



Town of Chenango

Minutes

Town Board

5:00 PM - Wednesday, October 16, 2024

Town Office Building

The Town Board of the Town of Chenango was called to order on Wednesday, October 16, 2024, at 5:00 PM, in the Town Office Building, with the following members present:

Present: Councilperson Jim DiMascio
Supervisor Mike Lumsden
Councilperson Dave Johnson
Councilperson Kevin Worden

Absent: Councilperson Gene Hulbert Jr

Also Present: Nate VanWhy, Town Attorney
Derin Kraack, Highway Superintendent
Gavin Stiles, Code Enforcement Officer
Greg Burden, Public Works Superintendent
Alex Urda, Town Engineer
Laurie Eldridge, Bookkeeper
Joy Kasmarcik, Highway Secretary
Dawn Blair, Town Clerk

CALL TO ORDER / PLEDGE OF ALLEGIANCE

ROLL CALL

The Clerk took the roll call. Councilperson Hulbert was absent.

COMMUNICATIONS

There were no communications.

OPEN FORUM

Representatives of Tobacco Free Broome and Tioga stated they are working with Participation in Government students from Chenango Valley regarding tobacco free ordinances. They read several statements students had written about their views on tobacco free legislation.

Erin Micha, Broome County Legislator for District 10, spoke about her concern over the Smart Smoker in Chenango Bridge. It was in violation in January of this year for selling illegal vape products that are marketed toward children. It is important for the Town to take it seriously.

A representative from the Chenango Fire Company spoke about their budget request for a 1.95% annual increase to their annual contract. Also they are asking for shared services by having the Town trucks help them by plowing their parking lots.

The president of the Chenango Bridge Fire Company stated they are proposing an increase of \$65,662 in their 2025 budget due to increased overhead and substantial cost increases. He said four years ago they started planning for a new rescue truck and in the planning stages the cost has more than doubled from \$600,000 to \$1,200,000. Two of their vehicles are over 20 years old and they want to refurbish each of them.

[Student Comments](#)

OLD BUSINESS

RFP Vestibule

Public Works Supervisor Burden and Engineer Urda stated that five engineering firms were contacted for proposals but they only heard from one that came in at \$98,500.

They are recommending changing the scope of the RFP to attract more bidders unless the Board wants to accept the one bid received which he feels is far too high for such a small space. The discussion will be tabled until November 13.

It was further explained that for the generator project there were nine bids. Delta Electric examined the bids as well and approved the decision of the bid from Panko Electric for \$394,000.

[vestibule recomendation](#)

[Diekow Electric Bid](#)

[Vacri Construction Bid](#)

[Cost Proposal Vestibule](#)

[Blanding Electric Bid](#)

[Panko Electric-Winning Bid](#)

[Nelcorp Electrical Bid](#)

[Nelcorp Electrical Bid-2](#)

[New Dimension Contracting Bid](#)

[Award generators](#)

[2023.569.001 - TOC Generators Recommend Award Letter 10-9-24](#)

Budget Discussion - Court Report

Judge Michael Fedish requested an increase in his budget of \$9,379. He stated that revenue from the court for 2023 was \$220,471. The Town of Chenango has the third busiest court for handling traffic tickets behind City of Binghamton and Vestal. Figures developed by the Magistrates Association and the Court Clerks Association show salaries for his clerks are lower. A court clerk is a different class of clerk and must take mandated training each year. If a court clerk makes a mistake they could an innocent person to jail, someone's license could be suspended or revoked, and insurance rates could go up or be lost completely if something is reported incorrectly. Civil judgments and small claims have to be handled carefully. Five clerks have been hired in the last five years. The Board has been generous increasing salaries, but once a clerk is trained they often move on to an opportunity with a higher salary. The judges and the part-time clerk do not receive any health care, retirement or vacation time off. He is asking the part-time clerk to be increased to \$25.00 an hour. She is very experienced and worth every penny. There would be an increase of \$7,724.00 for all three clerks. And an additional \$1,165.00 to increase the two judges pay. The court doesn't have expensive

equipment. Its most important asset is the clerks. He ended by thanking the Board for providing security this year. There were a few incidents where they were needed to control difficult situations and were appreciated.

