

**MINUTES OF TOWN BOARD MEETING OF January 14, 2019  
HELD AT THE TOWN HALL, 8529 MAIN ST., CAMPBELL, NEW YORK**

**PRESENT: Town Board Members:** Jeffrey Horton John R. Tschantre; Glenn Vogel, Terry E. Wheat and James F. Drumm; **Town Clerk:** Michelle L. Seeley; and **Highway Supt:** Thomas A. Austin. **Bookkeeper:** Wendy Oman

**ABSENT: None**

**GUESTS:** Joe Hauryski, Joe Seeley, Abe Diperna, Derek Evens, Stanley Manning, Michelle and Robert Schweiger, Wayne Crosier, Nate Romero, Linda Baird, Michelle Costanza, Patrick Nichols, Lisa Nichols, Stacy Sutton, and Shawn Nichols

**Call To Order/Pledge /Roll Call/ Prior Minutes.**

Mr. Horton called the regular monthly meeting to order at 7 p.m. at the meeting room of the Campbell Town Hall and led the pledge of allegiance. The Town Clerk then took roll call. The minutes of December 10, 2019 and December 19, 2019 End of Year meeting were noted.

A motion was offered by James Drumm and seconded by Glenn Vogel to accept the minutes referenced above as written. Adopted by vote: Vogel-Aye; Drumm-Aye; Wheat-Aye; Tschantre-Aye; and Horton-Aye

**Public Comment**

**Updates from the County**

Dist. 8 Legislator Joseph Hauryski updated the Board on the new State Mandates as well as the County Budget. There has been no increase in the budget for 3 years however, the State has implemented two new mandates that he suspects will change that in the next year. The first Mandate is "Raise the Age" where all counties will need to house juvenile offenders in their own facility separate from adult facilities. At this time the closest facility is in Albany and the estimate for housing one juvenile is between two and three thousand dollars, per day.

The second State Mandate is the Consulate Arraignment Initiative, a Hub court will be set up at a central location that will have metal detectors guards and a court room to hold arraignments 24 hours a day 7 days a week. Town Judges will share the court duties. The State of NY has stated that they will fund this initiative and is looking at a cost of around 2 million dollars.

**Michelle and Robert Schweiger BFE**

Michelle and Robert Schweiger addressed the Board regarding the issue of who determines the Base Flood Elevation in the Town of Campbell. The Schwinger's have filed a LOMA application with FEMA

who referred them back to the Town. The Town has previously concluded that it is the job of the FEMA agency to set the BFE. The Town uses the Floodway map and FIRM map revised in June of 1982 and provided by FEMA, as a guide to answer these types of matters.

Because of the confusion surrounding this issue Jeffrey Horton said that he would attempt to arrange a meeting with himself, another board member, the Floodplain Supervisor for the town, Marvin Rethmel, and representatives from FEMA, and the DEC, along with the Schweiger's to attempt to resolve this issue.

### **Clawson Drive Speed limit**

Abe Diperna represented a group from Clawson Drive in a request for a speed limit reduction for their street. Mr. Diperna stated that the traffic has increased and there are safety concerns around the speed of the traffic in that area. Last year the Police set up radar to assess the speed of the traffic traveling that road and found that much of the traffic exceeded the 40 mph speed limit that is posted for that route.

Tom Austin instructed the group that the first step is to get a petition signed and brought back to the Town Board so the next step in the process can begin.

Linda Baird of the Campbell Fire Dept., reported on fire calls for the month of December 2018 1 Fire, 10 Medical, 4 MVA and 2 Misc., for a MTD total of 17 and YTD total of 444.

### **Funding for Equipment**

**RESOLUTION #2019-6** was offered by Glen Vogel and seconded by James Drumm to authorize the loan of \$174,245.82 to the Highway Department from the General Fund to purchase a Tracked Excavator.

