councilwoman Landis abstained on the minutes of the February 4 meeting. Vote: 4 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - #33 - 44 in the sum of \$6,548.87 as set forth in abstract # 3 were audited for payment. MOTION by Councilwoman Landis, seconded by Councilman Budofsky to pay general fund vouchers. Vote: 4 ayes – 0 nays. Motion carried.

HIGHWAY FUND VOUCHERS - # 16 – 39 in the sum of \$33,454.69 as set forth in abstract # 4 were reviewed for payment. MOTION by Councilwoman Ellsweig, seconded by Councilman Budofsky to pay highway fund vouchers. Vote: 4 ayes – 0 nays. Motion carried.

MONTHLY REPORTS –

Supervisor Hogue presented a report of financial activity for the month of February 2021.

Highway Superintendent – I have given you all a bid for a pickup truck. The one we have now is just about shot. I spoke with the Supervisor about it, there is money in the budget for this vehicle. The price is \$42,056.30 which I have the funds in the 5132.4 equipment line. There is \$58,000 in that line, so that will leave me some to deal with other issues. Discussion was held on the specifications for pick up truck and that it is off of the bid for Onondaga County, so we would piggyback off of that. There is a 6-8 month lead time for this truck. MOTION by Councilwoman Ellsweig, seconded by Councilwoman Landis to purchase a new 2021 Dodge Ram 3500 regular cab 4 x 4 gas pick up as presented by Superintendent Ruggeri from Onondaga County Bid through Robert Green Truck Division of Monticello. Vote: 4 ayes – 0 nays. Motion carried.

Superintendent Ruggeri stated that while we were plowing last month, our main truck hit a soft spot on French Clearing Road and ended up going on top of the plow. We put it through the insurance company. Statewide is the company doing the adjusting and they were up at Prestige today, they came down here to look at the plow. I am waiting on estimates from Prestige on the truck – there is the possibility that the truck is totaled. No one was hurt and we will not know anything until we get the numbers. Today supervisor Hogue sent me an email of a truck that is for sale up in Cazenovia, NY. It is a 2014 Western Star with 69,000 miles on it. I'm going up to look at it on Tuesday. The availability is going to go pretty quick. From the pictures the truck looks very good, but until we can get up there and really look it over and under. Councilman Budofsky asked if we bid on something like that, if there is any sort of warranty. Supervisor Hogue and Superintendent Ruggeri stated it is an "as is". Supervisor Hogue stated that the Town of Cazenovia is up around Syracuse – 120-130 miles here. They are an affluent town with a regular rotation of new trucks, I know the Town of Neversink bought a used OshKosh from them that has been a good truck. When the accident happened with the tandem, which is a 2010 Kenworth, with our insurance we have the "in kind" replacement, however that truck may be outside the date since its 11 years old. This sort of thing happens, you're plowing at 15 miles an hour and hit a soft spot and the plow hogs into the road under the pavement and flips the truck. It's a pretty violent thing to happen – but no

one was hurt. The asking price on this truck from Cazenovia is \$140,000.00, which is \$100,000 cheaper than a new truck. Currently our bond payment is paid off for the reval. We could renegotiate and transfer this from General fund to Highway Fund. There would be no impact to taxes, and we could budget it so there would be no impact on taxes. It has been long enough; we need equipment here. Build out on a new truck is at least year – this one comes ready to go with plows, sanders – we need to know if it's good or not – so we are going up to look at it. Councilman Budofsky asked where the insurance falls with the truck that had the accident. Supervisor Hogue stated we are waiting on all of the estimates and adjustors, and we don't know the value of truck. Discussion was held on the dump body that we just replaced on that truck a few years ago, will they pay us for the dump body, will they total truck, do we buy the truck back and repair it ourselves. These are all questions we don't have answers for yet. We also have to see where we can find some money from the highway budget. MOTION by Supervisor Hogue, seconded by Councilman Budofsky to pursue the 2014 Western Star fully equipped truck from the Town of Cazenovia not to exceed \$140,000.00. Vote: 4 ayes – 0 nays. Motion carried. MOTION by Councilwoman Landis, seconded by Councilman Budofsky to authorize the Supervisor to begin obtaining Bond Anticipation Note (BAN) rates up TO \$110,000. VOTE: 4 Ayes – 0 nays. Motion carried.