Budget Discussion - Clerk Report

Town Clerk Blair stated that the Town Clerk salary for 2025 was set at \$40,000. This represents a decrease due to the fact that the previous clerk had been with the Town for 25 years and the new clerk coming in has less experience and has worked for the Town for one year. The \$40,000 represents approximately a 13% increase for the current deputy who will take over the position. That is basically a 3% cost of living and 10% increase in responsibility. The salary of the full-time deputy clerk who will be hired next year will stay the same as the salary of the current full-time deputy at \$36,540. It is recommended that the half-time deputy clerk receive a 3% increase. The overall decrease in the deputy salaries of 22% is due to the fact that the 2024 budget called for two full time deputies and that has been reduced to one and a half positions.

Budget Discussion - DPW Report

Public Works Superintendent Burden is asking for a 7% increase for himself and the two clerks in his office. He listed several reasons for the increase. The increase to the DPW employees has raised morale with them, and it would do the same with the clerks in his office. The cost of living is not going down and the dollar does not go as far. Hiring rates for some of the new employees is higher than the employees they replaced which effects morale. Morale is low in the building do to the low pay scale. For his own position he has studied similar positions in Broome County and his is lower than some. For example, the Commissioner of Parks in the City of Binghamton is slightly higher but he does not have as many responsibilities. He is looking for an increase for his clerks who are always on task, on time, friendly and ready to help. His last point was longevity in that there are only four people left in the Town who were here prior to the turnover and three of them are in his office. As an alternative to his request for a 7% increase would be a 3% pay raise and a one-time longevity retention stipend using ARPA funds. He asked for a 3% raise and a \$4500 stipend for himself, a 3% raise and a \$5000 stipend for Stephanie and a 3% raise and \$3000 stipend for Rachel. Rates have to be raised because of the cost of the DPW raises last year. If the rates are raised one extra percent it would cover the raises in the office. In addition he wanted the Board to understand that they spent the last three weeks doing the EDUs, which was daunting. He is recommending that a \$3000 stipend be budgeted for someone to do the task yearly.

Budget Discussion - Highway Report

Highway Superintendent Kraack asked questions on several lines on his budget and was satisfied with the explanations given by Bookkeeper Eldridge. Regarding highway taxes, he explained that he has always raised highway taxes, and he is asking to continue doing that in the 2025 budget with a 3% increase. Duane Shoen explained that when planning the budget they started with a 0% tax increase and it would be up to the Board to do something different. Supervisor Lumsden stated that he did not realize Highway could put a tax into their budget, so he had instructed Bookkeeper Eldridge to set it at 0%. Mr. Kraack said that in the 2024 budget it was raised by 2%, so he will ask for 2% again in 2025. Regarding salaries, there are only four secretaries to highway superintendents in Broome County and Joy's salary is lower and she has more experience. He is asking for a 7% increase for her and also asking for a 7% increase for himself. His salary is below many of the highway superintendents in Broome County. Those who have salaries near his do not have the extra responsibilities such as yard waste pickup. If a 7% salary is not possible, he would ask for a 3% increase with \$4500 longevity amount.

Budget Discussion - Ordinance Report

Code Enforcement Officer Stiles proposed 7% wage increases in response to the ongoing wage stagnation that has led to a decrease in morale and loss of valued employees who have been trained to do the work only to lose them to higher paying jobs. He requested \$50,000 to hire another code official. A candidate who is pre-certified will likely require compensation near that number. He fears that hiring and training a non-certified candidate for less than adequate compensation would lead to them taking their new certification to another municipality that offers higher pay. He

stated that the dollar is not going as far as it once did, and the Ordinance Office has seen its share of qualified, desirable candidates decline offers to positions based on pay alone.