Having procured a grant from the State-aid Program to purchase equipment for the Town, a Tracked Excavator has been ordered from Five-Star Equipment for the sum of \$174,245.82. The conditions of the grant state that the funds will be paid by reimbursement and therefore the Town must first pay for the equipment and then submit the receipt to gain the funding. Tom would like the Town to loan the Highway Department the funds to pay for the equipment, with the understanding that once the grant monies are received the loan will be paid back in full.

Adopted by vote: Vogel-Aye; Drumm-Aye; Wheat-Aye; Tschantre-Aye; and Horton-Aye

### **HWY / Water Report**

#### **Resolution #2019-7**

A motion Authorizing the implementation, and funding in the first instance of the State-aid Program eligible costs, of a capitol project, and

appropriating funds therefore was made by Terry Wheat and seconded by John Tschantre for the following:

**WHEREAS**, a Project for the Purchase of a Tracked Excavator and a Ten-Wheeled Plow Truck, P.I.N. 6755.39 (the "Project") is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and

**WHEREAS**, a sum not to exceed \$300,000 in Program Funding is available to progress the project

**WHEREAS**, the Town of Campbell desires to advance the Project by making a commitment of 100% of the State share of the costs of the Purchase of a Tracked Excavator and a Ten-Wheeled Plow Truck project.

**NOW, THEREFORE**, the Campbell Town Board, duly convened does hereby

**RESOLVE**, that the Campbell Town Board hereby approves the above-subject project; and it is hereby further

**RESOLVED**, that the Campbell Town Board hereby authorizes the Town of Campbell to pay in the first instance 100% of the cost of Equipment Purchase phase work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of \$300,000 is hereby appropriated from the Highway Funds and made available to cover the cost of participation in the above phase of the Project; and it is further

**RESOLVED**, that in the event the full State share costs of the project exceeds the amount appropriated above, the Town of Campbell shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

**RESOLVED**, that the Highway Superintendent of the Town of Campbell be and is hereby authorized to execute all necessary Agreements, Certifications, or Reimbursement Requests for State Aid on behalf of the Town of Campbell with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's/Sponsor's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

**RESOLVED**, that a Certified Copy of this Resolution be filed with the New York State Commissioner of Transportation of the State of New York by attaching it to any necessary Agreement connected with the Project between the Town of Campbell and the State of New York; and it is further

**RESOLVED**, this Resolution shall take effect immediately.

Adopted by vote: AYES:5 NAYS:0; Vogel-Aye; Drumm-Aye; Wheat-Aye; Tschantre-Aye; and Horton-Aye

**Auctions International**

Tom requested permission from the board to place the 2004 John Deer Grader with plow and wing, 2004 Kobelco Tracked Excavator with thumb and the 50' stacker on Auctions International.

A motion was offered by Terry Wheat and seconded by Glenn Vogel to allow Tom to place the used equipment on Auctions International for the purpose of getting bids on the equipment.

Adopted by vote: Vogel-Aye; Drumm-Aye; Wheat-Aye; Tschantre-Aye; and Horton-Aye

**Town Clerk Report**

Timber Harvest Notifications 2 pending applications, Harris Logging for Lewis Coates on Rte. 415 and Gutches Logging for Eddy Clark Jr. on Salt River Road.

**Monthly Reports Filed**

It was noted that a monthly report was received from Tax Assessors Report, and Town Supervisor's Report dated January 2019. Copies were filed with the Town Clerk.

**Bookkeeper Report**

**Sexual Harassment Policy**

The Town will need to adopt a NY State approved Sexual Harassment Policy for 2019 which will have to be reviewed annually by all employees and volunteers of the Town. There are options on how the Town may conduct the training; by meeting or by computer. The board opined that computer based training would better fit the needs of the Town. The resolution to adopt the policy as well what type of training would occur was tabled until the February 2019 meeting.

### **Campbell Town Park Grant**

Wendy announced to the Board that the town had received a grant to improve the Campbell Town Park. This is a Grant that the Town has been working on getting for several years, and as John Tschantre pointed out in the meeting, the obtaining of the Grant is due in large part to the hard work and dedication of Wendy Oman. The Board unanimously thanked Wendy for all of her hard work.