Superintendent Ruggeri stated that also, the help from the highway department for Renaissance will be very limited. I have one employee who may need surgery, which will leave us one man down, I am going to see if I can find a part time guy to help us out. We will do what we can, but a lot of things just won't happen. Councilwoman Ellsweig stated she will pass it on to Susan Hawvermale, and that the committee is so appreciative of everything highway has done in the past.

Superintendent Ruggeri also stated that there is paving to be done – CHIPS money is being returned, NY Pave is being partially restored as well. Discussion was held on Winter Recovery funding, which is still uncertain, but not likely to return.

Town Clerk – Clerk Nagoda submitted a report of clerk fees and activity for February 2021.

Building Department – No report

Justice Court – Judge Carroll submitted a report of justice court fees and activity for February 2021. Clerk Gunther has not yet filed as court has once again just reopened.

CORRESPONDENCE – None

PANDEMIC ACTION PLAN – Yesterday Councilwoman Ellsweig sent us some reading on the proposed PANDEMIC ACTION PLAN. Councilwoman Ellsweig asked that everyone review the last pages to ensure that she has the correct legal requirements in place i.e., contracts covid, do we pay them, what do we pay them, how many weeks we give them. Supervisor Hogue stated that normally if they get sick, they use their own time, but during this pandemic the executive order stated that the employees were not to use their time and had to be quarantined by the State Board of Health. Councilman Budofsky asked if it is already laid out, why do we need to create our own? Supervisor Hogue replied that the governor stated that all municipalities must have this document in place. Councilwoman Ellsweig replied that this way we can make this document to fit us. Councilman Budofsky stated can we just word it that whatever the order of the state is, we will abide by that? Councilwoman Ellsweig replied that what applies to Albany, does not apply to us. If we do that, we must abide by what Albany does, or Syracuse does which does not fit us since we are so small. Overall, what is in here goes with what everyone else is doing however we don't have any one on staff that who IF they were exposed to covid, would have to appear at work. This was a generic outline that was put out by the Association of Towns. Discussion was held on how it was re-tooled and toned down for a town of 700-person town as opposed to a large city/town. Everything that is in here, allows us to comply with the state. Areas that on the original were green, that are now dark, when reviewing the document are areas that need more specifics, for example do we consider Dog Control an essential function to the town. So, where it is dark, is an area that needs explanation as to why it is essential. Discussion was held under safety – that along with the fire department, can we also list the State Police and Sheriff's Department or naming our own in town functions. We can also add this to our town emergence plan that we just reviewed a month ago. All board members are to review the essential pages and submit their comments to Councilwoman Ellsweig by Friday March 12.

NEW BUSINESS

TOWN HALL USAGE – Clerk Nagoda received a request from the school district, which was denied using the town hall for voter registration on May 11 and for the budget vote on May 18. Discussion was held to allow outside groups use the town hall or keep for town use only at this time. It was agreed to keep it only for town business as previously determined.

2021 POOL SEASON – The board agreed to attempt to open the pool for the 2021 season. Discussion was held on the number of lifeguards needed, which three was determined. Clerk Nagoda stated that

she is concerned that there may be a shortage of lifeguards because no one has been able re-certify since the pandemic. Supervisor Hogue has spoken to a lifeguard from two years ago who would love to come back. It was also decided that lifeguards must already have a full certification at time of hire. Discussion was held on if we can even open the pool. It was determined that if we are able to the board wishes to open the pool, but we must have staff in place no matter what – we can't wait until the end of June to start looking for staff. Discussion was held on advertising for staff, shorter hours and longer hours on the weekend and a pay scale adjusted accordingly. All applicants will be told their hire depends on whether we are able to open due to COVID restrictions.