Budget Discussion

The tentative budget as presented at tonight's meeting has salaries set at 3%. Because of the Friday deadline, not all changes discussed tonight are reflected. Other than the fire district, there is no tax increase. The amounts requested by the fire districts in tonight's Open Forum are in the budget. After tonight the Board will move from the tentative budget to the preliminary budget. There must be a public hearing before November 7 and the final budget must be submitted by November 20. There have been salary recommendations which are consistent from department to department, 3% with a longevity stipend or a 7% raise. There was a discussion on those recommendations in order to give guidance for October 30. Councilperson Worden stated that there are ARPA funds of \$429,000 left which must be spent or the Town will lose the funds. He suggested using it for retention stipends for 13 full-time employees who would receive a \$5,000 stipend (\$65,000 total), 6 part-time employees who would receive \$2,500 (\$15,000 total), 4 seasonal employees who would receive \$1,000 each (\$4,000 total) and 16 Board members who would receive \$1,000 (\$16,000 total) which equals a grand total of \$100,000 out of the \$429,000 available in ARPA funds. Town Board members would not receive a stipend nor would union workers who just received raises in contract settlements. The retention stipends would be in addition to the 3% raise that is already reflected in the budget. Highway Superintendent Kraack asked that his increase and Joy's increase be 3%, as it is 2.99% in the budget. He also stated that he based his request was for longevity stipends because their department has two of the longest employed people in the Town. An advantage to stipends would be that the 7% would project forward with increased associated costs but the stipends would not affect future budgets. These recommendations will be verified and added for the October 30 preliminary budget. It was agreed that the Public Hearing should be on October 30 and that it be kept open until the November 13 meeting. Chenango Bridge was given \$27,000 over their budgeted amount this year so they will receive that amount deducted from their requested amount. The ARPA funds left will be verified after the budget retention stipends are calculated. Mr. Kraack is concerned that the grant he has with the Federal government will be lost if ARPA funds aren't used. It was agreed that the remaining ARPA funds should be distributed between the department heads and projects that have been projected for ARPA funds this year. The projects will be discussed at the next meeting. If any bids are needed, they should be received by November 7 and ready for discussion at the November 13 meeting.

The motion was made to authorize the department heads for Public Works and Highway to go out to bid for their projects for current quotes for the Board to make decisions on the remaining balance in ARPA funds at the November 13 meeting.

Motion made by Supervisor Mike Lumsden, Seconded by Councilperson Jim DiMascio

Ayes: Councilperson Jim DiMascio, Supervisor Mike Lumsden,
Councilperson Dave Johnson, and Councilperson Kevin
Worden
Nays: None
Abstained: None
Carried: 4-0

Wastewater Treatment Plant Project Update

Appointment of Counsel

The updates from Baron & Loguidice were presented. There is trouble with the blacktop from Merrill to Quinn. \$11,000 will be paid by DeVincentis, who caused the damage, but there are additional problems. Mr. Kraack has received a quote for \$59,000 to mill and pave the whole road leaving a cost to the Town of \$48,000. If one lane is done, the total would be \$34,500, leaving \$23,500 for the Town to pay. He said they are not looking at the total damage to the road but just putting repair costs on the spots where the road is pushing out. However, the whole road is starting to heave. It is too late in the year to get the work done. The Board agreed it wouldn't be wise to pave this close to the beginning of winter. The contractor will be put on notice in writing that they may be responsible for damage caused by them once spring comes and the road can be evaluated. In the meantime the \$11,000 will be put toward spot repairs on the road.

[Contract 1A Payment Application No. 05 \(Final\) \(ID 3214498\)](#)

[Contract 1B Payment Application No. 4 \(Final\) \(ID 3214493\)](#)

[Contract 1D Payment Application No. 3 \(Final\) \(ID 3214465\)](#)

[C2B Payment Application No.3 \(ID 3215441\)](#)

[Appointment of Counsel](#)

[2024.10 Monthly Board Update](#)

PUBLIC HEARINGS - 6:00PM

Attorney VanWhy introduced the public hearing for the adoption of a local law to allow commercial self storage units in various zones in the Town. There are several attachments in Part 6.1 of the agenda, including the full environmental assessment Form Part 1, Part 2, and Part 3, reference to the Planning Board advisory opinion on the 239 review, along with other documents that have been included prior to tonight's public hearing.

Supervisor Lumsden opened the public hearing and asked the public if anyone wished to speak.

