

REGULAR TOWN BOARD MEETING
April 9, 2019

The Regular Meeting of the Burke Town Board was held on April 9, 2019 at the Burke Town Court House. Supervisor Bill Wood declared the meeting to order at 7:02 P.M. The Pledge of Allegiance to the Flag was said.

Roll Call:	
Councilman:	Arnold Lobdell Jim Otis Tim Crippen Pat Downing
Supervisor:	Bill Wood
Supt. of Highways:	Larry LaPlante
Town Clerk:	Elizabeth Downing

A motion to accept the February 25, 2019 minutes as read was made by Tim Crippen and seconded by Jim Otis. Roll Call: Arnold abstain, Tim aye, Pat aye, Jim aye and Bill abstain.

A motion to accept the March 12, 2019 minutes as read was made by Arnold Lobdell and seconded by Pat Downing. Roll Call: Arnold aye, Tim abstain, Pat aye, Jim abstain and Bill aye.

Public Comments:

1. Burke Citizen Alton Cook submitted a petition with 67 signatures for acceptance of the amended wind law in Burke.
2. Burke Citizen Albert Johnson requested SEQRA paperwork associated with proposed Local Law #2-2019 "Wind Energy Facilities, Amended and Restated".
3. Burke Citizen Mac Cummig submitted statements for acceptance of the amended wind law in Burke from Norman and Pamela Parent and Robert, Elaine, Patrick and Joan O'Connor.
4. Sue Gerow, Keith Trudeau, Ron Carrol, Bob Atwood, Donald Johnson, Beth Lubold, Ken Woody, Kerry Lubold, Gary Patterson and Romeo Thibault noted strong acceptance of the amended wind law in the Town of Burke.
5. Bob Boyer, Mary Moore, Jamie Toothill, June Parmeter and Janet Tacy noted strong opposition to amended wind law in the Town of Burke.
6. Mark Lyons, representing Renewable Energy Systems (RES), addressed the Burke Town Board and Burke Citizens. He addressed some issues raised by Burke Friends Against Rural Mismanagement (FARM). Such as:
 - a. Paperwork is submitted to the FAA to determine acceptance of Wind tower placement in proximity of airports.
 - b. New York State (NYS) Public Service Law Article 10 studies every benefit and impact of wind tower development.
 - c. Newer wind turbine technology requires taller wind turbines but produces more energy with smaller quantities of towers.
 - d. The Burke amended law will only allow wind power companies to progress to the next stage in the NYS Public Service Law Article 10 application process.
 - e. Approval of the amended wind law will not mean that wind turbines will be approved in Burke.
 - f. A wind project has the potential to bring in up to 2 million dollars in public and private funds.
7. Albert Johnson informed the Board that FARM would take legal action under NYS Article 78 if the Board passes the amended wind law.

New Business:

1. Supervisor Wood informed the Burke Board he has signed a Solar Lease and will reclude himself from any future Solar Energy discussion by the Board.
2. NYS Senate Bill 2837 and NYS Assembly Bill 2750, bills to amend the states labor laws granting collective bargaining rights, workers' compensation and unemployment benefits to New York state farmworkers. This bill will have a devastating effect on local farms in the region. A motion was made Jim Otis and seconded by Tim Crippen to sign and send letters to NYS Legislators to oppose NYS Senate Bill 2837 and NYS Assembly Bill 2750. Roll Call: Arnold aye, Tim aye, Pat aye, Jim aye and Bill aye.
3. The new Shared Services agreement will be tabled until the May 14, 2019 Meeting.
4. The following bids for mowing Burke properties, which were based on specifications listed by the Town of Burke, were received:
 - a. Shawn A. Reville submitted a bid for \$15,499.99.
 - b. JRL Contracting submitted a bid for \$9,350.00.
 - c. DMS Enterprises submitted a bid for \$13,500.00.

- d. AK Enterprises submitted a bid for \$47,980.00.
 - e. Eugene Nesbitt submitted a bid for \$3,200.00.
 - f. Jackie Robert Enterprises submitted a bid for \$17,380.00.
 - g. A motion to accept the bid of \$9,350.00 submitted by JRL Contracting was made by Jim Otis and seconded by Pat Downing. Roll Call: Arnold aye, Tim aye, Pat aye, Jim aye and Bill aye.
5. Councilman Crippen is looking into getting quotes to supply a porta-potty for Seller's Field in 2019. He will negotiate the best price and get quotes in writing.
 6. Supervisor Wood read a letter from Dale Smith of Kar Kare describing Highway Superintendent LaPlante's new career as a race car driver at Daytona in Florida.

The Highway Committee did not meet.

Highway Superintendent Larry LaPlante's Report:

1. Snow removal, sanding and salting roads continues as needed.
2. The 2009 Mack Dump truck's rear carrier broke a tooth. Due to the truck's age, a rebuilt carrier was put in.
3. The Highway crew has been working on repairing the grater, but parts are getting extremely hard to acquire.
4. Larry will be watching the approaching DOT Auction to see if a grater is for sale.
5. The heavy rain had opened a sinkhole on the Callahan Road that the Highway crew has fixed.
6. A rear spring on the 1996 Ford has been replaced.
7. Cold patching is commencing.
8. A check for \$460.80 was received from Helm Salvage for 3.84 tons of scrap steel.
9. Superintendent LaPlante and employee, Brian Spinner attended Stormwater Erosion Training in Moores, NY and will be certified for 3 years.

Old Business:

1. Resolution #4-2019 – A motion was made by Arnold Lobdell and seconded by Tim Crippen to pass a resolution to adopt the Town of Burke Sexual Harassment Policy as written. Roll Call: Arnold aye, Tim aye, Pat aye, Jim aye and Bill aye. Training will be set up for the Board members at the May 14, 2019 meeting.
2. Aid and Incentives to Municipalities (AIM) Funding has been eliminated by the State of New York but has been designated to come from the County level from internet sales tax. The Town of Burke received \$7371.00 last year and may lose some of this funding if Franklin County doesn't receive enough revenue.
3. A motion was made by Tim Crippen and seconded by Pat Downing to pass Local Law #2 of 2019, titled "Wind Energy Facilities, Amended and Restated". Roll Call: Arnold abstain, Tim aye, Pat aye, Jim aye and Bill abstain. The Local Law passed.

The Code Officers Report for March 2019 was submitted during the March 12, 2019 meeting.

The Board members have requested that the Profit and Loss Statement title of the financial paperwork be changed to Financial Report. A motion was made by Tim Crippen and seconded by Arnold Lobdell to accept the March 2019 Financial Report. Roll Call: Arnold aye, Tim aye, Pat aye, Jim aye and Bill aye.

Public Comments:

1. Ron Carrol – asked, "Has the amended wind law passed?" Yes the Board replied.
2. Sue Gerow – Sue thanked the Board for passing the wind law and thinking forward.

Bills were paid.

A motion to adjourn at 9:07 P.M. was made by Jim Otis and seconded by Pat Downing. Roll Call: Arnold aye, Tim aye, Pat aye, Jim aye and Bill aye.

Respectfully submitted,
Elizabeth A. Downing, Town Clerk

Recorded by, Elizabeth A. Downing, Town Clerk