MOTION by Supervisor Hogue, seconded by Councilwoman Ellsweig to advertise for three (3) lifeguards with a current New York State acceptable/issued certification and send a letter of intent and resume to the Town Clerk. Vote: 4 ayes – 0 nays. Motion carried.

AUTHORIZING DEPUTY TOWN CLERKTAX COLLECTOR BE ADDED TO CLERK/COLLECTOR ACCOUNTS – MOTION by Councilwoman Ellsweig, seconded by Councilman Budofsky authorizing the Deputy Town Clerk/Tax Collector be added as a signatory to those accounts for the purpose of maintaining town business. Vote: 4 ayes – 0 nays. Motion carried.

BOARD COMMENTS – Supervisor Hogue stated he received an exceptionally large spreadsheet that has every county, state and town in America on it. It was sent from the Federal Government showing possible funding that may be given out to every municipality. According to this, Forestburgh is supposed to get \$142,000 plus or minus. On the flip side, I don't know what the Governor is going to do with AIM money, and that was a 20% reduction last year too. This Federal money is a onetime shot and I'm afraid if we get this, the Governor will take away the AIM funding. This is very preliminary, and nothing is set in stone.

Supervisor Hogue state he has no idea where the county is or what they are doing, one minute they are funding the visitor's center, the next they are not. They are/are not then they are not doing something with the room tax. They are proposing a third lane on Route 17 – one of the legislators said it would take them 50% more time to plow. Route 17 is a state-owned highway – the county has no maintenance not financial responsibility to Route 17.

Supervisor Hogue inquired that back when we did the solar legislation, there was an opportunity for municipalities to "opt out" – did we opt out? Clerk Nagoda believed that we did. Discussion was help about the opt out because there was a concern about a residential benefit, and we didn't want the resident to lost that benefit. Chair Robbins stated that if his memory was correct, if we had opted out the homeowner would have that solar not included in the assessed value of the house. Discussion was held on if Forestburgh did in fact opt out or not. Chair Robbins will review and let the board know.

Supervisor Hogue inquired if the approval for the campground has been revoked. Chair Robbins stated no it has been re-instated. The IDA suspended their application for not being current in their taxes, but once their taxes were paid, the application was reinstated. We would not receive any payment until they are open an active because there is no income. Chair Robbins stated that they have decided to do half the build out at the current time, under the circumstances, but they are pushing to open this summer – if that is permitted, remains to be seen.

COMMITTEE REPORTS

Planning Board – No February meeting. Forestburgh Pond will appear before the board in April to extend the preliminary application.

Historian – No report

Seniors – No report

Zoning Review – There will be a Zoom meeting on March 9 from 7-9 p.m.

Grateful Deadheaders – The 2021 grant application has been submitted for \$2,000 to maintain our current gardens.

Friends for Fitness – No report

Fire Department – Drive through Corned Beef Dinner on March 27 from 4 – 8 pm. There is a statewide fire/burn ban that goes into effect on March 14 through May 16.

PUBLIC COMMENT – None

EXECUTIVE SESSION – MOTION by Supervisor Hogue, seconded by Councilwoman Landis to enter executive session for the purpose of personnel and invite Superintendent Ruggeri into said session. Vote: 4 ayes – 0 nays. Motion Carried. MOTION by Supervisor Hogue, seconded by Councilman Budofsky to reconvene at 7:35 p.m.

MOTION by Supervisor Hogue, seconded by Councilwoman Ellsweig to provide healthcare coverage to a Town of Forestburgh employee (name withheld due to HIPAA) during their unpaid leave of absence, for

a period not to exceed one (1) year for this sole instance and not to be a continued practice or precedent. During such time said employee shall not seek outside employment and if said employee receives secondary insurance from any other source that health insurance coverage provided by the Town of Forestburgh may cease. Vote: 4 ayes – 0 nays. Motion carried.

ADJOURNMENT – MOTION by Councilwoman Landis to adjourn at 7:50 p.m.

Respectfully submitted,

Joanne K. Nagoda,
Town Clerk