Peter Walsh stated he was one of the first applicants back in February. He thanked the Town Board, the Planning Board and the ZBA. He said it has been a long process but he is planning on putting in a nice facility on 12A. There are a lot of other municipalities that have self storage in similar zoning to what the Town is looking at, including The Village of Johnson City, the Town of Vestal, the Village of Endicott, the Town of Maine, the City of Binghamton, the Town of Kirkwood and the Town of Union. It would be a benefit to the community. There is one facility in the Town of Chenango and it is not centrally located and is limited in size. He again thanked the Board for going through the process.

No one else wished to speak on the topic. The public hearing was closed.

Commercial Self-Storage Units

[239-2024-120 Comments & Attachments Chenango ZLLA Commercial Self Storage Facilities](#)

[2019-01-15_BC Ag Plan report](#)

[CD Table](#)

[Commercial Self Storage - Full Environmental Assessment Form](#)

[Commercial Self-Storage Facilities - Local Law](#)

[feafpart2](#)

[feafpart3](#)

[NC Table](#)

[pb adv self storage 9.9.24](#)

[PDD-C Table](#)

[PDD-I Table](#)

[Planning Board and Code Engineer Legal review of County 239 Comments shampa_final-plan_122209](#)

[Town-of-Chenango-Comprehensive-Plan-Adopted-3-7-16.compressed-min-1 Zoning-Map](#)

NEW BUSINESS

DEPARTMENT REPORTS / SUPERVISOR REPORT / ATTORNEY REPORT

DPW Report

In addition to his report, DPW Supervisor Burden submitted a field order that he and Supervisor Lumsden reviewed and signed for the Board to review. There were no questions.

[August 2024](#)

[field order 9-3-24](#)

Attorney's Report

Attorney VanWhy explained there was one item under the wastewater treatment plant, Section 5.7, which is a Board only document for appointment of counsel. An executive session was held at the last meeting to discuss the appointment of this law firm. They would act as conflict council and possibly offer other counsel because they have specific experience with construction projects. Their rates are almost identical to those of Coughlin & Gerhart. The money will be coming from the wastewater treatment plant project budget, so there shouldn't effectively be any significant difference from an overall costs standpoint. Supervisor Lumsden spoke with them and they are familiar with our area. It was agreed they should be appointed as conflict counsel.

[September Financials 2025](#)

[Appointment of Counsel](#)

A motion was made to approve Alario & Fischer, PC as conflict counsel for the waste water treatment plant project.

Motion made by Councilperson Jim DiMascio, Seconded by Councilperson Kevin Worden

Ayes: Councilperson Jim DiMascio, Supervisor Mike Lumsden, Councilperson Dave Johnson, and Councilperson Kevin Worden

Nays: None

Abstained: None

Carried: 4-0

Attorney VanWhy also said that the BC laundry has signed the easement needed for the waste water treatment plant. Supervisor Lumsden signed the State form that needs to be filed. Lowes has agreed to the easement and should have the paperwork soon. The Poplar Hill easement will be surveyed soon.

The County sent a letter dated September 30 stating that they will be charging \$2.00 per

property plus miscellaneous expenses for Towns who use them for tax collection. There is no time to adjust the budget for this year and there is pressure from supervisors and the Association of Towns to stop it in order to have further discussion.

Supervisor's Report

There has not been a decision on replacing the Assessor. Talks continue with the Town of Vestal.

Supervisor Lumsden thanked the staff for their professionalism this year in handling the budget and for all the challenges that were met. Everyone has worked together.

[September Financials 2025](#)

RESOLUTIONS

Resolution Approving Abstract No. 20

[Resolution - Approving Abstract No. 20](#)
[Abstract No. 20](#)

The motion was made approving Abstract No. 20.

Motion made by Councilperson Kevin Worden, Seconded by Councilperson Jim DiMascio

Ayes: Councilperson Jim DiMascio, Supervisor Mike Lumsden,
Councilperson Dave Johnson, and Councilperson Kevin
Worden
Nays: None
Abstained: None
Carried: 4-0

Resolution - Commercial Self-Storage Units

[Resolution Adopting Commercial Self-Storage Local Law](#)

The motion was made to approve the resolution adopting the Commercial Self-Storage Local Law.