### **Water Extension Project**

**Resolution #2019-8** a motion by James Drumm and seconded by Glenn Vogel implement the following resolution concerning the proposed District 1 Water Extension project:

**WHEREAS**, individual drinking water supply wells in the Town of Campbell (herein after the “Town”) project area east of NYS Route 86 along Main Street, Clawson Drive, NYS Route 415 and Colonial Drive (herein after the “project area”), are suspected of total coliform contamination, potential sources include proximity to on-site and neighboring septic systems; and

**WHEREAS**, public water systems in the project area have reported total coliform violations, potential source of contamination includes proximity to on-site and neighboring septic systems; and

**WHEREAS**, engineering report prepared by Hunt Engineers identifies construction of new water service facilities as the best long-term solution to water needs along the Route 415 corridor in the Town of Campbell; and

**WHEREAS**, the proposed new water capital improvements consist of a new municipally owned non-agricultural use in one or more Agricultural Districts formed under provisions of NYS Agriculture and Markets law; and

**WHEREAS**, the Town is obligated under SEQRA and corresponding regulations to review the Project, and if necessary, undertake a review of the potential environmental impacts associated with the Project before undertaking the same; and

**WHEREAS**, the Town is the appropriate agency to be the lead agency to undertake the project review under SEQRA and designated itself lead agency pursuant to 6 NYCRR § 617.6(b)(2) and § 617.6(b)(3) with respect to the Project through Resolution #69-2018; and

**WHEREAS**, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the Town classified the Project as a Type I Action and that such activities include a nonagricultural use occurring partially within an agricultural district, § 617.4(b)(8). A Full Environmental Assessment

Form was prepared for the Project, and pursuant to 6 NYCRR § 617.6(b)(3), coordinated review was undertaken by the Town and no objections were received regarding the Town serving as lead agency.

**NOW, THEREFORE, BE IT:**

**RESOLVED**, that the Town Board hereby makes the following findings:

The proposed action seeks to extend the existing Town of Campbell Water District #1 to an area east of New York State Route 86 along Main Street (NYS Route 333), Clawson Drive, NYS Route 415 and Colonial Drive within the Town of Campbell. The project will consist of installation of new water main, lateral connections, development of a new water supply well, and associated appurtenances.

**IT IS FURTHER RESOLVED**, that:

The Town Board hereby designates itself lead agency pursuant to 6 NYCRR § 617.6(b)(2) and § 617.6(b)(3) with respect to the Project.

**IT IS FURTHER RESOLVED**, that:

Based upon an examination of the components of the Project, the Full Environmental Assessment Form, and the criteria contained in 6 NYCRR § 617.7(c), and based upon its knowledge of the areas including and surrounding the Project site, and discussions with professionals retained by the Town, the Town Board, as lead agency, hereby makes the following determinations with respect to the Project pursuant to SEQRA:

- A. The Project constitutes a Type I Action.
- B. Based upon review by the Town Board of the Full Environmental Assessment Form, any input provided by other involved agencies, and other necessary criteria set forth in SEQRA, the Village Board hereby finds and determines that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in

accordance with Article 8 of the Environmental Conservation Law.

- C. A copy of this resolution, together with notice of negative declaration, shall be placed on file in the office of the Town Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

Adopted by vote: AYES:5 NAYS:0; Vogel-Aye; Drumm-Aye; Wheat-Aye; Tschantre-Aye; and Horton-Aye

### **Municipal Wastewater Project**

**Resolution #2019-8** a motion by John Tschantre and seconded by Glenn Vogel implement the following resolution concerning the proposed Municipal Wastewater Project:

**WHEREAS**, septic systems in the Village of Savona and Town of Campbell are suspected of contributing to ground and surface water degradation; and

**WHEREAS**, replacement of septic systems of modern configuration are prohibitively expensive and may not offer a practical solution for many on-site wastewater treatment problems; and