Motion made by Councilperson Jim DiMascio, Seconded by Councilperson Dave Johnson

Ayes: Councilperson Jim DiMascio, Supervisor Mike Lumsden,
Councilperson Dave Johnson, and Councilperson Kevin
Worden
Nays: None
Abstained: None
Carried: 4-0

SEQR Resolution - Commercial Self-Storage Units

Attorney VanWhy instructed the Board to respond to the 18 statements from Part B of the Full Environmental Assessment Form as he read each one. Having answered the questions and the sub questions there is no or small impact. Part 3 is the resolution itself.

[SEQR Resolution - Commercial Self-Storage](#)

The motion was made to approve the resolution that the Town Board finds and determines that

no significant adverse environmental impacts are noted in the Full Environmental Assessment Form for the Local Law.

Motion made by Councilperson Jim DiMascio, Seconded by Supervisor Mike Lumsden

Ayes: Councilperson Jim DiMascio, Supervisor Mike Lumsden,
Councilperson Dave Johnson, and Councilperson Kevin
Worden
Nays: None
Abstained: None
Carried: 4-0

Resolution - Regarding ARPA Fund

[Resolution regarding ARPA fund use \(Griffiths and Keystone contracts\)](#)

The motion was made to approve the resolution to use ARPA funds for the Griffiths and Keystone contracts.

Motion made by Councilperson Jim DiMascio, Seconded by Councilperson Kevin Worden

Ayes: Councilperson Jim DiMascio, Supervisor Mike Lumsden,
Councilperson Dave Johnson, and Councilperson Kevin
Worden
Nays: None
Abstained: None
Carried: 4-0

Resolution - Authorizing Hiring of Senior Clerk

[Resolution authorizing hiring of senior clerk](#)

The motion was made to approve the resolution to hire a Senior Clerk in the Ordinance Department

Motion made by Councilperson Dave Johnson, Seconded by Councilperson Jim DiMascio

Ayes: Councilperson Jim DiMascio, Supervisor Mike Lumsden,
Councilperson Dave Johnson, and Councilperson Kevin
Worden
Nays: None
Abstained: None
Carried: 4-0

Resolution - Awarding Generator Bids

[Resolution awarding Generator Bids](#)

This motion will be written again to include the distribution of ARPA funds for Delta Engineering and voted on at the October 30 meeting.

FUTURE BOARD TOPICS

November 13 (Currently only one meeting scheduled for November)

- Public Hearing - Budget (PH To Be Closed)
- Bids for ARPA Funds
- RFP Vestibule
- EDU Discussion

December 11 (Currently only one meeting scheduled for December)

- Water/Sewer Rates
- Comprehensive Plan Directive to Planning Board
- Hazard Mitigation Plan
- YouTube Discussion
- Policy Manual
- Process for Replacing Town Vehicles
- 8:00 Meeting Cutoff Discussion
- ZBA Alternate Board Member - Term Expiring
- Planning Board Member - Term Expiring

January 2025

- Adding New Annual Resolution Setting Fee Schedules Separate from from Town Code
- Water/Sewer Rate Increases
- Lesson on Difference Between Motions and Resolutions
- Organizational Resolution

[FUTURE TOPICS LIST - 10.16.2024](#)

OPEN FORUM

Joy Kasmarcik stated that the Delta Engineer portion of the generator project resolution in tonight's meeting did not include that the funds were coming from ARPA funds. That should be part of the resolution. It will lower the current balance by that amount. She also stated that she had read that the fire departments can be allocated money from ARPA funds.

The representative from the Chenango Bridge Fire Company spoke and wanted the Board to understand that they were unaware that their check for 2024 was \$27,000 more than it should have been. They were never told the final amount they would be receiving, and the check they received agreed with the contract they had signed. The contract was incorrect. As soon as they realized the error they contacted the Town. Supervisor Lumsden assured them they were in no way responsible for the error.

ADJOURNMENT

There being no further items for discussion, motion to adjourn the meeting at 7:30 p.m.

Motion made by Councilperson Jim DiMascio, Seconded by Councilperson Kevin Worden
Carried

Respectfully submitted,

Dawn W. Blair, Town Clerk
Town of Chenango