**WHEREAS**, engineering report prepared by Hunt Engineers identifies construction of new wastewater collection facilities as the best long-term solution to wastewater needs in the Village of Savona and along the Route 415 corridor in the Town of Campbell; and

**WHEREAS**, the proposed new wastewater capital improvements consist of a new municipally owned non-agricultural use in one or more Agricultural Districts formed under provisions of NYS Agriculture and Markets law; and

**WHEREAS**, the Town is obligated under SEQRA and corresponding regulations to review the Project, and if necessary, undertake a review of the potential environmental impacts associated with the Project before undertaking the same; and

**WHEREAS**, the Town is the appropriate agency to be the lead agency to undertake the project review under SEQRA and designated its intent to act as lead agency pursuant to 6 NYCRR § 617.6(b)(2) and § 617.6(b)(3) with respect to the Project through Resolution #68-2018; and

**WHEREAS**, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the Town classified the Project as a Type I Action and that such activities include a nonagricultural use occurring partially within an agricultural district, § 617.4(b)(8). A Full Environmental Assessment Form was prepared for the Project, and pursuant to 6 NYCRR § 617.6(b)(3), coordinated review was undertaken by the Town and no objections were received regarding the Town serving as lead agency.

**NOW, THEREFORE, BE IT RESOLVED** that:

The Town Board hereby makes the following findings:

The proposed action will consist of wastewater collection facilities throughout the Village of Savona, transmission and collection facilities throughout a new sewer district in the Town of Campbell, and a wastewater transmission force main between the new Campbell sewer district and a point of discharge into the Town of Erwin wastewater system. Construction may be phased contingent on the ability of each municipality to successfully fund and authorize its respective portion of the proposed capital improvements.

**IT IS FURTHER RESOLVED**, that:

The Town Board hereby designates itself lead agency pursuant to 6 NYCRR § 617.6(b)(2) and § 617.6(b)(3) with respect to the Project.

**IT IS FURTHER RESOLVED**, that:

Based upon an examination of the components of the Project, the Full Environmental Assessment Form, and the criteria contained in 6 NYCRR § 617.7(c), and based upon its knowledge of the areas including and surrounding the Project site, and discussions with professionals retained by the Town, the Town Board, as lead agency, hereby makes the following determinations with respect to the Project pursuant to SEQRA:

- A. The Project constitutes a Type I Action.
- B. Based upon review by the Town Board of the Full Environmental Assessment Form, any input provided by other involved agencies, and other necessary criteria set forth in SEQRA, the Town Board hereby finds and determines that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as

such quoted terms are defined in SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.

C. A copy of this resolution, together with notice of negative declaration, shall be placed on file in the office of the Town Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

Adopted by vote: AYES:5 NAYS:0; Vogel-Aye; Drumm-Aye; Wheat-Aye; Tschantre-Aye; and Horton-Aye

**Voucher Audit – 8:45 p.m.**

Vouchers were submitted and approved as follows:

General Fund Vouchers # 1-40	\$ 123,096.14
Highway Vouchers # 1-14	\$ 228,455.70
Water District 1 SW- Vouchers # 1-3	\$ 167.74
Water District 2 SW2-Vouchers # 1-2	\$ 506.81
Water District 3 SW3-Vouchers # 1-3	\$ 1,989.53
Street Lighting SL Voucher # 40	\$ 1,103.08
Trust & Agency TA Voucher # 1	\$ 162.00
Fire District 1 Voucher # 41	\$ 181,262.97
Fire District 2 Voucher # 42	\$ 78,121.33
For a grand total of	\$ <b>614,865.30</b>

**Adjournment.**

There being no further business before the Board, the meeting was, upon motion by Jeffrey Horton and seconded by John Tschantre, adjourned at 8:47 p.m.

Respectfully submitted,

*Michelle Seeley*

MICHELLE L. SEELEY  
Campbell Town Clerk

**DATED:** January 23, 2019

Campbell Town Board Minutes for Meeting of January 14, 2019

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